

RULES & BYE-LAWS
OF THE
POONA CITY MUNICIPALITY.

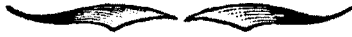


(Revised upto 1st January 1945)

म. मन्नेटा, स के २२ ऑफ डोमालोपम
वांस पिनी केडी अने. र. ७-०-०
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च. नं. *hullu*
← मुनिं पल कादिगातर
पीत जॉसिसर,
२५५ नं शहर अरुनासपादिटी

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POONA CITY MUNICIPALITY.



(Revised upto 1st January 1945)

FOREWORD.

Quite a number of changes have taken place in the various rules and byelaws of this Municipality since the last edition was published in October 1935. Correction slips had to be pasted on almost every page, which made the book very inconvenient to handle. Besides, the absence of a stray slip was sure to lead to an incorrect interpretation of a rule, perhaps to the detriment of the Municipality. The election rules, the rules relating to the conduct of business at Municipal meetings, the rules relating to Executive Committees, the byelaws relating to Dangerous and Offensive trades etc. have been thoroughly overhauled, during the last 7 years. Rules such as rules regulating the conduct and discipline of Municipal servants, advances to contractors, working of Municipal Record Office, stamp fees and byelaws for the construction and maintenance of water closets etc. are altogether new. They were sanctioned by Government from time to time and had to be incorporated in the old edition. A number of changes have taken place in the rules and byelaws relating to octroi which is the main source of income of this Municipality. The old Octroi Schedule has been completely revised and brought into force with effect from 1-2-1944.

The present edition is brought out only with a view to supply the long felt want of an up-to-date copy of the Municipal rules and byelaws. Most of the old rules and byelaws framed under the provisions of the District Municipal Act still unfortunately find a place in the edition. But it could not be helped.

Most of them are unsuited to the present conditions and steps will have to be taken to delete them with Government sanction. In fact, it is necessary to overhaul the whole set of rules and byelaws. This work will be taken in hand as soon as possible but it is a very laborious task and will take some years before the whole statutory process is gone through and Government sanction obtained. We could not defer publication of the much-needed edition till this ideal set of rules and byelaws was ready. Better is the enemy of good, they say, and we decided to do this good work of bringing out an up-to-date edition of the present rules and byelaws and let the better edition take its own time. The rules and byelaws have been presented in a different order from the one followed in the last edition, and we hope, the new arrangement will be appreciated.

3-1-1945.

G. M. Khopkar,
Assistant Chief Officer.

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The Revised Poona City Municipal Election Rules as sanctioned by The Government of Bombay.

UNDER G. R. G. D. No. 153, DATED 4-7-1927.

(*Sec. 10 of the City Municipalities Act*).

1. *Short title* :—These Rules may be called the Poona City Municipal Election Rules.

2. *Definitions* :—In these rules, unless there is anything repugnant in the subject or context—

(a) “ The Act ” means the Bombay City Municipalities Act, 1925.

(b) “ Returning Officer ” means the Chief Officer or such other Officer of the Municipal borough as may, from time to time, be appointed by the Collector as Returning Officer in respect of a Municipal election or part of an election.

(c) “ Section ” means a section of the Act ; and

(d) any word or expression which is defined in the Act and is not herein defined shall have the meaning assigned to it by the Act.

3. *Elected Councillors* :—There shall be 60 elected councillors for the Poona City Municipal Borough.

4. “ *Constitution of Wards* :—(1) There shall be two wards for Muhammadans and eighteen wards for Non-Muhammadans. The extent of, the number of councillors to be elected by, and the number of seats to be reserved for Women, Harijans and Indian Christians in each ward, shall be as set forth in Appendix ‘A’ to these rules.

Note :—An Indian Christian shall mean a person who professes any form of the Christian religion and is not a European or an Anglo-Indian.”

(2) The elected Councillors shall be elected by wards constituted as mentioned in sub-rule (1).

(2)

5 (1) *Preparation of a list of voters* :—The Returning Officer shall, not less than four months prior to the date on which the term of office of the councillors will expire, and on the corresponding date in each succeeding year prepare a list of voters.

If the Returning Officer appointed under rule 2 (b) is found to be incompetent or negligent or is guilty of misconduct in the preparation of the list, the Collector may, at any time, for reasons which shall be recorded in writing, direct that the said Returning Officer shall cease to do the work and may, in his place, appoint another Returning Officer, whether he is an officer of the Municipality or not to prepare the list.

(2) The list of voters shall show the persons entitled to vote in each ward separately. In the lists of Muhammadan and Non-Muhammadan wards, only Muhammadan and Non-Muhammadan voters, respectively, shall be entered.

6. *Publication of the list of voters* :—The list prepared under rule 5 shall be published by affixing a copy thereof in English or in Marathi or both, as the Collector may direct, at the Municipal office on the date appointed by the Collector in this behalf and notices of such publication shall be affixed for general information at such other conspicuous and public places in the Municipal borough as the Municipality may appoint.

6. (A) If at any time after the preliminary publication of the list under rule 6 and before its final publication, under rule 11 (2) it is found that the list is seriously and extensively defective the Collector may, for reasons which shall be recorded in writing, direct the cancellation of the list and the preparation of a fresh list by another officer (whether he is an officer of the Municipality or not) to be appointed by him. The procedure laid down in rule 5 (1), 10 and 11 (2) shall be followed as far as practicable, in all the stages of the preparation and publication of the voters' list, revision of the list, and final publication of the election roll, except that the periods laid down in rules 5 (1) and 11 (2) may be reduced as may be necessary in the circumstances of each case, provided that the election roll shall be finally published not less than one month before the date fixed for the general election.

Insert the following new rule 7-A after rule 7 :—

7-A (1) Subject to the provisions of sub-rules (2) & (3), the voter's name, his father's name and surname, if any, his address (including the number, if any, of his residence) and the nature of his qualifications shall be entered in the list of voters prepared under rule 5.

Note :—The qualification or qualifications held by a voter should be shown by indicative letters considered suitable by the officer who prepares the list.

(2) If a voter is a married woman her husband's name and surname, if any, shall be entered instead of her father's name.

Provided that if the officer who prepares the list is satisfied that for social or religious reasons there is some objection to the entry of the name of the woman herself in the list of voters the entry in regard to such woman may be made in the list of voter as the wife of A, B. or A, B. deceased (her husband's name and his father's name and surname, if any,) as the case may be.

(3) If the surname of a voter, belonging to a Christian community, is entered in the list of voters, the father's name of such voter may not be entered if the voter so desires.

Provided that if the voter belongs to an Indian Christian community, and bears an Indian Name his or her father's or husband's name, as the case may be, shall be entered.

(Sanctioned under Com. C. D.'s No. Poona 0/5-II of 21-12-1940.)

7. *Procedure to be followed in preparing the list of voters:—*
For the purposes of the preparation of the list of voters the following rules shall, so far as may be, apply:—

(a) "Tenant" means a lessee, whether holding under an instrument or under an oral agreement, and includes a mortgagee of a tenant's rights with possession.

(b) the value of any machinery, furniture or equipment, contained in or situate upon any house or building shall not be included in estimating the rental value of such house or building.

(c) a person who occupies any dwelling house, other than a house in any military or police lines, by virtue of any office, service or employment shall, if the dwelling house is not inhabited by the person in whose service he is in such office, service or employment, be deemed to occupy the dwelling house as a tenant.

(d) for the purposes of deciding any claim to be qualified in respect of any payment of rent or rental value, an entry in the record of the municipal borough, stating the amount of such payment or value shall be conclusive proof of the amount of such payment or value.

8. *Voting in particular cases:—*When any qualification prescribed by sub-section (2) of section 11 of the Act is possessed by an undivided family or a company or a firm or any other association or body of individuals or any trustees of any building or land being two or more in number, the Manager or the senior member of such family, or any one individual person duly authorized in this behalf by the members of such family, or company, or firm or association or body of individuals or trustees, upon an application in writing which he shall give to the Returning Officer within a fortnight from the date of the publication of the list of voters shall, unless he is subject to any of the disqualifications mentioned in the proviso to section 11, be qualified to have his name entered in the list of voters on behalf of such family or company or firm or association or body of individuals or trustees.

9. *Right to vote:—*A person qualified as an elector for the municipal borough shall be enrolled in the list of voters for the ward in which he resides, or, in the case of a qualification aris-

ing from the payment of the qualifying tax, in the list of voters for the ward in which his liability to pay the same occurs.

Provided that:—

- (a) No person shall be entitled to vote in more than one ward;
- (b) Any person qualified as a voter for more than one ward shall be at liberty to choose for which of such wards he shall vote and, failing his doing so, within a week after public notice has been given calling upon all such persons to make their choice, shall be entitled to vote in such ward as the Municipality shall determine.
- (c) A person shall be entitled to vote in that ward only for which his name is entered in the municipal election roll.

Explanation:—Persons residing outside the municipal borough and within 2 miles of it and qualified as voters under section 11 (1) of the Act shall be entitled to vote in the ward which is contiguous to their place of residence. In case of doubt the President shall decide which ward is contiguous. The President's decision shall be final.

10. *Claims and objections; appeal* :—(1) Any person whose name is not entered in the list of votes published as aforesaid and who claims to be entered therein, and any person whose name is entered in the said list who thinks that his own name or that of some other person has been wrongly entered therein, may apply in writing, within a fortnight from the date of publication of the list, to the Returning Officer for an amendment thereof.

(2) :—The Returning Officer shall forthwith forward every such application, with his report thereon, for the decision of an appellate authority which shall be appointed by the Collector, to hear and decide objections received under sub-rule (1). The appellate authority appointed under this sub-rule may consist of a single individual or more than one individual.

(3) :—Within a fortnight of the date of publication of the list the Returning Officer may also bring to the notice of the appellate authority any additions to, or omissions from, or correc-

tions, in the list, which he may discover, to be necessary otherwise than on the application of any person interested therein.

(4) :—Notice of every application under sub-rule (1) and of every reference under sub-rule (3) shall be given by the appellate authority to any person affected thereby, and the appellate authority shall as soon as possible consider and pass orders on such application or reference. A copy of every order so passed upon an application shall, without delay, be communicated to the person by whom the application was made, and a copy of every order, whether passed upon an application or reference, shall, without delay, be communicated to the person, whose name is thereby ordered to be removed from the list of voters.

(5) :—A second appeal may be preferred to the District Judge, from the decision of the appellate authority on any such application or reference but no such second appeal shall be entertained which is not presented within ten days from the date when the decision of the appellate authority was communicated to the applicant.

(6) Second appeal shall be heard by the District Judge, or if the District Judge so directs, by Joint Judge, an Assistant Judge, or a Subordinate Judge, nominated by the District Judge, specially for the case or for such cases generally, and such Judge shall after such enquiry as he deems necessary, pass a decision, or order on the appeal. For the purposes of the said enquiry the said Judge may summon and enforce the attendance of witnesses and compel them to give evidence as if he were a civil court and he may also direct by whom the whole or any part of the cost of any such enquiry shall be paid. Such cost shall be recoverable as if they had been awarded in a suit under the Code of Civil Procedure, 1908. The decision or order of the Judge shall be final.

11. *Publication and custody of election roll*;—

(1) :—When the list of voters has been prepared and where necessary, revised, as hereinbefore provided, in compliance with any order passed in that behalf by the appellate authority, or by the Judge in second appeal, a copy thereof, signed by the Returning Officer appointed to prepare the list of voters shall be the Municipal Election Roll.

(2) The Municipal election roll shall be published in the manner prescribed in rule 6 not later than sixty days from the date on which the list of voters was published under that rule.

(3) Every such election roll shall be entered in a book, each page of which shall be signed by the Returning Officer and sealed with the common seal of the Municipality. The said book shall be kept in the municipal chest or safe under lock and key and the Officer whose duty it is to keep the key of the said chest or safe shall be responsible for the safe custody of the said book.

12. *Qualification for election.*—

(1) Any person whose name is entered in the Municipal election roll as entitled to vote in any ward may (if duly qualified) be a candidate for election either in the ward for which his name is so entered or in any other ward ; provided that candidates for election in Muhammadan or Non-Muhammadan wards shall themselves be Muhammadans or Non-Muhammadans, respectively.

(2) When in any ward any seat is reserved for women or for any specified community or communities, only women or persons belong to such community or communities for whom the seat is reserved shall be qualified to be chosen to fill such seat.

13. (1).—*Collector to fix Dates, Hours And Places Of Election:*—Every Municipal election shall be held on such dates, between such hours and at such place or places as may be fixed by the Collector. The Collector shall fix the date, hour and place for the following, stages of the election, namely receipt of nomination papers, scrutiny of nomination papers, recording of votes and counting of votes. The date for the receipt of nomination papers shall not be less than *twenty-two* days before the date fixed for the election.

(2).—Written notice of the dates fixed as aforesaid shall be given and published in English or in Marathi or both as the Collector may direct, not less than *thirty* days before the date fixed for the election. Copies of the notice shall be affixed at the Municipal Office and at such other conspicuous place or places within the municipal borough as the Municipality appoints for this purpose.

14. *Nomination of candidates:*—(1) On or before the date and at the time appointed under rule 13 for the receipt of nomination papers, each candidate shall deliver to the Returning Officer a nomination paper completed in the form prescribed in Appendix B and subscribed by the candidate himself as assenting

Insert the following new rules after rule No. 14 (5):—

14 (6) If a candidate by whom, or on whose behalf the deposit referred to in sub-rule 14 (5) above, has been made, withdraws his candidature before 5 P. M. on the day following the last date for the delivery of the nomination papers, or if the nomination of such candidate is refused, the deposit shall be returned to the person by whom it was made. If any candidate dies before the commencement of the poll, any such deposit, if made by him, shall be returned to his legal representative and, if made by some other person on his behalf, shall be returned to such person.

14 (7) If a candidate by whom, or on whose behalf the deposit referred to in sub-rule 14 (5) has been made is elected, the deposit shall be returned to the person who made it as soon as may be after the declaration of the result.

14 (8) If a candidate by whom, or on whose behalf, the deposit referred to in sub rule 14 (5) above has been made is not elected, and if the number of votes polled by him does not exceed $\frac{1}{8}$ of the total number of votes polled divided by the number of seats in the ward to fill which votes have been taken, the deposit shall be forfeited to the Municipality.

Provided that in a ward in which a seat is or seats are reserved for Harijans or for backward tribes, the deposit made by or on behalf of a candidate, who is a Harijan, or a member of a backward tribe shall not be forfeited unless the number of votes polled by such candidates does not exceed $\frac{1}{6}$ of the total number of votes divided by the number of seats in the ward to fill which votes have been taken.

14 (9) The deposit made by or on behalf of a candidate who is not elected shall, if it is not forfeited under sub rule 14 (8) above, be returned to the person who made it as soon as may be after the publication of the result of the election in the Bombay Government Gazette.

14 (10) If a candidate is duly nominated in more than one ward, not more than one of the deposits made by him or on his behalf shall be refunded, the remainder being forfeited to the Municipality.

(Sanctioned under Com. C. D. No. Poona 0/5-II of 21-12-40.)

to the nomination and by two persons as proposer and seconder whose names are registered in the Municipal Election Roll for the same ward in which the candidate wishes to be elected. Nomination papers in the prescribed form shall be supplied by the Returning Officer to any voter asking for the same.

(2) Any person whose name is registered in the Municipal Election roll and who is not subject to any disability under the Act may subscribe as proposer or seconder as many nomination papers as there are vacancies to be filled but no more.

(3) The proposer and the seconder shall be present at the time of presentation of the nomination paper to the Returning Officer who shall ascertain, there and then, that the proposer and seconder have willingly signed the nomination paper. If either the proposer or the seconder expresses his unwillingness to acknowledge his having signed the nomination paper, the candidate may present a fresh nomination paper.

(4).—On receiving a nomination paper, the Returning Officer shall inform the persons delivering it of the date, (which shall not be later than two days after the last date fixed for the receipt of the nomination papers) hour and place appointed for the scrutiny of nomination papers and shall enter in the nomination paper its serial number and shall sign thereon a certificate stating the date on which and the hour at which the nomination paper has been delivered to him. He shall also as soon as may be after the date fixed for the receipt of the nomination papers but before the date fixed for their scrutiny, cause to be affixed in some conspicuous place in his office a notice of all nomination papers received by him, containing descriptions of the candidates and their nominators, similar to those contained in the nomination papers.

(5) On or before the last date or the delivery of nomination papers each candidate shall deposit, or cause to be deposited, with the Returning Officer a sum of Rs. 100 in cash.

Provided that in a ward in which a seat is or seats are reserved for Harijans the sum to be so deposited by or on behalf of a candidate who is a Harijan shall be Rs. 20.

No candidate shall be deemed to be duly nominated unless the deposit referred to in this sub-rule has been made.

15. *Scrutiny of nomination papers* :—On the date appointed for the scrutiny of nomination papers the candidates, one proposer and one seconder of each candidate and one other person duly authorised in writing by each candidate, but no other person, may attend at the appointed time and place and the Returning Officer shall give them all reasonable facilities for examining the nomination papers of all candidates, which have been delivered within the time and in the manner prescribed in rule 14.

16. *Disposal of objections : Rejection of nomination* :—

(1) The Returning Officer shall examine the nomination papers and shall decide all objections which may be made to any nomination and may, either on such objection or on his own motion, after such summary inquiry, if any, as he thinks necessary, refuse any nomination on any of the following grounds :—

- (i) that the candidate is ineligible for election ;
- (ii) that a proposer or seconder is disqualified from subscribing a nomination paper ;
- (iii) that there has been any failure to comply with any of the prescribed provisions ;
- (iv) that the candidate or any proposer or seconder is not identical with the person whose electoral number is given in the nomination paper as the number of such candidate, proposer or seconder, as the case may be ;
- (v) that the signature of the candidate or of any proposer or seconder is not genuine or has been obtained by fraud ;

(2) For the purposes of sub-rule (1),—

- (i) the production of any certified copy of an entry made in the Municipal Election Roll shall be conclusive evidence of the right of any voter named in that entry to stand for election or to subscribe a nomination paper, as the case may be, unless it is proved that the candidate or proposer or seconder is disqualified ; and
- (ii) where a person has subscribed whether as proposer or seconder a larger number of nomination papers than there are vacancies to be filled, those of the

papers so subscribed which have been first received, up to the number of vacancies to be filled, shall be deemed to be valid.

(3) Nothing contained in sub-rule (2) shall be deemed to authorise the refusal of the nomination of any candidate on the ground of any irregularity in respect of a nomination paper, if the candidate has been duly nominated by means of another nomination paper in respect of which no irregularity has been committed.

17. *Completion of scrutiny*:—(1) The Returning Officer shall endorse on each nomination paper his decision accepting or rejecting the same and if the nomination paper is rejected, shall record in writing a brief statement of his reasons for such rejection.

‘ An appeal may be made to the Collector within 3 days from the decision of the Returning Officer. The election shall proceed in accordance with the order of the Collector in such appeal.’ Vide G. R. G. D. No. 153 dated 10th July 1928.

(2).—An appeal against an order of the said officer passed under sub-rule (1) rejecting a nomination paper may be made to the Collector by any aggrieved person within three days of the date of such order.

(3).—On an application whose nomination paper has been rejected, the Returning Officer shall within 24 hours of the receipt of such application, grant the candidate a copy of the order rejecting the nomination paper.

(4).—If no appeal is made within the period prescribed in sub-rule (2) the Collector shall forthwith, inform the Returning Officer accordingly, or if an appeal is so made, the Collector shall decide the appeal within two days of its presentation and shall immediately communicate his decision thereon to the Returning Officer.

(5).—The scrutiny shall be completed on the day appointed in this behalf and no adjournment of the proceedings shall be allowed.

18.—*Preparation of a list of valid nominations*.—On receipt of the communication from the Collector under Rule 17 (4) the Returning Officer shall prepare under his signature a list

of all validly nominated candidates and post it or cause it to be posted at the Municipal Office and at the place or places at which the election is to be held and in such other conspicuous places as he considers necessary, at least seven days before the date fixed for the election. He shall also forward a copy of the list to the Collector immediately.

19.—Procedure at uncontested elections:—

(1)—In any ward where no seat is reserved for women or for any community or communities, if the number of candidates nominated does not exceed the number of vacancies, the candidate or candidates so nominated shall be declared by the Returning Officer elected without any votes being taken; and the Returning Officer shall forthwith communicate the result of the election to the Collector who shall cause it to be published in *The Bombay Government Gazette*.

(2)—In any ward where a seat or seats is or are reserved for women or for any specified community or communities, if the number of candidates qualified to be chosen to fill the seat or seats so reserved is equal to the number of seats so reserved and the total number of candidates nominated for all the seats does not exceed the total number of vacancies the candidate or candidates so nominated shall be declared by the Returning Officer elected without any votes being taken and the Returning Officer shall forthwith communicate the result of the election to the Collector who shall cause it to be published in *The Bombay Government Gazette*.

(3)—In any such ward if the number of candidates qualified to be chosen to fill a reserved seat or reserved seats is equal to the number of such seats the candidate or candidates so qualified shall be declared by the Returning Officer to be elected to fill the reserved seat or seats; and the Returning Officer shall forthwith communicate the result of the election to the Collector who shall cause it to be published in *The Bombay Government Gazette*. Votes shall only be taken, if necessary, for filling any seat or seats not filled under this sub-rule.

(4) If in such ward the number of candidates qualified to be chosen to fill a reserved seat or reserved seats is less than the number of such seats, all the candidates so qualified shall be declared by the Returning Officer to be elected, and it shall be

(11)

deemed that there has been a failure to elect within the meaning of section 9 (2) of the Act, in respect of the reserved seat or seats left unfilled. Votes shall be taken, if necessary, only for filling such remaining unreserved seat or seats.

(5).—If in such ward there is no candidate qualified to be chosen to fill a reserved seat or reserved seats in any ward, it shall be deemed that there has been a failure to elect, within the meaning of section 9 (2) of the Act, in respect of the reserved seat or seats. Votes shall be taken, if necessary only for filling such remaining unreserved seat or seats.

19 (A).— In cases other than those covered by any of the above sub-rules, votes shall be taken for filling the vacancies.

20. *Right to be nominated in two or more wards* :—When elections for two or more wards are to be held at or about the same time, one and the same person may be nominated as a candidate for election for each such ward provided he is otherwise duly qualified.

20-A. Every candidate, who within 24 hours from the time his name is entered in the list of valid nominations referred to in Rule 18 above, supplies the President at his own expense with a block depicting such symbol as he may, with the President's approval, adopt for the guidance of voters, shall be entitled to have the same printed in column 3 of the voting paper.

21. *Withdrawal of candidature* :—Any candidate whose nomination has been declared to be valid under rule 18 may withdraw his candidature at any time on or before the date fixed for election under rule 13 by notice in writing subscribed by him and delivered to the Returning Officer. Such withdrawal shall render his nomination void. When such notice is delivered after the voting has begun and such withdrawal has the effect of leaving the election uncontested, the polling officer shall close the poll and the Returning Officer shall declare the unopposed candidate or candidates duly elected.

22. *Presiding Officer* :—The President shall appoint such number of polling stations as he considers necessary and shall appoint one or more Polling Officers to preside at each polling station with as many assistants as he thinks necessary. Such Polling Officers and assistants shall not be Councillors for the wards

for which the poll is to be taken nor registered voters therein. The President shall also appoint one or more identifying officers at each polling station to assist the polling officers in identifying the voters.

23. *Supply of election materials and ballot box* :—(1) On the morning of the polling day the polling Officers shall be supplied with a box or boxes provided with an aperture for receipt of voting papers, a copy of the election roll, a bound book or books of voting papers serially numbered in foils and counterfoils and such other materials for the purpose of the election as may be necessary.

(2) The President may give such special directions as may be necessary for the provision of ballot boxes, cubicles or screens, and other matters of detail.

24. *Sealing of ballot box* :—Before the commencement of the poll, the polling officer shall show the ballot box empty to such candidates or their agents as may be present at the polling station ; and shall then lock it up and seal it in such manner as to prevent its being opened without breaking the seal. The ballot box shall then be placed within a screened partition.

25. *Voters to attend polling stations* :—Every voter desirous of recording his vote shall attend for the purpose at the polling station for the ward for which he is entered in the list of voters on the date appointed for the election under rule 13. and between such hours as may be appointed by the Collector in this behalf.

26. *Identity of voters* :—(1) When a voter presents himself at the polling station, the polling officer shall first ascertain from him his name, the ward in which he claims to vote, whether he is the person named in the list and whether he has already voted.

(2) When the polling officer is satisfied on the points mentioned in sub rule (1), he shall score out the voter's name from the voter's list, enter the voter's number in the voter's list and the ward in the list for which he is entered on the counterfoil of the voting paper and shall initial the foil of the voting paper; and after taking the voter's signature or thumb impression on the counterfoil and sealing the voting paper across the joint of the foil and counterfoil with a seal, give the foil to the voter and admit him to the polling room.

27. **VOTING:**—After receiving his voting paper, the voter shall proceed to the voting partition. *Every voter shall be entitled to give as many votes as there are seats for filling which votes are to be taken in his ward, either cumulatively to one candidate or severally to different candidates, or partly cumulatively and partly severally, provided the total number of votes (crosses) does not exceed the total number of seats for filling which votes are to be taken in his ward.* He shall put one cross in pencil in column 4 of the voting paper against the name of the candidate, for every vote he wishes to give to the candidate. If the voter does not wish to record all his votes he shall leave part of the voting paper blank. The voter, shall after recording his vote or the votes, return the voting paper folded up to the Polling Officer who shall in the voter's presence forth with place it in the sealed box and pass the voter out of the polling room.

Only one voter shall be allowed in the voting partition at a time.

28. **FORM OF THE VOTING PAPER:**—The voting paper shall be in the form of appendix C hereto annexed and shall contain the names of candidates in alphabetical order. Provided that the names of candidates declared by the Returning Officer to be elected under the provisions of sub-rules (3) and (4) of Rule No. 19 shall not be entered in the voting paper. The voting paper shall be serially numbered, the serial number being printed on the counterfoil and on the back of the voting paper.

29. *Issue of voting paper* :—No voting paper shall be issued after the closing hour appointed for the election under rule 13 ; but any voter, who has been given his voting paper before the said closing hour, shall be allowed to record his vote.

30. *Specimen voting papers to be posted* :—Specimen voting papers shall be posted outside the polling booth for the guidance of voters at least forty-eight hours before the polling commences.

31. *Voting by officers on duty at polling stations* :—A polling officer or any person, who is on duty at a polling station at which he is not entitled to vote, may, if such officer or person is entitled to vote at the election in connection with which he is employed, record his vote at that polling station. The name of the polling station at which he would otherwise have been entitled to vote shall be entered on the counterfoil of the voting paper in lieu of his number in the voters' list.

32. *Voting by proxy* :--There shall be no voting by proxy.

33. *Dispute as to identity* :--The Polling Officer and the Presiding Officer, if any, shall decide any dispute as to the identity of any person claiming to be a voter.

34. *Assistance to voters* :--The Polling Officer and the Presiding Officer, if any, shall give such assistance as may be required to any voter who is under any disability which incapacitates him from voting in the manner prescribed.

35. *Tendered voting papers* :--If a person representing himself to be a particular voter entered in the Municipal Election Roll applies for a voting paper after another person has voted as such voter, the applicant shall, after duly answering such questions as the polling officer may ask, be entitled to vote. The voter shall, however, write or if he is illiterate, the polling officer shall write for him, on the reverse of the voting paper, the names of the candidates for whom he desires to vote and the number of votes he desires to record for each, and the voter shall tender the voting paper to the polling officer who shall endorse thereon the name of the voter and his number in the Municipal Election Roll and shall enclose the voting paper in a separate packet. Such voting papers shall be termed "Tendered voting papers." A list shall be maintained for the voting papers so tendered in the form of Appendix D hereto.

36. *Admission to polling booth* :--(1) On the day of the election the polling officer shall admit to the ante-room of the polling booth the candidates and such agents as may be selected by the candidates to assist in the identification of voters, provided that there shall be present at one time in addition to the candidates not more than one agent of each candidate.

(2) Besides candidates and their agents, only voters and necessary attendants of voters shall be admitted to the polling booth.

37. *Candidates and agents not to communicate with voters* :--(1) The candidates and their agents shall not speak to or address any intending voter in the ante-room, but may only address the polling officer or the presiding officer, if any, in regard to objections to a voter on the following three grounds:--

(i) that his name is not on the list of voters of the ward in respect of which the election is being held ;

(ii) that his claim to be a certain voter shown on the list of voters is false ;

(iii) that he has already voted.

(2) Any person breaking this rule may be expelled from the ante-room by the polling officer or the presiding officer, if any, and shall not be re-admitted during the election.

38. *Duties of polling officers* :—It shall be the duty of the polling officers and their assistants to see that votes are recorded with absolute secrecy ; that only such persons as may be admitted to the polling booth under these rules are admitted thereto ; and that persons who have recorded their votes, or against whom objections have been heard and disposed of, leave immediately. It shall also be their duty to see that these rules and any special directions given by the President thereunder are strictly observed in all respects.

39. *Closing of poll: despatch of voting papers* :—(1) The polling officer shall, as soon as practicable after the close of the poll, in the presence of any candidate or representative of a candidate, if in attendance, make up into separate packets, endorsing on each a description of its contents, and seal with his own seal and the seal of any candidate or representative who may desire to affix his seal,

(i) Each ballot box in use at the polling station, unopened but with the key attached.

(ii) The books of unused voting papers.

(iii) The tendered voting papers.

(iv) The marked copies of the voters' list.

(v) The books of counterfoils of the used voting papers,

(vi) The tendered votes list.

(2) The packets shall be forwarded by the polling officer to the President or other person appointed by the President to take charge of them till the votes are counted and till the books of counterfoils and unused foils are destroyed under rule 46. He shall also forward with them a statement showing the number of voting papers entrusted to him and accounting for them under the heads of voting papers used, voting papers tendered, and voting papers unused.

40. *Counting of votes* :—(1) On the date and at the time appointed under rule 13 the ballot box or boxes will be opened

and the votes will be counted at a special general meeting of the Municipality in the presence of such candidates or their representatives duly authorised in writing as may be present. The Chairman of the meeting shall open each ballot box and separate the voting papers which he deems valid from those which he rejects, endorsing on the latter the word "rejected" and the grounds of rejection.

(2) The Chairman may reject any voting paper on or by which the voter has recorded more votes than he is entitled to or which bears any writing or mark by which it is in his opinion intended to be identified or which is unmarked or void for uncertainty.

(3) He shall have the votes given to each candidate counted by scrutineers appointed at the meeting of the general board.

(4) He shall upon the completion of the counting, seal up in separate packets endorsing on each a description of its contents, the voting papers counted and the voting papers rejected. He shall not open the sealed packets of the tendered voting papers, the marked copies of the voters' lists and the counterfoils of used voting papers but shall open the packets of unused voting papers and the packet containing the tendered votes list, and shall verify the voting paper account given by each polling officer by comparing it with the number of voting papers counted or rejected as aforesaid, of the unused voting papers and the tendered voting papers as shown in the tendered votes list. He shall reseal each sealed packet after examination and record on each packet a description of its contents and the date of the election to which it refers.

(5) He shall then prepare and certify a return setting forth—

- (i) The result of the verification referred to in sub-rule (4);
 - (ii) The names of the persons for whom valid votes are given;
 - (iii) The number of valid votes given for each person;
 - (iv) The number of votes declared invalid;
 - (v) The number of tendered votes given;
- and permit any candidate or his agent to take a copy of or an extract from the return.

(6) The Chairman may, at any stage, adjourn the proceedings under this rule after giving notice of the date and hour at which proceedings will be resumed to the candidates or their representatives present.

(7) If there is an equal number of valid votes in favour of each of two or more candidates for one vacancy, the selection of one such candidate shall be made by lot by the Chairman of the aforesaid meeting, in such manner as the Municipality at such meeting shall determine.

41. *Declaration of results* :—When the counting of the votes has been completed, the Chairman of the meeting shall forthwith declare the candidate or candidates, to whom the largest number of votes has been given, to be elected. The result of the election shall be recorded in the proceedings of the meeting.

42. *Publication of the result of the elections* :—The names of all councillors who are declared elected at the special general meeting under rule 41 shall be certified by the Chairman of such meeting to the Collector, who shall cause the same to be published in the Bombay Government Gazette.

43. *Multiple elections* :—(1) If any person is elected by more than one ward he shall, by notice in writing signed by him and delivered to the President within seven days from the date of the publication of the result of such election under section 17 of the Act, choose for which of these wards he shall serve and on such choice having been made, the result of the election shall, in every other ward by which such person has been elected, be determined as if no votes had been recorded for him.

(2) If such person does not make the choice referred to in sub-rule (1), the election of such person shall be void and the results of the elections shall be determined as if no votes had been recorded for him.

43-A. Where in a ward the vacancies to be filled by taking votes include a reserved seat or reserved seats, the Chairman of the meeting shall when the counting of the votes has been completed, first declare that one, or those, of the candidates qualified to fill such seat or seats to whom the largest number of votes has been given to be elected to fill the reserved seat or seats.

44. *Custody of election papers* :—When the voting papers have been scrutinised, they shall forthwith be replaced again in

the ballot boxes from which they were taken and these boxes after being locked and sealed with the Municipal seal and all other documents relating to the election shall be kept by the Municipality in safe custody.

45. *Production and inspection of election papers:—*

(1) While in the custody of the Municipality the packets of voting papers whether counted, rejected or tendered, and of the counterfoils thereof and of the marked copies of voters' lists, shall not be opened and their contents shall not be inspected or produced except under the orders of a competent court; provided that packets of counterfoils of voting papers may be opened and their contents may be inspected or produced after the expiry of the period allowed for making applications under Sec. 15 of the Act and if any application is made, after such application has been disposed of.

(2) All other documents relating to an election in the custody of the Municipality shall be open to public inspection.

(Amended Rule 45 sanctioned under Commissioner, C. D's No. Poona 0/5 dated 3rd November 1933.)

46. *Destruction of voting papers:—*On the expiry of fifteen days from the date of the declaration of the result of the election, or if any application regarding the election is made to the District Judge under section 15 of the Act and such application is not finally disposed of before the expiry of the said fifteen days, then whenever such application has been finally disposed of, the voting papers including both those in the ballot box, and those in the sealed books and all papers relating to an election shall be destroyed in the presence of such councillor or officer as the Municipality appoints for this purpose.

47. *Casual vacancies:—*Any vacancy occurring in the Municipality between two general elections shall be reported without delay by the President of the Municipality to the Collector, who shall fix the dates, hours and places, as soon as conveniently may be, for the holding of an election to fill the vacancy. These rules shall, subject to such modifications as may be necessary, apply to such bye-elections also.

(19)

APPENDIX " A "

(Vide rule 4)

*Names and extent of wards and the number of Councillors to be elected by each ward.**

Name.	Extent.	Number of Councillors to be elected.	Number of seats to be reserved.
1	2	3	4
	<i>Non-Muhammadan Wards.</i>		
I	Somwar and Mangalwar Peths ...	4	1 seat reserved for Harijans.
II	Rasta and Nihal Peths ...	2	Nil.
III	Nana Peth ...	3	1 seat reserved for Indian Christians.
IV	Bhavani Peth ...	3	1 seat reserved for Harijans.
V	Ganj and Ghorpade Peths and Gultekadi. ...	3	1 seat reserved for Harijans.
VI	Vetal Peth ...	2	Nil.
VII	(Shukrawar Peth-Part I i. e. the area covered by houses Nos. 432 to 1374 and from house No. 1375 onwards)	4	Nil.
VIII	(Shukrawar Peth—Part II i. e. the area covered by houses Nos. 1 to 431.)	3	Nil.

Name	Extent.	Number of Councillors to be elected.	Number of seats to be reserved
1	2	3	4
IX	Budhwar Peth	3	Nil.
X	Raviwar Peth	3	Nil.
XI	Ganesh Peth	2	Nil.
XII	Kasba Peth—Part I.	3	I seat reserved for Women.
XIII	Kasba Peth—Part II <i>Note</i> :—Parts I and II of Kasba Peth are divided from each other by a line passing along the Tambat Houd Road till its junction with Dagdi Pool Road, then along the Dagdi Pool Road till its junction with Jakat Gate Road, then along the Jakat Gate Road.	2	Nil.
XIV	Shanwar Peth.	4	I seat reserved for Women
XV	Narayan Peth	3	Nil
XVI	Sadashiv Peth—Part I (i. e. area covered by houses bearing Nos 431 onwards).	3	Nil
XVII	Sadashiv Peth—Part II (i. e. area covered by houses bearing Nos. 1 to 430 and Parvati.)	3	Nil
XVIII	Bhamburda, Yerandavana and Chaturshingi.	4	I seat reserved for Harijans.
	Number of Non-Muhammadan Councillors.	54	

Name	Extent	Number of Councillors to be elected.	Number of seats to be reserved.
1	2	3	4
	<i>Muhammadan wards.</i>		
XIX	Somwar, Mangalwar, Rasta, Nihal, Nana, Bhavani, Ganj and Ghorpade Peths and Gultekadi.	3	
XX	Vetal, Shukrawar, Budhwar, Raviwar, Ganesh, Kasba, Shanwar, Narayan and Sadashiv Peths, Parvati, Bhamburda, Yerandavana and Chaturshingi.	3	
	Number of Muhammadan Councillors.	6	
	Total number of Councillors ...	60	

[Sanctioned under G. R. G. D. No. 2659 dated 16th June 1938]

Appendix "B"
(See Rule 14).
Form of Nomination Paper.

Name of ward ... _____

Full name of candidate ... _____

Age ... _____

Address ... _____

Denomination of candidate ... _____

(State whether Muhammdan or non-Muhammdan. In the case of a ward in which a seat is reserved for Harijans, Indian Christians, Backward Tribes, Anglo-Indians or Europeans, also state whether belonging to the community or communities for which seat or seats are reserved. If Harijan or member of Backward Tribe, state the caste.)

Name of ward in which candidate is entitled to vote, and his number in the election roll. { _____

Names of nominators :— { _____

Numbers of the nominators in the election roll and name of ward in which they are entitled to vote. { _____

Signature of nominators { _____

Date ... _____

Declaration of Candidate.

I hereby declare that I agree to this nomination and am willing to serve as a councillor if elected.

Date

Signature of candidate.

(Sanctioned under the Commissioner C. D.'s No. Poona 0/5-II, dated 16th July 1938).

(23)

APPENDIX C.

VOTING PAPER.

(See Rule 28)

Counterfoil.	Outerfoil front.			
Serial No. Ward.	Serial No.	Name of candidate	symbol of candidate	Voter's mark.
Number of voter on election roll.	1			
Signature or thumb impression of voter.	2			
	3			
	4			
	5			

NOTE :—(1) Place a cross or crosses thus × in the last column against the name of the Candidate for each of the Candidates whom you wish to vote.

(2) The mark should be placed against not more than ...names.

Serial No.

(24)

APPENDIX D.

TENDERED VOTES LIST.

(See Rule 35).

The Municipal Borough of Poona City Polling Station.

Name of ward.	Name of voter.	Number in voters' list.	Number of votes recorded.

Statement showing dates of Government sanction.

- (1) Rule 20 A sanctioned under Commissioner, C. D's No. Poona 0/5, dated 15th January 1930.
- (2) Rule Nos. 5 (1) ; 6 A ; 10 (2), (3), (4), (5), (6) ; and 11 (1) are sanctioned under Commissioner, C, D's, No. Poona 0/5-II, dated 27th August.1936.
- (3) Rule 11 (2) sanctioned under Commissioner C. D' No. Poona 0/5-II, dated 10th Feb. 1937.
- (4) Rule Nos. 13 (1), (2) ; 14 (4), (5) ; 17 (2), (3), (4), (5) ; and 18 are sanctioned under Commissioner, C. D's No. Poona 0/5-II, dated 15th March 1937.
- (5) Rule Nos. 19 (1), (2), (3), (4), (5) ; 19 A ; 28 ; 43 A and Appendix 'B' are sanctioned under Commissioner C. D's No. Poona 0/5-II, dated 16th July 1938.
- (6) Rule 27 sanctioned under Commissioner, C. D. N. Poona 0/5-II, dated 31st August 1938.
- (7) Rule Nos. 3 ; 4 ; 5 (2) ; 12 (1), (2) and Appendix 'A' are sanctioned under G. R. G. D. No. 2659, dated 16th June 1938.

RULES REGULATING

The Conduct of Business.

Rules framed by the Poona City Municipality under section 58 (a) of the Bombay Municipal Boroughs Act, 1925, regarding conduct of business at Municipal Meetings, as sanctioned by Government.—

Under G. R. G. D. No. S-91 (64) dated 13th March 1939.

1. *Short Title*—These rules shall be called the Poona City Municipal Rules for the conduct of business at Municipal Meetings.

2. *Definitions*—In these rules, unless there be something repugnant in the subject or context:—

(1) “The Act” means the Bombay Municipal Boroughs Act, 1925.

(2) All other words and expressions shall be deemed to be used in the same sense in which they are used in the Act.

3. *Preparation of notice convening General Meeting*:—A notice convening a general meeting shall be prepared by the Chief Officer under the orders of the Presiding Authority. Such notice shall be served upon councillors in the manner prescribed in section 192.

4. *All papers to be laid on the table*—All papers relating to the business on the Agenda Paper (with a precis of each case) shall be laid on the table for a week before the date of a quarterly general meeting and three days before the date of a special general meeting to enable councillors to make themselves acquainted with the same.

5. *Business and order of items*.—Items of business shall be arranged by the Chief Officer in the following order:—

(1) Confirmation of the minutes of the last meeting or meetings.

(2) Interpellations from councillors and replies thereto.

(3) All elections or appointments to be made by the general meeting.

(4) Resolutions of the Standing Committee (Section 37).

(5) Resolutions of any other Executive Committee (if any) (section 38).

(6) Resolutions of the School Board under the Bombay Primary Education Act and Rules thereunder.

(7) Appeals (if any) against the orders of the Chief Officer, or Controlling Committees.

(8) Letters or Memoranda from Government or Government Officers.

(9) Notices of motions.

(10) Miscellaneous.

(11) Table papers for perusal or information.

6. *Time of commencement.*—When a quorum is not required proceedings shall commence at the hour fixed for the meeting. When a quorum is required, proceedings shall commence as soon after the hour fixed as there is a quorum present subject however to the provisions of section 35 (7) of the Act.

7. *Confirmation of minutes.*—After the Presiding Authority has taken his seat, the minutes of the previous meeting shall be read and after confirmation shall be signed by the Presiding Authority, provided that when they have already been circulated to the councillors present in the limits of the Municipal Borough and no objection has been taken to them, they may be taken as read.

8. *Amendment of minutes.*—If any councillor present objects to the minutes as having been incorrectly or incompletely recorded the Presiding Authority shall after taking the sense of the meeting make such amendments in the minutes as he thinks proper, and the amended minutes shall then be confirmed and signed by the Presiding Authority.

9. *Language to be used.*—The proceedings may be conducted either in English, Marathi or Hindustani and any member may

speak at the request and on behalf of any other member who is unable to express himself in any of these languages.

10. *Manner of speaking*.—In proposing and discussing a motion or amendment or any question a councillor shall speak from his place, shall rise when he speaks, and shall address the Presiding Authority. Councillors must confine their speech strictly to the question immediately before the meeting and shall cease to make remarks which are held by the Presiding Authority to be irrelevant.

11. *Preserving of order*.—The Presiding Authority shall preserve order ; and all points of order shall be decided by him no discussion being allowed thereon unless he shall think fit to take the opinion of the councillors present at the meeting thereon.

12. *Raising a point of order*.—Any councillor may at any time submit a point of order to the decision of the Presiding Authority. Such point of order shall call in question only the propriety of some portion of the proceeding before the meeting. It shall refer as briefly as possible to the alleged want of order, and the councillor raising it shall not be entitled to make any speech thereon. The Presiding Authority shall decide whether or not any record of such point of order and his decision shall be kept.

13. *Resumption of seat*.—A councillor called to order by the Presiding Authority shall resume his seat till the decision of the point of order raised.

14. *Adjournment of a meeting in case of unruly conduct of a councillor*.—The Presiding Authority may adjourn any meeting that refuses to obey his ruling on a point of order, or the conduct of the business at which becomes impossible through the unruly conduct of a councillor. The reason for the adjournment shall be entered in the minute book. The date and hours to which the meeting is adjourned shall, in cases falling under this rule, be fixed by the Presiding Authority without any reference to the councillors present.

15. *Intimation of withdrawal*.—A councillor who wishes to leave a meeting before its close shall immediately before leaving, intimate his intention of leaving to the Presiding Authority.

16. *Questions*—(1) Councillors may, after the confirmation of the minutes of the previous meeting, and before the regular business of the meeting begins put questions to the Presiding Authority concerning or connected with the executive administration of the Act or the Municipal Government of the City, and shall be entitled to an oral reply subject to the following provisions :—

(a) That not less than seven clear days' notice in writing specifying the questions has been given to the Chief Officer.

(b) That no question shall be asked :—

(i) which calls for an expression of opinion or for the solution of an abstract legal question or of a hypothetical proposition ; or

(ii) which concerns or is connected with, either directly or indirectly, any pending suit or proceedings in any court of law or before any tribunal in any part of His Majesty's possessions ; or

(iii) which relates to the character or conduct of any municipal officer or servant except in his official or public capacity ; or.

(iv) which is, or by implication may be, defamatory of or which makes or implies a charge of a personal character against any person or section of any community ; or

(v) which contravenes any rule made by the Municipality with the sanction of Government.

(2) The Presiding Authority may disallow any question if in his judgment it is frivolous, vexatious, or offensive, or if he thinks that the information sought can easily be obtained from the Chief Officer or cannot be divulged without detriment to municipal interests, or can be obtained from the printed records of the Municipality available to the councillor concerned from the Municipal Library.

(3) The Presiding Authority, shall not be bound to answer a question which involves communication of information given to him in confidence.

(4) No debate shall follow on any question which has been answered.

(5) The questions asked and replies given shall be incorporated in the records of the Municipality.

17. *Motions how moved.*—Every motion or amendment except formal motions, e. g., a motion for adjournment, shall be handed over by the proposer in writing in English or in Marathi to the Presiding Authority, before it is moved.

18. *Limitation on certain motions.*—(1) Except in cases of emergency and with the consent of the Presiding Authority no councillor shall be entitled to propose a motion other than one directly arising from the subject before the meeting.

(2) No direct vote of “No confidence” shall be moved unless notice of it is given to the councillors of the general meeting in an agenda to be supplied to the councillors at least one week in advance of the date in which the vote of “No confidence” is to be moved.

(3) *Notice to be given before priority is asked for under section 35 (8).*—Without prejudice to the right of the Presiding Authority to determine the order of business, no councillor shall have a right to move a proposition to give priority to a particular item of business on the agenda unless three days' clear notice of his intention to do so has been given to the Chief Officer who will immediately communicate the same by post cards to the recognised addresses of the councillors.

Every application for granting priority for an item on the agenda shall specify the date on which the request for priority will be made. If, however, the request is not made on the specified date, a fresh application shall be required to be made in respect of the same item for granting priority on a date to be specified.

19. *Provision in absence of the mover.*—If a councillor who has given notice of a motion is from any cause unable or unwilling to move the same, any other councillor present authorised by him in writing may move it.

20. *Seconding.*—Except a motion or an amendment suggested by the Presiding Authority, which does not require to be seconded, no motion or amendment shall be discussed or noted in the minutes unless and until it is seconded.

21. *Motion once withdrawn cannot be proposed again in the same meeting.*—No councillor who has withdrawn a motion which

he had proposed, or who has seconded a motion from which he has subsequently withdrawn his support shall at the same meeting again propose or second the same proposal. But any other councillor shall be at liberty to move it at a later stage. A proposal other than a motion for the adjournment of the meeting which has failed to find a seconder shall not be renewed at the same meeting.

22. *Presiding Authority to decide the order in which motion shall be considered.*—When more motions than one are brought forward simultaneously, the Presiding Authority shall summarily decide the order in which they shall be considered.

23. *Power of the Presiding Authority to divide motion or amendment.*—The Presiding Authority may, at his discretion, divide into two or more distinct propositions any motion or amendment before the meeting and may without requiring each portion to be separately proposed and seconded, put them to vote at such time and in such order as he thinks fit. Similarly the Presiding Authority may at his discretion group together more than one item on the same agenda for consideration by the meeting provided the subject-matter is substantially the same.

24. *Discussion.*—On a motion or amendment being seconded the Presiding Authority shall cause it to be read to the meeting and it shall then be considered to be before the meeting for discussion. The mover may then speak in support of the motion and the seconder may either follow immediately or reserve his speech for a later stage of the debate thereon.

After a motion or amendment has been made and seconded it shall not be withdrawn or altered in substance except with the permission of the Presiding Authority.

25. *Amendments.*—(1) After a motion has been proposed and seconded any councillor may propose an amendment thereto.

(2) Every amendment must be relevant to the motion, and may propose a variation thereof, an addition thereto or an omission therefrom, but no amendment shall be a direct negative to the motion before the meeting or shall be the same in substance as any motion or amendment already negatived at the same meeting; provided that when a proposal or amendment in a

negative form has been moved an amendment of the same in an affirmative form may be moved.

(3) Any number of amendments may be before the meeting at the same time, but no councillor shall propose more than one amendment to the same motion and no councillor who has proposed any motion shall propose amendment thereto.

26. *No amendment after reply begins.*—No amendment shall be put in after a councillor has commenced to exercise his right of reply.

27. *No talk or interruption allowed except on a point of order.*—Councillors shall not talk among themselves, so as to disturb the proceedings, nor shall they interrupt a councillor who is speaking, except to raise a point of order.

28. *Right to speak and reply.*—At the conclusion of the debate, the right of reply shall first be exercised by the mover of the amendment last brought forward, then by the mover of the immediately preceding amendment and finally by the mover of the original motion. No other councillor shall without the express permission of the Presiding Authority speak more than once on the same motion or amendment except to explain a misunderstanding; provided that a councillor who has already spoken on a motion before the meeting is not thereby debarred from speaking on an amendment to such a motion, if he confines himself strictly to the fresh matter introduced by such amendment.

29. *Order in which speakers are to address in certain circumstances.*—If more than one councillor rise simultaneously to address the meeting, the Presiding Authority shall, without allowing any discussion decide the order in which the said councillors shall address the meeting, and his decision shall be final.

30. *Speakers when to resume their seats.*—A councillor shall resume his seat as soon as he has finished speaking, and no councillor shall speak except on a point of order, while another councillor is addressing the meeting. If the Presiding Authority offers any remarks, which he shall have the power to do at any time and at any stage of a debate a councillor who is speaking shall at once resume his seat till the Presiding Authority finishes his remarks.

31. *Proposal to adjourn or postpone.*—A proposal to adjourn a meeting or to postpone the consideration of a question shall take precedence over any other motion before the meeting:—

(1) Provided that no postponement shall be allowed in respect of a question the debate on which has been closed and no proposal for an adjournment of the said meeting shall be allowed unless such question is decided ;

(2) Provided further that the postponement of consideration of a question sine die shall be taken to be for a period not exceeding a month and that the question shall be restored to the agenda of the first general meeting which may be held after the lapse of a month from the date on which the question was postponed ;

(3) Provided further that no proposal to postpone the consideration of a question which has been postponed twice shall be allowed ;

(4) Provided further that no proposition for adjournment of the debate or meeting shall be moved while a councillor is speaking ;

(5) Provided further that a subsequent motion for adjournment shall not be moved until after the lapse of 30 minutes after the previous motion.

32. *Opening adjourned debate.*—On resuming an adjourned debate the councillor who was addressing the meeting immediately prior to the adjournment shall be entitled to speak first.

33. *Time limit.*—No councillor shall on any occasion speak for more than five minutes provided that the mover of the proposal or amendment while opening the debate may speak for ten minutes, and provided further that the Presiding Authority may, at his discretion, permit a councillor during the course of a debate to speak for a period not exceeding 15 minutes.

34. *Closure.*—Notwithstanding anything contained in rule 33, it shall be competent for the Presiding Authority or for any councillor at the close of any item other than a budget item, to move, without debate, “ that the question be now put ” and the motion which is seconded shall, unless it shall appear to the

Presiding Authority that such motion is in abuse of the rules of the house or an infringement of the rights of the minority, be put forthwith. Should the motion be carried the Presiding Authority shall forthwith proceed to take votes on the business on hand in the manner hereafter prescribed. If the motion of closure is lost, it shall not be moved again until after a lapse of 15 minutes.

35. *No discussion allowed in certain cases.*—No debate or speech shall be allowed in the following cases:—

(a) When the opinion or the sense of the meeting is being taken by the Presiding Authority under Proviso (b) to Rule 43.

(b) When questions of priority are being decided under section 35 (8) of the Act read with Rule 18 (3).

(c) When an objection is being dealt with under Rule 8.

(d) In the case of interpellations under Rule 16.

(e) In the case of motions for adjournment or postponement.

36. *Voting on original motion and amendments.*—When only one amendment is moved to a motion, the said amendment shall be put to vote first. When there are more than one amendment, the amendments moved shall be put to vote in such order as the Presiding Authority thinks fit. If any of the amendments be carried the said amendment shall be put to vote as a substantive motion. If any of the amendments be not carried the original motion shall be put to vote :

Provided that the Presiding Authority shall be at liberty to give precedence to any amendment which he deems to be most in favour with the meeting and that any amendments carried unanimously shall then and there be taken as substantive motions and be recorded without further discussion as the resolution of the meeting.

37. *Votes how taken.*—(1) Votes shall ordinarily be taken by a show of hands, but may on special occasions, if the Presiding Authority so decides be taken by ballot.

(2) If votes for the appointment of Committees and Officers are taken by ballot each councillor present shall have as

many votes as there are vacancies to be filled, but not more than one vote for any one candidate shall be given.

(3) Councillors shall preserve silence while votes are being taken and shall not leave their seats until the result of voting is announced.

38. *Voting not compulsory.*—Any councillor present at a meeting may refrain from voting if he so chooses.

39. *Result of a tie.*—When there is an equality of votes and the Presiding Authority refrains from giving his casting vote, the proposition shall be held to be neither passed nor rejected and may be brought forward at any subsequent meeting.

40. *Declaring result of voting.*—As soon as votes have been given, the Presiding Authority shall, subject to the provisions of rules 41 and 43, then and there declare the result of the voting which shall be duly recorded in the minutes book.

41. *Right to demand poll.*—If at the time of declaration of the result of voting by a show of hands a poll is demanded by not less than three councillors the Presiding Authority shall take votes and declare the result again, and shall record in the minutes book the names of the councillors voting for and against the proposition respectively.

42. *Voting for appointing of committees or officers.*—Voting for appointments of committees and for officers by ballot shall be conducted as follows :—

(1) Printed or type—written slips of papers bearing the names of the candidates shall be circulated among the councillors present at the meeting fixed for the selection and the voting shall be by putting a cross against the name of the candidate for whom they want to vote without signing the slips. The first ballot shall be kept open for 15 minutes from the commencement thereof. The votes for all the candidates shall be counted by the Presiding Authority with the assistance of the Chief Officer or any other officer of the Municipality or any councillor at the discretion of the Presiding Authority.

(2) On the announcement of the result of the first ballot the name of the nominee who obtains the lowest number of votes

shall be struck off and a fresh ballot shall be taken from the rest of the original nominees. The nominees with the lowest number of votes shall then be struck off, and this process shall be repeated until there remain only as many nominees as places, when the nominees thus remaining shall be declared duly elected.

43. *Voting on budget estimate etc.*—When a budget estimate, supplementary budget, a proposition for a reappropriation of funds, a code of rules or by-laws, a list of lands for sale or purchase, a list of items for remission, a list of arrears, municipal accounts, the municipal administration report or the like is laid before a meeting, the Presiding Authority may group the items as may seem convenient to him and without a mover or seconder propose to the meeting for each group in succession, “an appropriate resolution approving the proposal.”

If no amendment be proposed, seconded and carried the group of items shall be held to have been disposed of in the manner proposed by the Presiding Authority :—

(a) Provided that the Presiding Authority, if so requested by two or more councillors, shall sub-divide or rearrange the groups ;

(b) Provided further that if on the sense of the meeting being taken by the Presiding Authority all the councillors present are of opinion that no item or groups should be considered separately, the whole question shall be considered as one proposition.

44. *Procedure in cases of importance or of programmes extending over several years.*—When the Municipality is of opinion that in such cases as programmes extending over several years or in any other measure of importance it is desirable for the sake of continuity of policy that the provisions of this rule should apply the following procedure shall be followed :—

The Municipality shall publish in such manner as shall in their opinion be sufficient for the information of the persons likely to be affected thereby a draft of the proposed programme or measure together with a notice specifying a date on or after which the draft will be taken into consideration and shall before finally passing the same receive and consider any objection or

suggestion with respect to the draft which may be made in writing by any person before the date so specified.

When the Municipality finally approves the programme or measure with or without such modification as may appear desirable, no alteration, amendment or cancellation of the same shall be made except by following the same procedure.

45. *Form of minutes.*—The minutes shall be written in Marathi or English (as the case may be) in accordance with the form given in schedule "A" hereto or in such other narrative form as may be prescribed by the Municipality under a Standing Order.

46. No item, once appearing on the agenda of the General Committee and which remains before that body continuously for six months unconsidered, shall further continue to be on the agenda unless a fresh notice for the same is received from the councillor or the Department concerned.

SCHEDULE A.
(Rule 47, Chapter II)
Form of Minute Book.

Subject of Resolution 1	Propositions and Amendments		Votes given		Final resolution		Nos. and dates of other resolutions on the same subject		Brief note of action taken with dates 10	Remarks 11
	Names of 1. Proposer. 2. Seconder 2	Wording 2	For 4	Against 5	Serial number and date 6	Substance 7	Last previous 8	Next subse- quent 9		

Signature of the Presiding Authority.

RULES REGARDING EXECUTIVE COMMITTEES FRAMED BY THE POONA CITY MUNICIPALITY, UNDER SECTION 58 (a) OF THE BOMBAY MUNICIPAL BOROUGHS ACT, 1925, AS SANCTIONED BY GOVERNMENT. GENERAL DEPARTMENT NO. S-91 (64) DATED THE 7th JUNE 1939.

47. *Notice of business.*—Except with the concurrence of at least one-half of the total number of members of a Committee no business except such as the Chairman holds to be of an emergent nature shall be transacted at any Committee meeting unless it has been mentioned in the written notice, if any, convening the meeting or, if there has been no such written notice, then in an agenda notice circulated to all members of the Committee in the limits of the Municipal Borough the day before the meeting and posted in the Municipal Office for at least three hours before the meeting.

48. *Order of business.*—The several items of business shall be taken up in such order as the Chairman of the meeting prescribes.

49. *How far rules for Municipal meetings applicable to committee meetings.*—The provisions of rules 3-46 shall subject to the provisions of sections 43 to 45 and so far as may be practicable apply to the meetings of committees provided that at such meetings:—

(a) A proposal shall not be required to be formally seconded or read to the meeting.

(b) The minutes shall not be required to be read to the meeting; and

(c) A motion may be allowed to be withdrawn or modified at any time before votes are taken on the motion.

50. *Cancellation or alteration of a resolution of previous committees.*—No Committee shall have power to cancel or alter any resolution of any such previous committee, when such resolution had been supported by at least one-third of the total number of members of that previous committee, except by a resolution brought with the consent in writing of the President and supported by at least two-thirds of the total number of members or on the requisition of the President acting under rule, 60.

51. *Alteration or cancellation of Committee's resolution by the same Body.*—A Committee shall have no power to alter or cancel its own resolution except by a resolution supported by at least half of the full number of members, or unless the President acting under rule 61 requires the Executive Committee to do so.

52. *Cancellation or alteration to be reported to the President.*—Any cancellation or alteration made by Committees under rules 50 and 51 shall be reported to the President.

53. *General conditions of delegation.*—Every delegation of the Municipality's executive functions, powers or duties shall be deemed to have been made subject to the general control of the Municipality and in particular to the provisions of rules 54 to 67.

54. *Conditions necessary to make delegation valid.*—No delegation made by the Municipality shall be valid unless:—

(i) It is made at a general meeting;

(ii) In the case of delegation to an individual, the resolution by which the delegation is made is supported by at least half of the total number of councillors.

55. *Conditions of delegation of any power to more individuals than one.*—when any of the Municipality's powers other than a power of entry or of inspection has been delegated to more individuals than one, such delegation shall be deemed to have been made subject to the following conditions, namely:—

(i) that the power is to be exercised by an individual only when all the superior delegates are absent from the limits of the Municipal Borough, and

(ii) that the power is not to be exercised by any delegate in any case in which any superior delegate has decided not to exercise it, except with such delegate's written consent.

For the purpose of this rule, delegate shall be deemed to rank in the following order:—

(1) President.

(2) Vice-President.

(3) Chairman of the Standing Committee.

- (4) Chairman of any other committee.
- (5) Any other councillor delegate.
- (6) Chief Officer.
- (7) Any other individual delegate.

56. *Effect of delegation of Municipality's powers on Standing Committee.*—In the absence of any express provision to the contrary in the resolution of delegation, every delegation of any of the Municipality's powers shall be deemed to include the delegation of all the executive functions involved in the exercise of that power and the withdrawal of such power from the Standing Committee.

57. *Performing of executive functions arising out of Municipal resolutions.*—Subject to the provisions of sections 30 (2) and 34 of the Act, the Municipality may depute any councillor or any of the officers or servants to perform the executive functions resulting from any of their resolutions. In the absence of any such specific deputation in the term of a resolution the necessary executive functions shall be performed by the Chief Officer.

58. *Performance of executive functions arising out of committee's resolutions.*—Subject to the provisions of sections 30 (2) and 34 of the Act, an Executive Committee may depute any of their members or any Municipal Officer or servant under the control of the Committee to perform the executive functions resulting from any of their resolutions. In the absence of any such specific deputation in the terms of a resolution, the necessary executive functions shall be performed by the Chief Officer.

59. *Powers and duties not to be delegated.*—The following powers and duties are reserved to the Municipality itself and shall not be exercised or performed by the Standing Committee or any other delegates :—

(a) Powers conferred and duties imposed on the Municipality by sections 22 (1), 33, 34 (5), 37 (1), 38, 39, 40, 41, 42 (2), 45 (1), 46, 47 (1), 48 (1), subject to exceptions mentioned in Schedule B hereto. 48 (3), 50 (3); 58, 58 (a), 59 (2), 60 (1), 61, 63 (1) (except power to acquire moveable property). 65 Provisos (a) and (b) 66, 67 (1), 72, 73, 75 (a), (b) and (c), 81 (3) Proviso, 91, 101 (1), 103, 114 (1) and (2). 116, 118 (1), 119

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Rule 59 (c):—Power to sanction plans and estimates and contracts for works involving an expenditure of Rs. 3,000 or more or requiring more than one year for completion."

(*G. R., G. D., No. S 91 (64), dated 10-9-1946*).

(2), 123 (3), 128 (3), 140 (2), 141, 146 (so far as the naming of streets is concerned), 172 (1), 173 (1), first sentence, 174, 175, 176, 177, 180 (3) (c), 184, 185, 189, 203 and 204, subject to exceptions mentioned in Schedule B hereto. 209 (2) and (3), 216 of the Act :

Provided that in respect of section 204 of the Act, the Standing Committee shall have powers subject to the proviso to section 204 (2) to act for the Municipality where the value of the subject matter does not exceed Rs. 500.

(b) Power—

(i) to promote the Chief Officer, Health Officer or Engineer ;

(ii) to appoint the Chief Accountant and Municipal Auditor ;

(iii) to appoint, discharge or dismiss municipal servants on a salary of Rs. 100 or more.

(c) Power to sanction plans and estimates and contracts for works involving an expenditure of Rs. 1,000 or more or requiring more than one year for completion.

(d) Power to sanction the institution, compromise or defence of a suit, where the value of the suit is above Rs. 500.

(e) Power to sanction original and supplementary budget estimates.

60. *President to supervise delegates.*—It shall be the duty of the President to watch over delegates (whether committees or individuals) and to bring to their notice and, if necessary, to the notice of the Municipality, any instances in which they seem to have erred in the exercise of their functions as delegates, or to be negligent or dilatory about exercising the same.

61. *Revision of delegate's acts.*—The President shall be competent to suspend, pending a reference to the Municipality, the operation of any order passed in virtue of delegation which appears to him to be open to objection of law or policy.

62. *President to call a special General meeting.*—When issuing an order of suspension under rule 61 the President shall at

the same time call a special general meeting within ten days to consider the matter.

63. *Vice-President to report to the President.*—Should the Vice-President, in virtue of deputation under section 32 of the Act, issue an order of suspension under Rule 61, he shall at once report the fact to the President.

64. *Treatment of slack delegates.*—Should the President report any Committee or individual to the Municipality as negligent or dilatory about exercising the functions as delegates, the Municipality shall be competent either—

(i) to withdraw any particular matter from the delegates and dispose of it themselves or through some individual to whom powers under section 46 of the Act are delegated, or

(ii) to terminate the delegation altogether, and, if they think fit, appoint a new delegate in place of one complained of

65. *Limit to revision of delegate's acts.*—Except as otherwise expressly provided in the Act or in the rules no act of any delegate shall be revised or called in question otherwise than—

(i) as provided in rules 60, 61 and 67, or

(ii) by a resolution supported by at least half the total number of councillors at a special general meeting called for the purpose.

66. *In what cases delegate's decisions not open to appeal.*—In the following cases the decision of delegates shall, subject to the provisions of rules 60 to 65, be final and shall not be open to appeal :—

(i) Resolutions passed at a committee meeting with the support of more than two-thirds of the total number of the members of that committee.

(ii) Orders of fine not exceeding one week's salary.

67. *When appeals lie and to whom.*—Subject to the provisions of rule 66 first appeals against the decisions or orders of delegates other than the orders of the Standing Committee under section 81 (8) of the Act shall lie as shown below :—

Appeals from order or decision of	...	Shall lie to
Any Committee	...	The Municipality.
President or Vice-President	...	The Municipality.
Chief Officer—		

(i) Where he acts under the proviso to section 34 (2) (a) of the Act or under section 131 (1) ... Standing Committee.

(ii) In other cases (where the Chief Officer is a delegate and not statutory authority and where express control or restriction, limitation or condition on his executive powers is imposed by the Act, rules or bylaws) ... The Municipality.

Other individual delegate ... The Controlling Committee.

68. *Returns of petitions and appeals improperly presented.*— Any notice, petition or appeal, may be returned to the presenting party and shall be treated as not received if it—

(a) is prolix, unintelligible or disrespectful ;

(b) does not bear the full name, occupation and address of the petitioner or appellant and his signature or mark or that of his agent ;

(c) is ascertained to be pseudonymous or

(d) is sent by post unstamped or insufficiently stamped.

69. *Return of appeals unaccompanied with necessary copies.*— Any appeal may be so returned which is unaccompanied by the decision or order appealed against or an authenticated copy of the same.

70. *Limitation for appeals.*—(1) An appeal shall be rejected, by the authority to which it lies, if received more than 30 days after the date of delivery of the order appealed against to the party affected, orally or in writing.

(2) In computing this period, the time requisite for obtaining a copy of such order or decision shall be excluded.

(3) An appeal may be admitted after the expiry of such period, if the authority to whom it lies is satisfied that there was sufficient cause for its not having been presented earlier.

(4) Whenever the last day of such period falls on a day when the Municipal Office is closed, the next day on which the Municipal Office is open shall be deemed to be such last day.

(5) It shall be addressed to the President if the appeal lies to the Municipality ; and to the Chairman of the Standing Committee or Controlling Committee when the appeal lies to such Committee.

(6) There shall be no second appeal.

(7) Application for reconsideration of question decided by the Municipality shall be filed by the President without being placed before the General Meeting unless he or one of the Controlling Committees is of opinion that it is desirable to reconsider the matter, or notice of motion for reconsideration has been given by some councillor.

71. *President to issue office order.*—In cases not expressly provided for in these rules, the President may issue such executive office orders, from time to time, as he may deem necessary for securing satisfactory administration of municipal affairs not inconsistent with the Act or the rules made thereunder. Orders passed under this rule shall be recorded in the order book kept for the purpose.

72. *Delegation of Standing Committee's powers.*—The powers and duties of the Standing Committee mentioned in the following sections shall be deemed to have been delegated to the Chief Officer :—

Section 58 (k) so far as remission of notice fees and warrant fees are concerned, by-laws under sections 61, 81 (2), 82 (1), 86, 117 (1), (2) and (3), 126, 137, 140 (1), 172 (3), 183 (1), 186 (3), 187.

Any further delegation by the Chief Officer shall be subject to the proviso to clause (c) of sub-section (2) of section 34.

73. *How appeal or sanction to be obtained.*—Wherever the Chief Officer's executive action is subject to "approval on sanc-

tion" of the Standing Committee under the Act, the proposals should be first submitted to the Standing Committee or Controlling Committee and no action should be anticipated unless the Standing Committee or Controlling Committee by general or special order have authorised the Chief Officer to take action in anticipation. If any standing orders are passed by the Standing Committee or Controlling Committee they should be recorded in the order book kept for the purpose.

74. *How cases of control to be dealt with.*—Wherever it is stated in the Act that the Chief Officer's action is subject to the control of the Standing Committee or wherever the sanction or approval of the Standing Committee contemplated by the Act, affects private rights, a concise statement of facts should be submitted by the Chief Officer to the Committee. The latter shall give a reasonable opportunity to the person affected by the proposed action to show cause against the exercise of the power. Any statement filed by the person shall be placed on the record. The Committee may inspect the site (if necessary). A final decision of the Committee shall be communicated to the Chief Officer and party concerned.

Provided that in emergencies when there is no time to refer to the Standing Committee, the sanction of the President shall suffice.

75. *How delegation of Standing Committee's powers to be proposed.*—When the Standing Committee desires to delegate any of the powers which are vested in them and which have not been delegated to the Chief Officer under rule 72, to any other Committee, it shall submit its proposals in the form of a schedule to the Municipality for orders under rule 54.

76. *Constitution of Standing Committee.*—The Standing Committee shall consist of 12 members.

76-A. The Standing Committee shall have the power to decide and determine the amount of the grant to be paid to libraries, reading rooms and other educational and non-educational institutions, subject to the following conditions :—

(1) No grant shall be paid to any library or reading room or other institution unless it is owned and managed by a Committee under a constitution.

(2) No grant shall be paid to any institution which is kept open for any particular class or community.

(3) No grant shall be paid to an institution which in the opinion of the Standing Committee does not maintain satisfactory record of members and accounts.

(4) The institution in receipt of a grant-in-aid shall be open at all times to inspection by a duly authorised officer of the Municipality or the members of the Standing Committee or other committee authorised in this behalf who will also be entitled to inspect the books, newspapers, periodicals, magazines, accounts, etc., of such institution.

(5) The grant-in-aid shall in no case exceed one-third of the total income of the institution from all other sources.

(6) Each such institution shall be registered with the Municipality.

(7) The Standing Committee or other committee authorized in this behalf shall inspect the institutions to which grants have been sanctioned by the Municipality before the end of October in each year and decide what amount is actually due to the institution under clause (5) and the amounts recommended by such committee shall be paid by the Chief Officer before the end of December of that year.

(8) Grants to be paid under the foregoing rules will be sanctioned from year to year and will depend upon the financial provision made by the Municipality in their budget estimates.

77. *When appointments to Committees to be made.*—Appointments to the Standing Committee and any other Executive Committee appointed by the Municipality shall be made at the meeting next before the date of the expiry of the period office of the outgoing Committee except in the year in which a new election is held in which case the new Committee shall be appointed at the first meeting after the new election.

78. *Constitution of Committees other than Standing Committee*
(1) Any Committee that the Municipality may from time to time appoint under section 38 of the Act shall consist of not less than three and not more than seven councillors and shall always include one who is also a member of the Standing Committee.

(2) For every Committee of which the President or Vice-President is not a member the Municipality shall appoint one of the members as Chairman.

79. *When absence from Committee meeting disqualifies member:—*
If any member of a committee except with the leave of the President, is absent from four consecutive meetings of the committee or from more than half the meetings held in any three consecutive months of his service as member, he shall be deemed to have *ipso facto* lost his place on such committee and the fact shall at once be reported to the President by Secretary of the Committee or if no such Secretary is appointed, by the Chief Officer, with a view to action under section 41.

80. *Committees under sections 38 and 39 of the Act:—*(1) The Municipality may appoint the undermentioned special committees or any one or more of them under sections 38 and 39 of the Act:—

- | | |
|---|-------------------|
| 1. Sanitary and Drainage Committee ... | Executive. |
| 2. Public Works Committee ... | Do. |
| 3. Law and General Reference Committee. | |
| ... .. | ... Consultative. |
| 4. Finance Committee ... | ... Executive. |
| 5. Water Works Committee ... | Do. |
| 6. Special or Establishment ... | |
| Committee ... | ... Do. |
| 7. Revision Committee ... | ... Do. |
| 8. Market Committee ... | ... Do. |

The Law and General Committee, if appointed, shall consist of:—

- (1) President or Vice-President.
- (2) Chairman, Standing Committee.
- (3) Any other five councillors of experience, one of whom shall be the Chairman of School Board if he is a councillor.

*Note:—*Provided that no more than three members of this Committee shall be persons professionally engaged in the practice of law.

Terms of appointment of Committees.

(2) The life of any Executive Committee shall be for one year; Consultative Committees may be appointed for such period as the Municipality may decide, but their life shall in no case exceed three years or the life of the Municipality whichever is shorter.

(3) Appointments to executive committees shall be made at the quarterly meetings before the date of termination of the appointment of their predecessors.

81. *Functions of Committees.*—Subject to any special orders that the Municipality may from time to time issue to the several special committees it shall be the province—

(i) of the Sanitary and Drainage Committee to control all the business of the Municipality in respect of dispensaries and sanitation (except such as appertains to the Public Works Committee) including all matters dealt with in sub-chapters (3), (7), (8), (9), (10), and (11) of Chapter IX of the Act;

(ii) of the Public Works Committee to control all the business of the Municipality in respect of the construction and structural maintenance (as distinguished from departmental management) of all Municipal Roads and Buildings, whose original estimated cost exceeds Rs. 100 (except such as appertains to Water Works Committee);

(iii) of the Law Committee to advise the Municipality on legal questions, including the institution and defence of suits and drafting of rules and by-laws but excluding ordinary prosecutions which belong to the province of the other committees (except in so far as any may be specially referred to the Law Committee by the Municipality or the President);

(iv) of the Finance Committee to do all the business of the Municipality in respect of the collection of municipal dues and the drafting of the Budget;

(v) of the Water Works Committee to do all the business of the Municipality in respect of Water Works;

(vi) of the Special or Establishment Committee to consider all questions relating to appointment, promotion, dismissal and

other questions relating to services of persons getting more than Rs. 50 and Rs. 100 or less per mensem;

(vii) of the Revision Committee to consider and decide questions relating to the revision of assessment for the purpose of municipal taxes.

(viii) of the Market Committee to consider and decide all questions relating to the Municipal Markets.

82. *Powers and duties of Committees.*—Consistently with the provisions of the Act and subject to budget provisions and to such special limitations as the Municipality may from time to time prescribe for a particular committee, each special committee shall within its own province have complete control of expenditure, establishment and works just as the Standing Committee would, if there was no special committee.

83. *Delegation of powers of the Municipality to Committees.*—The powers and the duties of the Municipality mentioned in Schedule " B " hereto are hereby delegated to the Committees when appointed and individuals severally mentioned against them in the schedule and may at any time be withdrawn (subject to confirmation by Government if the delegation is by rule): Provided that no power or duty other than a power of entry or inspection may be delegated to more Committees than one at the same time.

84. *Inspection on and annual report on stock.*—It shall be the duty of each committee to arrange for the due registration, up-to-date and periodical inspection at least once a quarter of all dead and live stock in its charge by one of its senior employees, and at the close of the calendar year to submit to the Standing Committee a report as to how far such registration and inspection have been checked by the Committee and with what results, what is the condition and value of the stock, what useless stock is to be disposed of and how and what provision will be required in the next year's budget for replenishing the stock.

85. *Annual report on establishment.*—It shall be the duty of each committee to submit to the Standing Committee at the close of each calendar year a report on the work of its establishment with notes as to how far the establishment has been maintained at sanctioned strength throughout the year, what retirements, dis-

charges or dismissals have occurred or are impending, what reductions are feasible and what special provision will be required in the next year's budget for enhanced establishment, periodical increments of pay, gratuities and payment from and to the Provident Fund.

86. *Annual report on progress of works:*—It shall be the duty of each committee to submit to the Standing Committee at the close of the calendar year a report on the progress of every work (original or repairs), for which budget provision for more than Rs. 100 has been made in the current budget, showing dates of commencements and completion and reasons of delay, if any, and stating what provision, if any, will be required in the next year's budget. The report shall also include lists of works required to be executed in order of urgency.

87. *Disposal of above reports:*—The Standing Committee shall submit all the reports prescribed by rules 84, 85 and 86 with their comments or where any of the Committees is not appointed submit their own reports with regard to the matter mentioned therein to the President in time for him to place them before the Municipality at the quarterly meeting in January, when the Municipality shall issue its orders thereon and in particular orders for the guidance of the Standing Committee in framing the next year's budget.

88. *Supervision of works:*—It shall be the duty of every committee to see that all works in their departments are duly executed in accordance with duly sanctioned plans and estimates. Completion certificates shall be required for all works costing over Rs. 500 (five hundred) from the Chief Officer and shall be countersigned by the Chairman and at least one member of the Committee in token of their having personally inspected the work and satisfied themselves that it has been thoroughly well executed in accordance with plans and estimates.

89. *Annual Administration Report.*—It shall be the duty of each committee to submit to the President between the 20th of March and 10th of April an annual administration report, in such form as the President may direct, supplying for its own department the material required for the general administration report of the

Municipality, comparing receipts and expenditure arrears of collections and profits and loss on the working of any institution maintained by the Committee and in case of dispensaries the attendants thereat, with those of the past three years and explaining any great divergences from normal and detailing the material and administrative improvements actually effected in the department during the year and those contemplated for the future.

90. *Time of committee sittings*.—The several committees shall sit at such times as their respective Chairman may, by written notice given to each member of the Committee from time to time direct, provided that the Standing Committee shall as far as possible sit every week on a fixed day.

91. *Business at meetings*.—At each meeting of a committee the Chief Officer or some other subordinate officer to whom this duty may have been entrusted by the Chairman in consultation with the Chief Officer, shall bring to the notice of the committee all matters of the following nature that have come to notice since the last meeting, distinguishing between those that call for early action by the Committee and others:—

(i) Petitions to the Committee.

(ii) Passages from diaries of subordinates' or from visitors' remarks books or from current correspondence indicating the necessity of action by the Committee, e. g., instituting prosecutions, making repairs, punishing subordinates, inspecting places, and so on.

(iii) Orders of the Committee that have remained more than a month not fully carried out.

(iv) Arrears of collection more than six months over-due.

92. *Visitors' remarks books to be brought to meeting and returned*:—For the purpose of the Rule 91 the subordinate officers authorised in this behalf by the Chairman shall at the close of the day before the meeting collect the visitors' remarks-books, kept for this purpose at dispensaries, markets, slaughter houses, night soil depots, Municipal cattle-yards and other institutions, keep them for reference at the meeting and return them as soon as possible thereafter.

Schedule B—

Section	Municipality's powers or duties.	Authorities to whom powers or duties are delegated.
22 (1)	Power to give leave to President.	Reserved.
28 (1) (a)	Power to issue special notice to defaulting councillor	President.
33	Power to give leave to Vice-President	Reserved.
33	Power to appoint Chief Officer.	Do,
34 (5)	Power to appoint Health Officer and Engineer	Do.
35 (14) (b)	Power to require the presence of certain officers at Municipal Meetings	President. Vice-President.
37 (1)	Power to appoint Standing Committee	Reserved.
38	Power to appoint other executive committees and invest them with the necessary powers	Do.
39	Power to appoint consultative Committees	Do.
40	Power to appoint persons other than councillors to serve on special Committees	Do.
41	Power to fill up casual vacancies in committees	Do.
42 (2)	Power to appoint a Chairman of a Committee of which there is no ex-officio Chairman	Do.
45 (1) (a)	Power to give instructions to Committees	Do.
and (b)	Power to call for reports and returns concerning the matters entrusted to them	President.
46	Power to delegate certain powers, duties and functions to officers whose expenses may be paid.	Reserved.
47 (1)(a)	Power to form joint committees of two or more municipalities or other local bodies, etc.	Do.
47 (1)(b)	Power to enter into an agreement with a municipality, Cantonment Authority, Board or Committee appointed for a Notified Area or a combination of Municipalities, etc., for joint levy of Octroi	Do.
48 (1)	Power to lease immovable property for a period not exceeding one year.	Controlling Committee
	Power to sanction contracts for the sale of any moveable property if the value of the property to be sold as estimated in the Municipal Accounts or in the absence of such an estimate as deter-	Do.

Schedule B—contd.

Section.	Municipality's powers or duties.	Authorities to whom powers or duties are delegated.
	<p>mined by a punch-valuation exceeds Rs. 200 but does not exceed Rs. 1,000.</p> <p>And if the value of the property to be sold as estimated in the Municipal Accounts or in the absence of such an estimate as determined by a punch-valuation does not exceed Rs. 200.</p> <p>Power to sanction contracts for the sale of any moveable property if the value of the property to be sold as estimated in the Municipal Accounts or in the absence of such an estimate as determined by a punch-valuation exceeds Rs. 1,000.</p>	Chief Officer.
48 (f)	Power to sanction every contract which will involve an expenditure exceeding Rs. 300 but not exceeding Rs. 1,000.	Reserved.
48(3)	Power to sanction certain classes of contracts	Controlling Committee.
50 (3)	Power to authorise contracts involving expenditure above Rs. 1,000 without inviting tenders or accepting tenders received.	Reserved.
58	Power to make rules	Do.
58 (a)	Power to make rules about gratuity or compensatory allowance, to survivors of servants who are dead during service.	Reserved.
59 (2)	Power to create appointments not exceeding Rs. 100 a month without the sanction of the Commissioner.	Do.
60 (f)	Power to suspend, reduce or abolish any existing tax.	Do.
61	Power to make bye-laws.	Do.
63 (f) (a)	Power to acquire and hold immovable property	Do.
63 (f) (b)	Power to acquire moveable property	Do.
65 provisions (a) and (b)	Power to create special funds to maintain special accounts of special Trust.	Standing Committee.
66	Power to incur expenditure for works beyond the Municipal limits.	Reserved.
67 (f)	Power to deposit and invest surplus funds	Do.

Schedule B—concluded.

Section.	Municipality's powers or duties.	Authorities to whom powers or duties are delegated.
72	Power to cancel arrangements or promises purporting to be binding permanently or for a term of years.	Reserved
73	Power to impose taxes	Do.
75 (a)	Power to select taxes and approve rules thereof	Do.
75 (b)	Power to take into consideration objections against taxation rules	Do.
81 (3) proviso	Power of transferring powers of hearing and disposing of objections from the Standing Committee to any other individual or other Committees.	Do.
90	Power to charge fees for license, permit and for unauthorised occupation.	Chief Officer.
91	Power to fix a special rate in lieu of water rate or special sanitary cess and to compound tax on vehicles and animals.	Reserved.
93	Duty of submitting draft bye-laws, along with a proposal for the imposition of octroi.	President.
101 (1)	Power to farm tolls	Reserved.
103	Duty to impose or enhance the tax in accordance with a requisition from Government.	Do.
114 (1)	Power to lay out and construct works subsidiary to, and to close public streets and to sell land thereof.	Do.
114 (2)	Power to acquire and sell road side street for building purposes	Do.
116	Power to declare any street a public street subject to objections by the owners	Do.
118 (1)	Power to approve regular lines of public streets proposed by the Chief Officer.	Do.
119 (1)	Power to set back building projecting beyond regular line of street	Chief Officer.
119 (2)	Power to acquire private land within regular line of street	Reserved.
119 (4)	Power to order possession to be taken summarily	Chief Officer.

Schedule B—contd.

Section.	Municipality's powers or duties.	Authorities to whom powers or duties are delegated
128 (1)	Power to carry drain, sewer, etc., across or under any street	Do.
128 (2)	Power to enter upon and construct any new drain in place of an existing drain or to repair and alter drain vested in the Municipality; or to authorise an officer in that behalf.	Do.
123 (3)	Power to revoke Chief Officer's building permit and to grant fresh ones, etc.	Reserved.
140 (2)	Power to make a general special order to sanction the execution of certain works at the charge of the Municipal Funds.	Do.
141	Power of transferring municipal interests in pipes, etc., to private owners	Do.
146	Power to name a street	Do.
146	Power to put up the names of streets and the number of houses on a conspicuous part of a building.	Chief Officer.
164	Power to authorise a councillor or officer to enter into and inspect all buildings and lands and order any part thereof to be limewashed or otherwise cleansed.	Do.
171	Power to order construction or alteration of furnace so as to ensure the consumption of smoke.	Do.
172 (1)	Power to license private markets and slaughter houses	Reserved.
173 (1)	Power to open or close any public market or slaughter houses	Do.
174	Power to farm out market and slaughter house rates	Do.
175	Power to establish slaughter houses or the places for the disposal of carcasses of animals beyond Municipal limit.	Reserved.
176	Power to authorise a Municipal Councillor or Officer to inspect in streets, shops and slaughter houses, articles intended for human food	Do.

Schedule B—concluded

Section.	Municipality's powers or duties.	Authorities to whom powers or duties are delegated.
	or drink or for medicine and to seize any unfit for human food.	
177	Power to authorise entry for inspection of weights and measures...	Do.
180	Power specially conferred for the prevention of dangerous diseases, except under clause (3) (c)	Chairman, Controlling Committee.
180 (3) (c)	Power to prohibit either generally or by special order assemblages of more than five persons in any place.	Reserved.
182	Duty of taking preventive and suppressive measures in respect of diseases among cattle, sheep or goats.	Chief Officer.
184	Power specially conferred for prevention of over-crowding ...	Reserved.
185	Power to make report to the Commissioner for the closing of burial ground, etc.	Do.
188	Power to authorise a police officer to prosecute any person who loiters or importunes for purpose of prostitution.	President.
189	Power to apply to Government for application of this section to the Municipal Borough with a view to prevent the use of any house within its limits as a brothel.	Reserved.
194 (7)	Power, on default of owner, to carry out works in connection with any building or land.	The delegate by whom the requisition was issued.
194 (7) (a)	Power to sanction an agreement for construction of drainage and water connections with owners.	Controlling Committee concerned.
194 (1) (b)	Power to declare the Municipality's expenses to be improvement expenses in certain cases and to fix instalments for the recovery of the same.	Controlling Committee concerned.
194 (2)	Power to levy improvement expenses on the occupier of any building or land if the defaulter be the owner thereof, the occupier deducting the same from his rent.	Chief Officer.

Schedule B—concluded

Section.	Municipality's powers or duties.	Authorities to whom powers or duties are delegated.
195	Power to accord approval to the execution of work by the occupier in default of owner.	The delegate empowered to cause notice to be issued in the execution.
198	Power to appoint two members of a Panchayat.	The Committee in control of the matters in respect of which the Panchayat is formed.
202	Power to levy distress for damage to Municipal Property.	Chief Officer with the sanction of the President.
203	(a) Power to sue for arrears of taxes. (b) Power to sue for other claims upto Rs. 500 (c) Power to sue in all other cases.	Chief Officer. Controlling Committee. Reserved.
204 (1)	Power to sue for or prevent injury to any property, rights and privileges of the Municipality.	Controlling Committee.
204 (2)	(a) Power to compromise in respect of suits covered by section 204 (1) (b) Power to compromise in respect of suits below Rs. 500. (c) Power to compromise in all other cases.	Reserved. Subject to the proviso. Controlling Committee. Reserved.
204 (3)	Power to make compensation out of the Municipal Fund to any persons sustaining any damage by reason of the exercise of any of the powers vested in the Municipality, its councillor, their officers and servants under the Act.	Reserved.
206	Power to cause a tender to be made on receipt of a notice of suit.	The delegate empowered to compromise, if the suit had been brought.
209(2) and (3)	Power to decide upon the appropriation and the ways and means contained in the budget.	Reserved.

(58)

Schedule B—concluded

Section.	Municipality's powers or duties.	Authorities to whom powers or duties are delegated.
211	Duty of transmitting accounts to Government	President.
212	Power to prescribe how accounts to be published	Controlling Committee.
216	Duty of reducing superfluous establishment on Commissioner's requisition.	Reserved.

RULES UNDER SECTION 46 (b.)

[Sec. 58 (b) and (c) of the new Act]

Functions of the President and Establishment.

1. Executive functions reserved to President.
2. Chief Officers' executive functions.
3. Cheques when to be drawn by Vice-President.
4. Executive functions of Chairmen of Committees.
5. Executive functions of Chairmen of Committees.
6. Execution of President's order under Sec. 24 (1) (c).
7. Presumption as to delegation of President's powers and duties to Vice-President.
8. Devolution of executive functions in case of default by delegate.
9. Delegation of powers conferred and duties imposed by the Act.
10. Limitation to the exercise of certain powers.
11. Restriction of delegate's power.
12. Control of staff.
13. Maximum and minimum staff.
14. Distinction between officers and servants.
15. (1) Absentee allowance of Municipal employees.
(2) Leave allowance of teachers.
16. Promotions.
17. Maximum not to be exceeded.
18. Power to make exceptions to the rule of promotions,
Power of making appointments.
19. Budget provision for establishment.
20. Controlling Officer to prescribe duties of staff.
21. Duties to be performed by each Officer or servant.
22. Duties of the Chief Officer.
23. Duties of the Chief Officer.
24. Duties of the Assistant Chief Officer.
25. Duties of the Secretary of the School Committee.
26. Duties of the Market Inspector.
27. Principal duties of the Health Officer.
28. Duties of Municipal Engineer.
29. Duties of the Octroi Superintendent.
30. Principal duties of the Appraiser.

31. Duties of the Municipal Accountant.
32. Duties of the Municipal Accountant as an Auditor.
33. Chief Officer's out-door duties.
34. Other Inspectors' out-door duties.
35. Special authorizations.
36. Who may make payments on behalf of the Municipality and how.

POWERS OF THE PRESIDENT.

Rules under Section 46 (b) (i). [58 (b) of the Boroughs Act]

*Rule 1 (a) Superseded by sec. 48 (4) of the B. M. B. Act.
hence deleted.*

1. (b) Contracts for the collection of tolls, taxes and other imposts shall be submitted for the approval of the President, as also contracts for the performance of works, services or other matters of charge, whenever any such contract, or the aggregate of contracts, which it is proposed to give to one individual, shall exceed Rs. 5,000.

2. All correspondence with Government or the Commissioner on behalf of or relating to the Municipality shall be carried on by the President. (Vide Rule 1 on page 34).

3. The President may, when he shall deem necessary correspond on their behalf in lieu of the Chief Officer with other Government officers or private parties.

4. The President may at his discretion take the initiative in bringing to the notice of the Managing Committee or the Municipality abuses, reforms, alterations and improvements, which he may deem deserving of consideration. He may also issue to the Managing Committee, as occasion may require, any instructions on executive matters, which are not contrary to the orders or in derogation of the authority of the Municipality or Managing Committee, or inconsistent with the spirit and purposes of the District Municipal Act (now City Municipalities Act). It shall be the duty of the Executive Commissioners (now Members of the Standing Committee) to carry out such instructions.

CHAIRMAN OF THE MANAGING (Standing)
COMMITTEE.

Rule under Section 46 (b) (i) [Sec. 58 (b) of the Boroughs Act]

The chairman is empowered to order an expenditure not exceeding Rs. 100 on emergent occasions, but he shall report his proceedings for the approval of the Managing (Standing) Committee.

MISCELLANEOUS.

Constitution of the Municipality.

[Most of the following rules were framed in 1878. A few have been revised from time to time and the sanctioning authority has been quoted against each.]

1. With reference to section 88 of Bombay Act VI of 1873 [sec. 209 of the C. M. Act of 1925] the Managing Committee shall submit at the Annual General Meeting in April the following statements in English and Marathi in addition to the statements of Annual Accounts and Budget Estimates required by the above quoted section.

(a) A detailed statement of all works executed during the year or in progress at the end of March of the same year.

(b) A statement of all projects which may have been brought forward during the preceding years, but deferred for want of funds or other causes.

2. (a) With reference to section 89 of Bombay Act VI of 1873 [sec. 210 of the C. M. Act] one or more auditors, not being members of the Managing Committee, shall be appointed on suitable remuneration at the Annual General Meeting in April, to examine and report upon the accounts monthly during the ensuing official year.

(b) It shall be the duty of the Managing Committee to forward, as early as possible, to the auditor or auditors a monthly statement of Municipal receipts and disbursements.

(b) Should the work involve expenditure exceeding Rs. 1,000 the opinion of the Executive Engineer shall also be taken upon the plans and estimates.

[It was resolved by the General Committee at their meeting held on the 20th February 1905 that the practice of taking the opinion of the Executive Engineer on the plans and estimates for works involving expenditure of more than Rs. 1,000 was to be followed whenever the Committee thought it necessary to do so.]

4. The seal of the Municipality shall be kept by the Chairman of the Managing Committee, and shall be affixed to all contracts and other important documents.

DISPOSAL OF FUNDS.

22. The Secretary shall receive charge of all sums collected or received on account of Municipal dues or penalties entering them in a daily cash account to be kept for the purpose, which shall be balanced and signed by him daily. [This work is now allotted to the Accountant, vide Rule 31 on page ?]

23. When the balance in the Municipal treasury on any day exceeds the sum of Rs. 3,000, the excess amount shall be remitted to the Bombay Bank on the next Bank day, provided that Government Promissory Notes of any amount may be kept in the Municipal Treasury.

(Sanctioned by Government in G. R. No. 1618, dated 23 rd February 1915, General Department.)

(Now the balance is deposited in any of the Banks approved by Government.)

BYE-LAWS

24. The Managing Committee may award to the informer a portion, not exceeding one-half, of any fine or penalty (imposed by a Magistrate on conviction for breach of any of the bye-laws of the Municipality).

25. Every member of the Municipal Commission, (now every Councillor of the Municipality) whether he be on the Managing

Committee or not, is entitled to peruse or inspect any paper or document on the records of the Municipality, provided that he does not make or take away copies of any Municipal record without the permission of the Managing Committee.

26. The Chairman, Secretary or other person, who may receive any notice of action under Section LXXXVI of the District Municipal Act, (VI of 1873, i. e. sec. 213 of C. M. Act of 1925), shall without any unnecessary delay submit the same with such information on the subject as may be obtainable, to the President, who shall lay the matter before the Municipality within the period of one month from the date of delivery of notice.

27. No suit shall be brought or defended on behalf of the Municipality without their previous sanction. In case of emergency the papers should be sent to the President.

28. Wherever in these Rules any powers are expressly reserved to the Municipality, they shall be understood to have been reserved for the decision of the Commissioners (now Councillors) in a General Meeting or under Section XII of the District Municipal Act. (VI of 1873).

29. It shall be the duty of all Police Officers to give immediate information to the Municipality or their officers of any act done in contravention of these Rules. Cases of neglect on the part of the Police should be brought to the notice of the Chief Constable of the division. (The Police Officers are not now responsible to report breaches of Municipal Rules & bye-laws).

(Above rule Nos. 1, 2, 3, 4, 22, 23, 24, 25, 26, 27, 28, 29, from Miscellaneous Rules on pages 94 to 107 in the edition of 1935 are detached and appended herewith).

Duties of Office Bearers and Establishment.

RULES UNDER SECTION 46 (b)

[Sec. 58 (b) and (c) of the New Act].

(i) 1 Executive Functions.

Executive functions reserved to President.

1. The following executive functions shall not be delegated by the Municipality or the President but shall be performed by the President alone, under Section 24 (b). [Sec. 31 (b) of the New Act].

- (1) Affixing the common seal of the Municipality to transfers of Government securities, contracts and other documents requiring to be so executed on behalf of the Municipality.
- (2) Carrying on correspondence with the Government and Commissioner, and correspondence other than mere routine correspondence with the Collector.
- (3) Drawing Cheques for all sums exceeding Rs. 500 and
- (4) Re-appropriating any sum exceeding Rs. 200. (This power is now exercised by the standing committee).

Chief Officer's executive functions.

2. All routine correspondence with the Collector shall be carried on by the Chief Officer.

Cheques when to be drawn by Vice-President.

3. Cheques may also be drawn by the Vice-President when the President is absent from the Municipal limits.

Executive functions of Chairmen of Committees.

4. The Chairman of an Executive Committee shall sign the Committee's minutes, and carry on correspondence on behalf of the Committee, but may depute the Chief Officer or the stipendiary head of his department to sign routine papers for him.

Executive functions of Chairmen of Committees.

5. The Chairman of an Executive Committee shall sign payment orders on behalf of the Committee after the Committee have passed the bill ; and the Bill Councillor or the Chief Officer may also order payment of bills for fixed recurring charges, such as pay-bills, in anticipation of the Committee's passing them (The chairman of the Standing Committee now only signs bills for sums over Rs. 200.)

Execution of President's orders under Sec-24 (1) (c) ;

6. In the absence of specific directions to the contrary, the execution of orders passed by the President in exercise of his powers under Section 24 (1) (c) [Section 31 (c) of the New Act] shall devolve on the Chief Officer.

Presumption as to delegation of President's powers and duties to Vice-President.

7. In the absence of specific provisions to the contrary in these rules or in orders passed by the President in writing, the President shall be deemed to have deputed all his powers, duties, and executive functions to the Vice-President for so long as he (the President) is absent from Municipal limits.

Devolutions of executive functions in case of default by delegates.

8. In default of action by the delegates primarily responsible, their executive functions may, and in case of emergency shall, be exercised and performed as follows :—

Those of the Vice-President by the President.

Those of the Chairman of any Committee by the President and in his absence by the Vice-President.

Those of the Chief Officer by the Chairman of the Controlling Committee.

Provided that any action taken under this rule shall be at once reported to the President through the delegate primarily responsible, and that any dispute as to the correctness of the action taken be settled by the President and reported to the Municipality.

(1) 2 Rules Determining the Delegation of the Municipality's powers or duties to the President, Vice-President, Chairman of any Committee and Chief Officer.

Delegation of powers conferred and duties imposed by the Act :

9. Subject to rules 10 and 11, the powers and duties of the Municipality mentioned in Col. 2 of Schedule B may at any time by resolution under Sec. 37 (Sec. 46) be delegated to any of the individuals mentioned against them respectively in Col. 4 thereof, but to no other person.

Limitation to the exercise of certain powers.

10. Where an asterisk is marked in schedule B against a particular power, such power shall not be exercised by any individual delegate unless and until the person against whom action is to be taken has been given a reasonable opportunity (not exceeding three days) to show cause against his exercise of such power, the delegate's report and such person's statement of the case (if any) have been placed before the Controlling Committee and the Controlling Committee have sanctioned the action proposed.

Provided that in emergencies, when there is no time to refer to the Controlling Committee the sanction of the President shall suffice instead of that of the Controlling Committee.

Restriction on delegate's Power.

11. Powers delegated according to schedule B shall be deemed to be delegated subject to the supplementary rules prefixed to the schedule.

When the Chief Officer is not himself the delegate, he shall be held responsible for informing the delegate of the need of exercising this power, at least 24 hours before it becomes time-barred.

All stipendiary Officers and servants to be under the control of the Chief Officer.

12. Subject to the general control of the President, all the Municipal stipendiary Officers and servants shall be under the special control of the Chief Officer except such Officer or servant

as the President from time to time, by order posted in Municipal Office, places under the special control of the Chairman of the Committee.

RULES UNDER SECTION 46 (b) (ii).

[Sec. 58 (c) of the New Act]

(1) Staff of Municipal Officers and Servants.

Maximum and minimum staff.

13. The staff of Municipal Officers and servants and their salaries, fees and allowances shall always be in accordance with schedule C, provided,

(a) That in special circumstances such as an epidemic of plague or cholera, such extra temporary staff as the Managing Committee thinks necessary may, with the concurrence of the President, be employed at a monthly cost not exceeding Rs. 50 except under the special orders of the Municipality and that the Municipality shall have power to grant to their employees plague allowance and grain compensation within the rates and on the conditions prescribed from time to time for Government servants.

(b) That such temporary establishment as may at any time be required for the execution of any work, the cost of which is recoverable from private persons under Section 156, (194), may be employed by the controlling authority concerned.

**(2) Designations, salaries, fees and allowances of
Municipal Officers and servants.**

Distinction between Officers and servants.

14. The designations of Municipal Officers and servants shall be as shown in column 1 of schedule C. All employees on Rs. 50 and upwards being styled "Officers" and all others "Servants."

Absentee allowance of Municipal employees.

15. (1) Absentee allowance drawn by Municipal employees shall be regulated by the Rules applying to uncovenanted Officers under the Government Civil Service Regulations. (Now the Fundamental Rules from 1-4-1923).

Leave allowance of teachers.

(2) All leave allowance due to teachers lent to the Municipality shall be paid by the Municipality.

'Promotion'

16. Subject to Rule 18, a Municipal Officer or servant shall ordinarily start on the minimum and gradually rise to the maximum salary of his post by annual increments prescribed in the schedule C.

Maximum not to be exceeded.

17. The promotion shall be so regulated that the maximum monthly salary fixed for each post shall not be exceeded.

18. Promotions shall ordinarily go by seniority subject to merit and fitness, but the power to make exceptions to this rule and to rule 16 under section 58 (c) shall be exercised by the Standing Committee after recording in each case the grounds for making the exception.

The appointment of the Chief Officer, the Health Officer, the Engineer, the Accountant and all other Officers whose salary is above Rs. 100 per mensem shall vest in the Municipality. The power to appoint, fine, reduce, suspend or dismiss any municipal servant whose salary does not exceed Rs. 50 shall vest in the Chief Officer and in the case of Municipal servants whose salary exceeds Rs. 50 but does not exceed Rs. 100, it shall vest with a Special Committee, consisting of the President, the Vice-President, the Chairman and two other councillors, provided that in respect of any punishment other than a fine not exceeding one week's salary the order of the Chief Officer or the Special Committee, shall be subject to an appeal to the Municipality.

[Amended rule No. 18 sanctioned under Government Resolution, General Department No. S. 91 (64) of 15-11-1930].

18. A—"The Managing Committee or the Controlling Committee that may from time to time exist, shall have power to sanction as an emergency measure overtime payment not exceeding annas 2 per extra hour to any daily labourer or to any member of the staff employed on outdoor duty, whose monthly salary does not exceed Rs. 45, provided that such work does not form part of the legitimate duties of the post he is holding."

(*Vide G. O. G. D. No. 10409 of 28-10-1920*).

Budget provision for establishment.

19. To the annual budget shall be appended a statement showing, in full detail, the staff provided for in the Budget with a note explaining the reason for variations from the existing staff.

Provision shall be made in the Budget for increments falling due in the course of the year, and the strength and the pay of the staff for the year shall be strictly as shown in the Budget statement.

(3) *Duties of Municipal Officers and Servants.*

Controlling Officers to prescribe duties of staff.

20. The particular duties of each Municipal stipendiary Officer and servant over and above what are prescribed in these rules and the Bye-laws under Section 48 [61] shall from time to time be prescribed by this Controlling Officer.

Duties to be performed by each Officer or servant.

21. Every Municipal Officer and servant shall perform all such duties as may, from time to time, be assigned to him, by the President, the Controlling Officer or the Chief Officer in the exercise of the powers conferred by the Act or these rules and the Municipal Bye-laws.

Duties of the Chief Officer.

22. Subject to the general control of the President, the Chief Officer shall be the head of the stipendiary establishment and responsible for the efficient discharge of its duties, and for bringing

to the notice of the several Controlling Officers the short-comings of any other Officers or servants under their control.

23. It shall be the duty of the Chief Officer, except in so far as any Controlling Officer may have relieved him of any duties of the Chief Officer,

- (1) To arrange for and closely supervise the writing and registration of correspondence, and to keep active supervision over all stipendiary establishment.
- (2) To have prepared and certify to the correctness of all periodical accounts, returns etc., and to see that all registers are kept up-to-date.
- (3) To supervise the keeping of accounts and records of the collection of revenue, the expenditure and all works in hand.
- (4) To report all cases of neglect, illegality, breach of rules and disobedience on the part of his subordinates or contractors.
- (5) To bring to the notice of the Controlling Authority concerned all cases in which repairs, improvements, new works, or other measures appear desirable, and all encroachments, nuisances and breaches of the Municipal Act, Rules, Bye-laws and standing orders.
- (6) To watch over Municipal property and to report to the President any loss, or damage done to it.
- (7) To have abstract account of receipts and expenditure prepared every month in such form as the President may prescribe, to lay it before the Managing Committee at its first meeting in the month subsequent to that to which it relates, and to submit it with any remarks the Managing Committee may make on it, to the President ;
- (8) To have prepared under his direction the complete accounts required by law to be laid before the Municipality at each periodical General Meeting, of the receipts and expenditure of the Municipal Fund during the period since the first day of April last preceding such meeting,

- (9) To have annual abstract of accounts similarly prepared as soon as may be after 31st March in each year and laid before the Municipality at their next meeting.
- (10) To lay before each Committee cases requiring their consideration together with all the previous correspondence and papers connected with the subject.

Duties of the Assistant Chief Officer.

24. The duties of the Assistant Chief Officer shall be :—

- (1) To assist the Chief Officer in the execution of his office duties, and to see that the Office staff attends regularly and punctually and keep its work always up-to-date,
- (2) To keep minutes of proceedings of the General Committee, to prepare agenda papers, to get them printed and to place them before the General Body.
- (3) To furnish all such information obtainable from the files and records as may from time to time be required by any Councillor.
- (4) To keep direct and close supervision over the work of the Vasuli-karkoons, to see that the collections are made properly and in due time, and that all collections made each day are remitted to him within 24 hours from the time of recovery.
- (5) To see that all collections remitted to him by the Vasuli Karkoons are paid into the Municipal Treasury with a consolidated chalan, the same day before the Municipal Treasury closes.
- (6) To verify from time to time the assessment list in force, and to bring to the notice of the Chief Officer any cases of omission, neglect, carelessness etc., in the fixing or the calculation of the tax, with a view to corrections being made.
- (7) To supervise the work of the Municipal Press.
- (8) To do such other duties as the Chief Officer may from time to time assign to him.

[NOTE:—Duties No. 4, 5 and 6 have been now allotted to the Vasuli-Superintendent.]

Duties of the Secretary of the Schools Committee (Board)

25. (1) The Chief Officer shall also be the Secretary of the Schools Committee [Board.]

(2) He shall:—

- (1) Keep under the direction of the Committee detailed accounts of the Municipal School Fund, and submit them to the School Committee for counter-signature at the earliest opportunity in every month.
- (2) Estimate from time to time the income and expenditure of schools, and give timely intimation to the Schools Committee whenever there is any probability of a deficit.
- (3) Be responsible that the contributions payable by the Municipality to Government in respect of the Pension Fund of such Municipal School Masters as are lent to the Municipality by the Educational Department are charged in the monthly Bills in which their pay is drawn, and are paid regularly to the credit of Government from time to time and that Government grants are drawn punctually.
- (4) See that every charge is provided for in the Budget and sanctioned by proper authority, and that there is a balance to the credit of the Municipal School Fund from which such charge can be met.
- (5) Bring to the notice of the School Board all irregularities in the management of Schools, and breaches of standing orders of competent authorities.

[NOTE—These duties have been now transferred to the Administrative Officer of the School Board from 1-7-1927.]

26. The duties of the Market Inspector shall be as under :—

- (1) He shall, first of all, see that the subordinates under him attend the Office regularly, and do their work attentively.

- (2) The main duty in his branch is one of collection. He shall, therefore, keep a very vigilant watch over the work of his subordinates to prevent the possibility of fraud or mischief and shall promptly report to the Chief Officer, if any such case is discovered.
- (3) He shall be responsible for keeping the Markets at all times clean and in good sanitary condition.
- (4) He shall be responsible for collecting the Market fees and rents for all Municipal and Licensed Markets in due time, without allowing arrears to remain outstanding, and for remitting the whole collection thus made to the Municipal Treasury every day in the evening before the Municipal Treasury closes.
- (5) He shall for this purpose keep a day-book and enter in it every collection, as it is made, after comparing each item with the foil of the Passes or Licenses issued, and shall sign the day book and other papers so compared and examined.
- (6) He shall prepare all annual licenses for the stalls, shops, plots etc. and immediately after recovering quarterly rents or fees, take the Chief Officer's signature on them, and issue the same to the persons concerned.
- (7) He shall issue daily permits under his own signature on recovering daily fees.
- (8) He shall particularly see that open spaces not numbered are not unauthorizably used without payment of fees, and all collections made are brought to account at once.
- (9) He shall watch cases which may arise under Bye-law 11, and report the same to the Market-Committee without delay.
- (10) He shall prepare dockets for the decision of the Market Committee, shall write their proceedings, and conduct all correspondence relating to the markets, and shall carry out the orders of the Market Committee.

- (11) He shall see that the Bye-laws with regard to markets are properly understood and duly followed by the occupants of the market. He shall himself dispose of such cases of disobedience as may fall within his cognizance and report others to the Market Committee for action.
- (12) He shall perform such other duties as may from time to time be deputed or assigned to him under the Act, Rules and Bye-laws.

Principal duties of the Health Officer.

27. The principal duties of the Health Officer (Now Medical Officer of Health) shall be :—

- (1) To keep himself always informed, by daily and systematic inspection of the City, of its sanitary condition, and to report to the Sanitary Committee, through the Chief Officer, any actual or impending out-break of epidemic or other contagious diseases likely to affect the health of the city immediately on detection.
- (2) To exercise all administrative control over the Sanitary Department of the Municipality and to carry out the Sanitary provisions of the Act, the rules and bye-laws to the best of his ability.
- (3) To supervise closely the work of the Sanitary Inspectors, Sub-Inspectors and other staff below, to see that the conservancy work of the City is being carried out regularly and efficiently, reporting to the Chief Officer any cases of neglect or disobedience of orders for punishment.
- (4) To supervise the work of the Municipal Dispensaries.
- (5) To promptly enquire into any outbreaks of epidemics or contagious diseases, to take such measures as may be within his province, and to suggest others to the Sanitary Committee without delay.
- (6) To supervise the carrying out of special plague measures such as rat-catching operations, evacuation, segregation, disinfection etc., both in the City and in

the Health Camps and to encourage inoculation as far as possible.

- (7) To perform the duties of the Registrar of Births and Deaths within the municipal limits laid on him by the Births, Deaths and Marriages Registration Act, 1886, and the Bombay District Vaccination Act, 1892, and to enquire into the cause of any abnormal mortality that may be discovered and to report to the Sanitary Committee if any measures are required to be taken.

(Sanctioned under G. R. G. D. No. S. 91 (64) dated 14th December 1938.)

- (8) To inspect occasionally the dangerous and offensive trades, grave yards, dairies, cart and cattle stands, under Municipal control with a view to seeing that the provisions of the Act and the rules and Bye-laws as regards sanitation and public health are duly followed.
- (9) To inspect Markets and Slaughter houses, to see that they are kept clean and in thoroughly sanitary condition and that articles obnoxious or unfit for human food or drink are not allowed to be sold therein.
- (10) To carry out the orders of the Sanitary Committee and the Chief Officer.

Duties of the Municipal Engineer.

28. It shall be the duty of the Municipal Engineer:—

- (1) To prepare plans and estimates of the Municipal works such as roads, buildings, water-works, drains, etc. to be executed departmentally or by contractors.
- (2) To supervise the execution of all works falling within the province of the P. W. Committee and to see that all such works are carried on according to the sanctioned plans and specifications and the material supplied or used of the standard and quality required.
- (3) To check musters, to examine accounts, and to verify and sign all bills and vouchers relating to the expen-

diture of the P. W. Committee in token of their correctness and authenticity.

- (4) To prepare completion certificates of all such works and obtain certificates of completion thereon from the proper authorities.
- (5) To attend and help at fires and floods.
- (6) To supervise Municipal gardens, workshop, stores and street lighting and watering arrangements.

“ Rs. 6,000 should be paid to the Municipal Engineer as a permanent advance and he is authorised to spend amounts upto Rs. 50 on purchases without the sanction of the Managing Committee.”

[Sanctioned under General Board Resolution No 220 dated 10-7-1920].

- (7) To assist the Chief Officer in the discharge of his duties by supplying him with such facts and figures relating to his branch as he may require.
- (8) To closely supervise the work of the staff employed in the P. W. Department of the Municipality, to bring to the notice of the Chief Officer any irregularity, disobedience or misbehaviour on its part and to keep strict control over it.

Duties of the Octroi superintendent.

29. The duties of the Octroi Superintendent shall be:—

- (1) To visit each octroi Naka at least once a week.
- (2) To examine as often as possible some of the passes issued by the Naka Karkoons, to satisfy himself that duty has been properly charged, recovered and acknowledged.
- (3) To carefully examine all account books, registers and other records kept at each Naka to satisfy himself that there is no laxity or irregularity of any kind allowed to occur therein.
- (4) To generally supervise the work of the Appraiser, the Octroi Inspectors and other subordinates employed

in the Octroi Department, to see that they are doing their duties according to rules, bye-laws and instructions given to them from time to time and to be responsible for the efficient management of the Octroi Department.

- (5) To watch as far as possible the exports with a view to seeing that no undue refund is claimed.
- (6) To bring to the notice of the Chief Officer, any case of neglect of duty, disobedience of orders, or any other important point that may be discovered in his own work, or in that of the Appraiser, the Octroi Inspectors and Naka Karkuns with a view to obtaining his orders.
- (7) To keep a diary of the work done and to send weekly extracts to the Chief Officer on each Monday.
- (8) To assist the Chief Officer in the discharge of his duties by supplying him with such information relating to his branch as he may from time to time require.

Duties of the Appraiser.

30. The principal duties of the Appraiser shall be:—

- (1) To assess the value of the articles imported into the Octroi limits and chargeable with ad-valorem duty.
- (2) To ascertain similarly the value of exports, with a view to determine the amount of refund to be made on exports.
- (3) To enquire whether any articles chargeable with duty are imported into the Octroi limits without paying any duty, and to recover the duty if such cases are found, and
- (4) To keep a detailed diary of his work and to send weekly extracts to the Octroi Superintendent on every Monday.

Duties of the Municipal Accountant (Now Treasury Officer).

31. The duties of the Municipal Accountant shall be as under:—

- (1) The Accountant shall be the head of the Treasury and Account Department of the Municipality.

- (2) He shall be the immediate superior of the Deputy Accountant, the Shroff, the Treasurer and other Karkoons and peons working in the Treasury and the Account Department.
- (3) All the books of the Treasury and the Account Department including those relating to Provident and other Funds under the control of the Municipality, shall be written up punctually under his supervision, and he shall put his signature on all such books at the end of the day's transaction, in token of their correctness after checking all the entries therein made, with the chalans, vouchers and subsidiary registers.
- (4) He shall keep at the Municipal Office punctually written up-to date the pass Book with the Bombay Bank, in which Municipal funds are lodged, showing.
 - (i) On the credit side, every sum paid into the Treasury.
 - (ii) On the debit side, every sum drawn from the Treasury by Cheque, with the No. and date of the Cheque.

[At present Municipal funds are deposited in several other approved banks.]

- (5) He shall actually examine the cash balance of the Treasury every day in the evening, and sign the cash balance book in token of its correctness. He shall always watch the financial condition of the Municipality and keep the Chief Officer informed of any changes that may from time to time require attention.
- (6) It shall be his primary duty, as Municipal Accountant, to maintain supervision over Municipal receipts and expenditure. He shall always satisfy himself:—
 - (i) Firstly, that all expenditure is covered by a provision in the sanctioned Budget.
 - (ii) Secondly, that no expenditure is incurred except with due authority and with proper sanction; and

- (iii) Thirdly, that all the sums due to and received by the Municipality are brought of account without delay, and that they are made to form part of the Municipal Treasury balance.
- (7) He shall examine all pay-bills for permanent and temporary establishment, and for fixed grants in-aid and see that none but bills for sanctioned charges are preferred.
 - (8) He shall examine all bills for articles purchased and see that they are supported by suitable acknowledgments and certificates from the heads of the Departments concerned and that the articles have been received and brought on the dead stock register.
 - (9) He shall examine all bills for charges on account of original works, repairs etc. and see that necessary certificates have been furnished in support of them by the different Committees authorised to incur expenditure in fulfilment of their responsibility.
 - (10) He shall examine all receipts for disbursements made and see that each payment is sufficiently vouched for. He shall also initial each such voucher that has been examined by him.
 - (11) He shall examine and certify all such returns, statements and accounts as may be referred to him by the Chief Officer and shall prepare such accounts, statements or returns, as may be required by the Chief Officer, the Managing Committee or the President.
 - (12) He shall sign or initial all abstracts, bills, accounts, subsidiary registers and other documents relating to the account branch, which may be examined by him.
 - (13) He shall, in his examination of the various bills, vouchers, returns and all other account papers etc, generally follow the Government Civil Accounts Code, and the Civil Service Regulations, (Now the Fundamental Rules) when Municipal Acts, Rules and Bye-laws are found insufficient, and shall adopt such measures and precautions as may be necessary

to secure the municipality against loss or harm arising from dishonesty, error or irregularity.

- (14) He shall report on all questions of accounts, leave (except casual), service and all claims to gratuity or provident fund, in accordance with existing rules.
- (15) He shall see that all heads of Departments have taken such securities from Municipal Officers and servants serving under them, as are required to be taken from them according to rules, and shall annually certify to the Chief Officer in the month of April that the security bonds have been duly examined and that the sureties are alive and solvent to the amount therein stated on the 31st March immediately preceding.
- (16) He shall be the custodian of:—
 - (a) The Municipal Treasury Balance.
 - (b) All security bonds and solvency certificates.
 - (c) All vouchers, securities including debentures, and promissory notes deposited by contractors and others.
 - (d) All title deeds and documents of the Municipality.

32. The Municipal Accountant is also the Municipal Auditor and his duties as such will be as under:—

- (1) He shall examine all expenditure and receipts monthly with vouchers supporting the same.
- (2) He shall see that the expenditure has been duly sanctioned by competent authorities, and that the expenditure is within the sanctioned Budget grant.
- (3) He shall object to the expenditure incurred without a budget grant, or in excess of budget grant, or in excess of the limit laid down for it.
- (4) He shall :—
 - (a) Examine every month, all the registers such as House-tax, Water-tax, rents, Wheel-tax, Store account books and Stationery account books.
 - (b) Examine every quarter, dead stock registers, property registers, loan-registers, service register,

(with service books) and all other minor registers, kept in the Municipal Office.

- (5) He shall examine all passes issued by the Octroi Department collected during the month and compare them with the counter-foils and the day books kept at the Nakas, and in doing so, shall check rates charged therein.
- (6) He shall examine weekly statements of refunds and shall compare passes with applications.
- (7) He shall examine every month the statements prepared by the Office showing recoveries and the balances on account of house-tax, blangee-cess, wheel-tax and on account of work done for private persons by the Workshops and other Departments, if any.
- (8) He shall examine every quarter the dead-stock books and see that the balances have been properly struck at the end of the previous quarter.
- (9) He shall see that in the case of public works the expenditure has been incurred according to the sanctioned estimate and that a progress or completion certificate signed by the Engineer is furnished for each work.
- (10) He shall see that the accounts of each Department are kept in the forms sanctioned by the General Body.
- (11) In his audit examination also, he shall take the Civil Account Code and the Civil Service Regulations [now the Fundamental Rules] as his guides if the Municipal Act, the Rules and the Bye-laws are found insufficient.
- (12) He shall complete his post-audit and send in his remarks on the accounts examined to the Chief Officer before the end of the next month.

Note:—Under General Board Resolution No. 219 dated 16th October 1940, the Pre-Audit System was introduced and the duties of the Accountant as Municipal Auditor referred to in the above rules are now done by the Municipal Auditor.

Chief Officer's outdoor duties.

33. The Chief Officer shall perform such outdoor duties as his Controlling Officer may, from time to time, prescribe by orders. Such orders shall provide for:—

- (1) The complete inspection of all Municipal immoveable property at least once in six months, with a view to its maintenance in good order and to watching the working of Rules and Bye-laws in respect thereof.
- (2) The periodical inspection, as frequently as is compatible with thoroughness, of every public street and place, with a view to the removal of obstructions and encroachments and to the maintenance of streets, drains, latrines, dustbins etc., in good repair.
- (3) The periodical inspection of all streets, and buildings in respect of which action under any of Sections 91 to 96 of the Act, [secs. 117 to 124] is being, or is to be taken
- (4) A monthly test-inspection of some of the places in respect of which orders under any other section have issued with a view to see that orders are duly carried out.
- (5) A quarterly test-inspection of some of the premises in respect of which the Municipality have issued licenses with a view to seeing that the terms of the licenses are duly fulfilled.
- (6) A test on at least three days in each week, of the work of one or more of the Municipal Inspectors and Mokadums so that the work of each may be tested at least once in three months.
- (7) A brief daily record of the result of such inspections in the special book called the Chief Officer's Inspection Book to be submitted to the Chairman of the Managing Committee every Monday for perusal and remarks.

Inspectors' outdoor duties.

34. The out-door duties of the Municipal Inspectors shall be prescribed by their respective controlling officers on lines similar to those indicated above but limited to the several Inspectors' beats and Departments, and shall further include a complete inspection, at least once a quarter of all Municipal property in their charge with a view to keeping it in good repair.

35. Authority is hereby given:—

Special authorisation,

- | | |
|---|---|
| <p>(1) To every Octroi Karkoon and Inspector, the Octroi Supdt., the Appraiser, the Chief Officer and every Councillor.</p> | <p>To examine etc., articles liable to Octroi and require information about them under Sec. 76 (1) [Sec. 94] and to search conveyances or packages for articles liable to Octroi under Sec. 76 (2) [Sec. 94.]</p> |
| <p>(2) To the President, Vice-President, the Chief Officer, the Municipal Engineer, the Health Officer and every member of the P. W. Committee.</p> | <p>To inspect buildings and issue notices and requisitions under Sec. 96 (2). [Sec. 123 (2)]</p> |
| <p>(3) To the President, Vice-President, Engineer, Chief Officer, Health Officer, Sanitary Inspectors and every member of the Sanitary Committee.</p> | <p>To enter land and construct or repair Municipal drains therein under Sec. 100 (2) [Sec. 128. (2)]</p> |
| <p>(4) —Do— —Do
except the Chief Officer (who already enjoys these powers under Sec. 183.)</p> | <p>To inspect drains, privies, and to open grounds etc, under Sec. 111 (i). [Sec. 139 (1)]</p> |
| <p>(5) To the Health Officer and every member of the Sanitary Committee, Chairman M. Committee.</p> | <p>To enter and inspect buildings and lands, and issue notices for cleaning under Sec. 132 [Sec. 164].</p> |
| <p>(6) Health Officer, Chairman of the Market Committee and the Chairman of the Sanitary Committee.</p> | <p>To search for and seize articles unfit for human food under Sec. 142 [Sec. 176].</p> |

(7) The Market Inspector and every member of the Market Committee. To search for false weights and measures under Sec. 143 [Sec. 177].

(8) To the Chief Officer, Asstt. Chief Officer and Collecting Karkoons. To serve notices and present Bills under sec. 154 [Sec. 192].

(9) To the Chief Officer, Health Officer, Engineer, Assistant Chief Officer, Head Surveyor, Collecting Karkoons, the Chairman of the Sanitary Committee and the Chairman of the Managing Committee. To make entry under Sec. 159 [Sec. 192].

(10) To Nal-karkoons, fitters, the Chief Officer, the Engineer. To enter into houses or open lands for the purpose of inspecting water connections under Sec. 159 [Sec. 197].

*Rule 36:—*Monies may be paid on behalf of the Municipality in the following manner:—

Who may make payments on behalf of the Municipality and how.

(1) *Any sum exceeding Rs. 500.*—By the President and Chief Officer, and during the absence of the President by the Vice-President and Chief Officer, *by Cheque only.*

(2) *Any sum exceeding Rs. 10 but not exceeding Rs. 500.*—By the President and Chief Officer, and during the absence of the President, by the Vice-President and Chief Officer, by cheque or in cash (*currency notes or coin*) according to circumstances.

(3) *Any other sum (i. e. less than Rs. 10 or a fraction of a rupee).*—By the Chief Officer in cash.

Note:—The Provisions of this rule do not apply to the payment of bills referred to in rule No. 37, which may be made in cash (*currency notes or coin*) by the Chief Officer from the balance in the Municipal Treasury.

(*Sanctioned under G. R. G. D. No. S 91 (64), dated 27th December 1937.*)

37. Bills in the following cases shall be prepared and disbursed by the Chief Officer without any further sanction:—

- (1) Permanent establishment and fixed charges.
- (2) Grants, contributions, principal and interest on loans due by the Municipality and sum payable to sinking funds according to the sanctioned budget.
- (3) All refunds due under the sanctioned rules.
- (4) Contingent, postage and other stamp charges.
- (5) Purchases of moveable property up to Rs. 300 (inclusive) subject to report for bills above Rs. 200.
- (6) Charges incurred from permanent advances placed at the disposal of heads of offices for petty expenditure.

[Rule 37 sanctioned under G. R. G. D. No. S. 91 (64) dated 14th November 1931].

38. The Engineer, the Health Officer and Secretary, School Board, should be authorised to spend amounts upto Rs. 25 when they find it necessary to do so, in respect of items for which there is a Budget provision and the Officer incurring such an expenditure should report the same immediately to the [Sub-Committee concerned and to the] Chief Officer. ”

(Rule 38 sanctioned under G. O., G. D. No. 2916 of 17-3-20)

39. The following amounts should be placed at the disposal of the several officers of the Municipality and such officers shall be authorised to spend for contingent expenditure without further sanction, such amounts as are shown against their names:—

Name of Officer.	Permanent advance.	Amount that can be spent in each case without further sanction.
	Rs.	Rs.
1. The President	50	50
2. The Chief Officer	800	200
3. The Municipal Engineer	600	50

4. The Medical Officer of Health	500	20
5. The Octroi Superintendent	250	20
6. The Assessment Supdt.	300	20
7. The Market Inspector	10	0
8. The Development Engineer	1500	50
9. The Workshop Supdt.	100	10
10. The Officer-In-charge, Veterinary Hospital	50	5

(Rule 33 sanctioned by G. R., G. D. No. S. 91 (64) dated 23rd December 1931.)

(Revision in permanent Advance in item No. 9 sanctioned under G. R., G. D. No. S. 91 (64) dated 30th April 1938.)

(New entry No. 10 sanctioned under G. R. G. D. No. S. 91 (64) dated 27th November 1939.)

40. Creation of a post of Medical Officer for the Bhamburda (Now Shivaji Nagar) Municipal Dispensary and his duties.

“1. A Medical Officer shall be appointed for the Municipal Allopathic Dispensary at Bhamburda (Now Shivaji Nagar) on Rs. 60-5-150 p. m.

“2. The qualification for the post shall be a diploma of the L. C. P. S. Examination or some similar or higher examination of a recognized university.

“3. He shall work under the orders of the Medical Officer of Health of the Poona City Municipality.

“4. He shall be in full medical and surgical charge of the said dispensary and shall perform any other duty allotted to him by the Medical Officer of Health.

“5. He shall be subject to Municipal rules as regards leave, promotion, retirement, etc.”

(Sanctioned under the Commissioner, C. D.'s No. Poona City 4-S. R. 1-37 dated 25-7-1936.)

Rule framed by the Poona City Municipality under Sec. 58 (c) of the Municipal Boroughs Act empowering the Municipality to appoint an auditor.

“ The post of an independent and permanent Municipal Auditor should be created on Rs. 150-5-200, for auditing the accounts

of the Municipality. He is to be responsible only to the President and the General Board of the Municipality. He must possess the qualifications required for Government Local Fund Auditors. All rules and regulations applicable to Municipal servants should apply to the occupant of this post."

(Sanctioned under Commissioner, C. D.'s No. Poona City 4/116 of 28th August 1935].

**Regulations framed by the Poona City Municipality
under section 42 (1) of the Bombay Weights and
Measures Act, 1932, prescribing the powers
and duties of the Municipal Inspector of
Weights and Measures.**

Verification and adjusting of weights and measures and weighing or measuring instruments in use within the area subject to the jurisdiction of the Poona City Municipality:—

1. The Municipal Inspector shall verify all weights and measures and weighing or measuring instruments brought to him for the purpose of verification or reverification and used in the area assigned to him against the working standards and weighing and measuring instruments in his charge and in verifying them he shall comply strictly with the provisions of the Bombay Weights and Measures Act, 1932, the Bombay Weights and Measures Rules, 1934, and of the Schedule of Instructions issued from time to time by the Director of Industries.

2. The Municipal Inspector shall not ordinarily carry out adjustments of weights and measures and weighing or measuring instruments unless the work connected with such adjustments is of a minor nature approved by the Director of Industries in the schedule of instructions. If on verification the Inspector finds that adjustments are necessary which he is not authorised to carry out, he shall inform the person concerned in writing about the nature of the adjustments required. The person concerned shall, thereupon, get the adjustments carried out before the weight, measure or weighing or measuring instrument, as the case may be, is submitted for further verification.

3. The Municipal Inspector shall submit daily, weekly and monthly reports in a form approved by the Director of Industries to the President of the Municipality showing the work of inspection and verification done by him and the fees collected.

4. The Municipal Inspector, shall in the matter of fees, carefully observe the instructions laid down in rules 124 to 131 of the Bombay Weights and Measures Rules, 1934.

5. The entire amount collected by the Municipal Inspector shall be paid by him into the Municipal Treasury every day for being credited to the Weights and Measures Department of the Municipality.

Seizure, detention and destruction of weights and measures and weighing or measuring instruments which are not authorised by the Bombay Weights and Measures Act, 1932:—

6. The provisions of rules 134 and 135 of the Bombay Weights and Measures Rules, 1934, shall apply to the seizure, detention and destruction of weights and measures and weighing or measuring instruments which are not authorised by the Bombay Weights and Measures Act, 1932 and every Municipal Inspector shall have the powers mentioned and shall observe the procedure laid down in the said rules.

Inspection of weights and measures and weighing or measuring instruments:—

7. The provisions of Rules 59 and 120 of the Bombay Weights and Measures Rules, 1934, shall apply to the inspection of weights and measures and weighing or measuring instruments and the Municipal Inspector shall have the powers mentioned and shall observe the procedure laid down in the said rules.

Duties of Municipal Inspectors:—

8. (a) The Municipal Inspector shall be responsible for:—

(i) The safe and proper custody of the working standards and other equipment entrusted to his charge so that their accuracy may not be tampered with;

(ii) the verification of weights and measures and weighing or measuring instruments in the area assigned to him;

(iii) the inspection of weights and measures and weighing or measuring instruments assigned to him;

(iv) the collection of fees and other charges and submission of periodical reports and returns.

(b) subject to the provisions of clause (d) the Municipal Inspector shall inspect and verify the weights and measures and weighing or measuring instruments in use for trade in the area assigned to him;

Provided that the stamping of the weights and measures and weighing or measuring instruments verified by the Inspector shall be done by the Government Inspector.

(c) The Municipal Inspector shall arrange with the Government Inspector to visit every day the office of the Municipal Inspector for re-verifying a part of the work done by him and for stamping the weights and measures and weighing or measuring instruments found correct. The Municipal Inspector shall help the Government Inspector in such re-verification and stamping.

(d) The Municipal Inspector shall not undertake verification work in connection with :—

(i) the stocks held by the manufacturers of weights and measures and weighing or measuring instruments ;

(ii) the stocks held by whole sale and retail dealers in the weights and measures and weighing or measuring instruments ;

(iii) weights, measures or weighing or measuring instruments used by liquor and drug shops, Railways, Port Trusts, Post Offices and Government Workshops and Offices ;

(iv) large industrial establishments which come under the Factories Act, 1934 ;

(v) any weights, measures or weighing or measuring instruments which the Director of Industries may in this behalf specify.

(Sanctioned under G. R. G. D. No. S. 298 (64), dated the 18th, January 1939).

MISCELLANEOUS

ESTABLISHMENT.

5. To aid the Managing Committee in superintending the affairs of the Municipality, the Commissioners [Now Councillors] shall appoint an establishment of the scale, strength and cost exhibited in appendix C.

6. The annual cost of the Municipal establishment shall not be increased without the previous sanction of the Commissioner of the Division, but the Managing Committee shall have power to modify the scale of establishment with the sanction of the General Committee, provided such modification shall not involve an increase of the total cost sanctioned. [Now the Municipality can create without further sanction any post with a salary of Rs. 100 or less. Vide Sec. 59 of the C. M. Act.].

7. The establishment shall be under the orders and control of the Managing Committee, (now the Chief Officer, Vide Sec. 34 (I) (b) and shall be employed exclusively on duties connected with the Municipality.

8. The orders of the Committee shall be carried out by a Secretary (now the Chief Officer) who shall be the head of the stipendiary establishment and primarily responsible for the efficient discharge of duties assigned to it.

9. It shall be the duty of the Chief Officer to keep English and Vernacular records of the minutes of the proceedings at General meetings of the Commissioners (Councillors) and meetings of the Managing Committee; to conduct all Municipal correspondence, to supervise the accounts and records; to prepare and certify to the correctness of a monthly statement of the Municipal receipts and disbursements for submission to auditors; to bring to notice of the Managing Committee repairs, improvements, and new works, which may be required; also violations of the Rules, and damage done to Municipal property. He shall actively supervise the stipendiary servants and works being done under contract. In every case requiring prompt action, the Secretary may communicate at once with a Magistrate, and subsequently report his proceedings to the Managing Committee.

[The duties of the Chief Officer are now given in Sec. 34 of the C. M. Act.]

10. (a) All leave shall be granted as far as possible in accordance with the Government Leave Code for uncovenanted officers. [now the Fundamental Rules.]

(b) The Managing Committee may grant leave of absence to any officer for one month and for three months to any officer whose salary does not exceed Rs. 100 per mensem. [rule 18 (b) cancelled by Rule 18 on page .]

(c) Cases exceeding the powers of the Managing Committee shall be referred to the Municipality.

(d) The Secretary (Chief Officer) may grant leave for one month to any officer whose salary does not exceed Rs. 15 per mensem. (This rule is modified by Rule 18 on page and rule 2 on page .)

11. It shall be competent for the Municipality to require security from the Secretary, or other members of the stipendiary establishment, as may be deemed expedient, and the recovery of all sums forfeited by sureties shall be recovered by suit at the instance of the Commissioners (now Councillors) in their corporate capacity.

[It has since been resolved that servants of the Municipality having money transactions in their hands, or the framing out of bills, and passing contractors' work shall each give security to the extent of one year's pay.] (vide page).

DELEGATION OF POWERS.

(Rules 14 and 15 are superseded by rules on pages to)

(Above rule Nos. 5, 6, 7, 8, 9, 10 13, from Miscellaneous rules on pages to from the edition of 1935 are detached and appended herewith).

Additional Rules Relating to delegation of powers.

Every delegation of the Municipality's executive functions, powers or duties shall be deemed to be made subject to the general control of the Municipality and to the provisions made under these rules, and those annexed to the Schedule B.

No delegation by the Municipality shall be valid unless it is made by a resolution of the General meeting.

One or more of the powers delegated by the G. B. to a controlling Committee or to an individual officer may be delegated by such delegate with the sanction of the General Body.

When any of the Municipality's powers other than the power of entry or inspection, has been delegated to more individuals than one, such power is to be exercised by a delegate only when all the delegates superior to him are absent from the Municipal limits, or have expressly authorised him to exercise such power.

No powers or functions other than those expressly delegated by rules, bye-laws or resolutions of the General Body shall be exercised by any body except the Municipality itself.

The President or in his absence the Vice-President shall be competent to suspend the operation of any executive order passed in virtue of delegation if such order appears to him to be harsh, unjust or illegal, but shall call a special general meeting to dispose of the matter or place it before the next general meeting of the Municipality for consideration.

An appeal shall lie to the Municipality from the decision or order of any Sub-Committee and to the Controlling Committee from the order of any of its officers. The appellate authority may reverse or modify the order of the delegate.

The Municipality may withdraw any particular matter from delegation or appoint an additional delegate or remove one delegate and appoint another in his place.

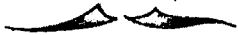
SCHEDULE—B.

[*Vide* Rule 9 under Section 46 (b)]. [Sec. 58 (b)].
Under section 37 of the District Municipal Act.

[Sec. 46 of the C, M. Act].

NOTE.

Powers delegated according to this schedule shall be deemed to be delegated subject to the following supplementary rules.



1. When any of the Municipality's powers other than a power of entry or inspection has been delegated to more delegates than one, such delegation shall be deemed to have been made under the condition that the power is to be exercised by any delegate only when all the delegates superior to him are absent or have made a default. For the purposes of this rule, delegates shall be deemed to rank in the following order.

1. (1) President; (2) Vice-President; (3) Controlling Committees, in the order in which they are noted in this schedule; (4) Chairmen of such Committees in the same order; (5) The Stipendiary Head Officials of the Controlling Committees; (6) Any other individual delegate.

2. Powers delegated to the Engineer or the Health Officer may be exercised by the Chief Officer in the absence of either.

3. Powers delegated to any of the stipendiary officials of the Municipality may be exercised by the Chairman of the Controlling Committee to which such official is subordinate, in case the powers have not already been exercised, or in case such official has been asked by the Controlling Committee not to exercise it until a default has been made on the part of the Chairman of such Committee.

4. A period which shall be reckoned as a period of default on the expiry of which a power may be exercised by a subordinate delegate, shall be laid down by the superior delegate or by the General Committee for the guidance of the subordinate delegate.

5. Powers indicated by an asteriks shall not be exercised unless a previous notice in writing has been issued to the person concerned and has not been complied with.

6. Powers which are to be exercised jointly by the delegates can only be exercised by all of them together or by an expression in writing of all the delegates that the same shall be exercised by a particular delegate from amongst them.

N. B.—When powers are to be exercised jointly, it is expressly stated so in the schedule.

7. The carrying out of the decisions or orders of Controlling Committees shall be deemed to be delegated to the highest stipendiary official subordinate to it.

8. Powers not specified in the schedule are reserved to the General Committee.

9. When no public Works Committee or Sanitary Committee is appointed, the powers delegated to either shall be deemed to be delegated to the Managing Committee.

10. This schedule does in no way affect the powers delegated to the Chief Officer under section 183 of the Act. [This section has been dropped in the C. M. Act, as the powers have been given to the Chief Officer in the body of the various sections of that Act].

*Schedule B to Rules under sec. 46 (b) [Sec. 58 (b)] framed
by the Poona City Municipality sanctioned under Government
Resolution, General Department, No. 882 dated the
10th November 1921.*

Sections of D. M. Act. and M. B. Act.	Municipality's powers or duties	Authorities to whom powers or duties may be respectively delegated.	
		Committee delegates.	Individual delegates.
26 (14) (b) 35 (14) (b)	Power to require the presence of certain officers at Municipal meetings.	...	President and Vice-President.
30 39	Power to appoint consultative committees.	G. B., in default M. C.	
31 40	Power to appoint persons other than Councillors to serve on special committees.	Reserved to G. B.	
40 48	Power to contract, sell, lease, etc., municipal property which is moveable.	M. C. (up to Rs. 500 only)	The limit of Rs. 500 has been now removed by the M. B. Act
50 (1) 63	Power to acquire and hold property worth Rs. 500 and under.	M. C.	
52 66	Power to incur expenditure sanctioned by the Municipality within the Municipal District.	M. C.	
57 72	Power to cancel arrangements or promises purporting to be binding permanently, or for a term of years for charitable purposes.	M. C.	
60 (b) 75 (b)	Publication of proposed rules for information of the public.	...	C. O.
62 77	Publication of rules sanctioned by Government for information of the public.	...	C. O.
63 (2) 78 (2)	Power to appoint assessor of property who has power to inspect it.	...	C. O.
63 (3) 78 (3)	Power to require holders of property to furnish the returns called for.	...	C. O.

Sections of D. M. Act. and M. B. Act.	Municipality's powers or duties.	Authorities to whom powers or duties may be respectively delegated,	
		Committee delegates.	Individual delegates.
<u>64</u> 80	Duty of publishing notice of assessment list.	...	C. O.
<u>65 (1)</u> <u>81 (1)</u>	Duty of giving public notice and notice to individuals of time fixed for revising assessment list.	...	C. O.
<u>65 (2)</u> <u>81 (2)</u>	Power to keep a register of objections.		C. O.
<u>66 (1)</u> <u>82 (1)</u>	Power to amend assessment list.	M. C.	
<u>68</u> <u>85</u>	Power to recover taxes from occupiers of a property in default of the owner.	...	C. O.
<u>69 (2)</u> <u>86 (2)</u>	Power to remit taxes on properties that have remained vacant.	M. C.	
<u>70</u> <u>90</u>	Power to charge license, permit, market and other fees.	M. C.	
<u>76 (1)</u> <u>94 (1)</u>	Power to authorise an officer to examine articles liable to octroi.	...	C. O.
<u>76 (2)</u> <u>94 (2)</u>	Power to authorise an officer to search where octroi is leviable.	...	C. O.
<u>78</u> <u>97</u>	Power to cause to be kept at each place a table of tolls to be shown on demand.	...	C. O.
<u>79(3,4,5)</u> <u>98(3,4,5)</u>	Powers regarding recovery of octroi and toll.	...	C. O.
<u>80</u> <u>99</u>	Power to keep account current with a firm or public body in lieu of levying octroi.	...	C. O.
<u>82 (1)</u> <u>104 (1)</u>	Duty of causing bills for taxes to be presented to the person liable for payment thereof.	...	C. O.
<u>82 (3)</u> <u>104 (3)</u>	Power to cause notice of demand to issue if the bill for taxes is not paid within 15 days from the presentation thereof.	...	C. O.

Sections of D. M. Act. and M. B. Act.	Municipality's powers or duties.	Authorities to whom powers or duties may be respectively delegated.	
		Committee delegates.	Individual delegates.
<u>83 (1)</u> <u>105 (1)</u>	Power to cause warrants to issue if the person liable for the payment of the bill for taxes does not pay, does not show satisfactory cause for nonpayment of the sum due for the taxes, or does not appeal.	...	C. O.
<u>84 (2)</u> <u>106 (2)</u>	Power to order auction of distrained goods.	...	C. O.
<u>84-A</u> <u>107</u>	Power to order such sale outside the Municipal limits.	...	C. O.
<u>90 (1)</u> <u>114</u>	Power to lay out and to close streets and to sell lands acquired for streets.	M. C.	
<u>90 (2)</u> <u>114</u>	Power to acquire and sell roadside strips for building purposes.	M. C.	
<u>90 (3)</u> <u>115</u>	Power to require repair of private streets.	M. C.	
<u>*90 (4) (5)</u> <u>116</u>	Power to declare a private street to be a public street by a public notice put up there.	M. C.	
<u>91 (1)</u> <u>117 (1)</u>	Power to require plans and sections of projected new streets and to fix or approve the level, means of drainage, direction and width of new streets.	...	Engr.
<u>91 (2)</u> <u>117 (2)</u>	Power to issue first order or notice respecting a new street, suspending work for a month or less or demanding further particulars.	...	Engr.
<u>91 (4)*</u> <u>117 (3)</u>	Power to alter unauthorised streets and to alter or remove unauthorised buildings therein.	M. C.	
<u>91 (a)</u> <u>118</u>	Power to prescribe the boundary line of a public street.	M. C.	
<u>92 (1)</u> <u>119 (1)</u>	Power to set back building beyond the regular line of street.	...	C. O. Engr.
<u>92 (2)</u> <u>119 (2)</u>	Power to acquire private Land and within regular line of street.	...	C. O.

Sections of D. M. Act. and M. B. Act.	Municipality's powers or duties.	Authorities to whom powers or duties may be respectively delegated.	
		Committee delegates.	Individual delegates.
<u>93</u> 120	Power to set forward a building upto a regular line of street.	...	C. O.
<u>94 (1)</u> 121 (1)	Power to permit use of inflammable material in roof or wall of a building.	...	C. O.
<u>94 (2)</u> 121 (2)	Power to require removal of such material.	...	C. O., Engr.
<u>95</u> 122	Power to approve place from level of which lowest level permissible in new buildings shall be determined.	...	C. O.
<u>96 (1)</u> 123 (1)	Power to require owner of projected building to furnish sanad of site and plan giving levels and information as to limits, ventilation, privies, cesspools, etc. of building.	...	C. O., Engr.
<u>96 (2)</u> 123 (2)	Power to issue orders on notice of building, giving permission to proceed, imposing conditions as to drainage, sanitation, ventilation, location with respect to any existing or projected street or suspending work till settlement of questions as to such location.	...	C. O.
<u>96 (3)</u> 123 (4)	Power to issue within one month from the receipt of notice of building, provisional order directing that for a stated period the intended work shall not be proceeded with, or to call for further particulars.	...	C. O., Engr.
<u>96 (5) (a)</u> 123 (7)	Power to stop construction of alteration in or additions to unauthorised building.	...	C. O., Engr.
<u>96 (5) (b)</u> 123 (7)	Power to require alteration or demolition of unauthorised buildings.	...	C. O.

Sections of D. M. Act. and M. B. Act.	Municipality's powers or duties.	Authorities to whom powers or duties may be respectively delegated.	
		Committee delegates.	Individual delegates.
<u>96 (6)</u> <u>123 (8)</u>	Power to inspect the erection of any building without giving notice to do so and to require amendment of unauthorised detail in a new or altered building, and to authorise an officer in that behalf.	...	C. O., Engr.
<u>97</u> <u>125</u>	Power to regulate erection of huts or to require alterations therein.	...	C. O.
<u>98</u> <u>126</u>	Power to require improvement or demolition of huts.	...	C. O., Engr.
<u>99 (2)</u> <u>127 (2)</u>	Power to provide or to require provision of proper traps, covers and ventilation for sewers, drains and cesspools.	...	H. O., Eng., C. O.
<u>100 (1)</u> <u>128</u>	Power to construct new drains, etc.	...	C. O.
<u>100 (2)</u> <u>128 (2)</u>	Power to enter upon and construct any new drain in the place of an existing drain, or to repair and alter a drain vested in the Municipality or to authorise an officer in that behalf.	M. C.	Power of entry to H. O., Engr., C. O.
<u>101 (1)</u> <u>129 (1)</u>	Power to require sufficient drainage of houses.	...	C. O.
<u>101 (2)</u> <u>129 (2)</u>	Power to prescribe the plan of a drain to be constructed in the case of a new building.	...	C. O.
<u>101 (3)</u> <u>129 (3)</u>	Power to direct into what cesspool a drain to be constructed in the case of a new building shall empty.	...	H. O., C. O., Engr.
<u>102</u> <u>131</u>	Power to permit owners or occupiers of buildings to connect their drains with Municipal drains.	...	H. O., Engr.
<u>103</u> <u>132</u>	Power to authorise an applicant to carry his drain through or into another man's land.	...	C. O.

Sections of D. M. Act. and M. B. Act.	Municipality's powers or duties.	Authorities to whom powers or duties may be respectively delegated.	
		Committee delegates.	Individual delegates.
<u>105</u> 133	Duty of requiring owner of drain authorised under section 103 to make arrangements necessary to permit a building over it.	...	C. O.
<u>106 (1)</u> 134 (1)	Power to require provision of proper privies, cess-pools, etc., in or on any building or land.	...	C. O.
<u>106 (2)</u> 134 (2)	Power to require provision of and proper cleaning of privies and urinals by large employers.	...	C. O., H. O.
<u>106 (3)</u> 134 (3)	Power to require the proper screening of privies.	...	C. O., H. O.
<u>107 (1)</u> 135 (1)	Power to require alteration, repair and keeping in proper order of all sewers, drains, privies, cesspools, etc.	...	C. O., H. O.
<u>107 (2)</u> 135 (2)	Power to demolish or close any privy or cess-pool which is a nuisance or is so constructed as to be inaccessible for the purpose of being properly cleaned.	...	C. O.
<u>108*</u> 136	Power to close existing private drains.	...	C. O.
<u>109*</u> 137	Power to require demolition, amendment or alteration of sewers unauthorisedly constructed or rebuilt or unstopped.	...	C. O.
<u>110* (1)</u> 138 (1)	Power to consent to construction of connection with Municipal drain and to require demolition, alteration or reconstruction of unauthorised drain connection.	M. C.	
<u>110 (2)</u> 138 (2)	Power to permit building over drain and to require demolition of unauthorised building.	M. C.	
<u>111 (1)</u> 139 (1)	Power to inspect any drain, sewer, privy, watercloset, etc., or to authorise an officer in that behalf.	...	H. O., Engr.

Sections of D. M. Act. and M. B. Act.	Municipality's powers or duties.	Authorities to whom powers or duties may be respectively delegated.	
		Committee delegates.	Individual delegates.
112 (1) 140 (1)	Power to execute works in connection with drains, privies, sewers, ect., (section 99 to 111 of Act). without giving the person by whom the same would otherwise have to be executed the option of executing them himself.	...	C. O.
112 (2) 140 (2)	Power to pay the expenses in such cases from Municipal fund.	M. C.	
113 (1) 143 (1)	Power to permit projections.	...	C. O.
113 (3) 143 (3)	Power to remove obstructive projections from streets and drains.	...	C. O., Engr.
114 144	Power to require the owner of every building in any street to put up and keep in good condition proper troughs and pipes for catching rain water.	...	Engr.
115 145	Power to erect or fix lamp brackets to the outside of any building so as not to cause any inconvenience or nuisance to the said building or any others in the neighbourhood.	...	Engr.
116 146	Power to put up the names of streets and the numbers of houses on a conspicuous part of a building.	...	Engr.
118 148	Power to require removal or trimming of hedges, trees, etc., bordering a public street if they exceed the specified height and width or are deemed likely to endanger or obstruct a street.	...	Engr.
119* (1) 149 (1)	Power to put up hoard or fence round ruinous or dangerous buildings or if the danger is not imminent, to require the same to be put up.	...	Engr.

Sections of D. M. Act. and M. B. Act.	Municipality's powers or duties.	Authorities to whom powers or duties may be respectively delegated.	
		Committee delegates.	Individual delegates.
<u>119 (2)</u> <u>149 (2)</u>	Power to require demolition or repair of such buildings and in default by owner to undertake demolition or repair themselves.	M. C.	In default Chairman M. C. and Engr.
<u>120 (1)</u> <u>150 (1)</u>	Power to require, repair, draining or filling in of dangerous, stagnant or insanitary sources of water-supply,	...	C. O.
<u>120 (2)</u> <u>150 (2)</u>	Power to repair, drain or fill in such sources of watersupply, if the owner fails to do so, and to recover the expenses from the owner.	...	C. O.
<u>121</u> <u>151</u>	Power to permit displacing of pavements, gutters, flags, etc., of any public streets or the fences or the walls or posts thereof or any lamp post, bracket or other property belonging to Municipality.	...	Engr.
<u>122 (2)</u> <u>152 (2)</u>	Power to remove obstructions and encroachments upon public streets and open spaces.	...	Engr.
<u>122 (4)</u> <u>152 (4)</u>	Power to permit temporary occupation of or erection in any public streets on occasions of festivals, ceremonies, or the piling of fuel in bye-streets and spaces for not more than four days.	...	C. O.
<u>123</u> <u>153</u>	Power to permit external repairs of buildings and order maintenance or removal of hoards.	...	Engr.
<u>124 (1)</u> <u>154 (1)</u>	Duty of fencing and lighting during construction or repair of any street, sewer, drain, etc.	...	Engr.
<u>124 (2)</u> <u>154 (2)</u>	Power to permit removal of fence or light,	...	Engr.
<u>125</u> <u>155</u>	Power to permit timber, stone, brick, earth, or other material to be deposited or a hole to be made in a street.	...	Engr. & C. C.

Sections of D. M. Act. and M. B. Act.	Municipality's powers or duties.	Authorities to whom powers or duties may be respectively delegated.	
		Committee delegates.	Individual delegates.
<u>126</u> 156	Power to prohibit or regulate dangerous quarrying; duty of putting up proper hoard near such quarry, the expenses incidental thereto being recovered from the owner.	...	C. O.
<u>127</u> 158	Power to prosecute under the section.	...	H. O.
<u>128*</u> 159	Power to permit the discharge of sewage, sullage etc. into a street or open space or surface drain in any street and to prosecute offenders against this section.	...	H. O.
<u>129*</u> 160	Power to prosecute under the section.	...	H. O.
<u>130 (1)</u> 161 (1)	Power to fix hours for removal of night soil and notify the route by which it shall be taken.	...	H. O.
<u>130 (2)</u> 161 (2)	Power to prosecute under the section.	...	H. O.
<u>131 (1)</u> 162 (1)	Power to require the cleaning of filthy buildings or lands.	...	H. O.
<u>131 (2)</u> 162 (2)	Power to prohibit the use of building, if unfit for human habitation	M. C.	
<u>131 (3)</u> 162 (3)	Power to require demolition of deserted and offensive buildings.	M. C.	
<u>132</u> 164	Power to authorise a Councillor or an officer to enter into and inspect all buildings and lands and order any part thereof to be lime-washed or otherwise cleansed.	...	The President or C. O.
<u>133</u> 165	Power to set apart public places as bathing places and to prohibit the use of all other places for bathing purposes.	...	C. O.
<u>134</u> 166	Power to prosecute for fouling water.	...	C. O., H. O.

Sections of D. M. Act. and M. B. Act.	Municipality's powers or duties.	Authorities to whom powers or duties may be respectively delegated.	
		Committee delegates.	Individual delegates.
<u>135*</u> 167	Power to require abatement or removal of nuisances likely to endanger health.	...	C. O.
<u>136*</u> 168	Power to permit the storage or use of nightsoil or other manure.	...	C. O.
<u>137</u> 169	Power to prosecute for tethering cattle in a street.	...	C. O., H. O.
<u>137 (A)</u> 170	Power to prosecute for feeding cattle on filth.	...	H. O.
<u>138</u> 171	Power to order construction or alteration of furnace so as to ensure the consumption of smoke.	M. C.	In default H. O.
<u>139 (1)</u> 172 (1)	Power to license and to prohibit unlicensed Markets and Slaughter-houses.	M. C.	
<u>139 (4)</u> 172 (3)	Power to apply to a Magistrate to order the closing of unlicensed shops, etc.	M. C.	In default C. O.
<u>140</u> 173	Power to open and close public Markets and slaughter-houses and to charge stallage, etc., and license sale therein.	M. C.	
<u>141</u> 175	Power to establish slaughter houses or places for the disposal of carcases of animals beyond Municipal Limits.	M. C.	
<u>142</u> 176	Power to authorise a Municipal Councillor or an officer to inspect in streets, shops and slaughter houses, articles intended for human food or drink or for medicine and to seize any unfit for human food.	...	President, C. O., H. O.
<u>143</u> 177	Power to authorise entry for inspection of weights and measures.	...	Chairman M. C., C. O.
<u>144 (2) (a)</u> to (k) 179	Powers which may be especially conferred on the Municipality for prevention of dangerous diseases.	...	C. O.

Sections of D. M. Act. and M. B. Act.	Municipality's powers or duties	Authorities to whom powers or duties may be respectively delegated.	
		Committee delegates.	Individual delegates.
145 180	Powers specially conferred for the prevention of dangerous diseases.	...	C. O.
147 182	Duty of taking preventive and suppressing measures in respect of diseases among cattle, sheep or goats.	M. C.	In default H. O.
148 (1) 183	Power to apply to a Magistrate for the purpose of obtaining an order to prevent the overcrowding of the interiors of buildings.	M. C.	Chairman M. C., and H. O., C. O.
149 184	Powers specially conferred for prevention of overcrowding.	...	C. O.
150 185	Powers to recommend to Government the closing of places for disposal of the dead if they are or likely to become injurious to health.	M. C.	
150 (3) 185 (3)	Power to prosecute for burying the dead in closed burial grounds.	...	C. O.
151 (1) 186 (1)	Power to regulate or prohibit the use of places where offensive or dangerous trades are carried on.	...	C. O.
151 (3) 186 (3)	Power to move a Magistrate to order the closing of a place where dangerous or offensive trades are carried on.	M. C.	In default H. O.
152 188	Power to authorise a Police Officer to prosecute a person who loiters or importunes for purposes of prostitution.	...	C. O.
153 189	Power to apply to Government for the application of this section to the Municipal District with a view to prevent the use of any house within its limits as a brothel.	...	C. O.
154 (1) 192	Power to authorise any person to serve notices and present bills.	...	C. O.

Sections of D. M. Act. and M. B. Act.	Municipality's powers or duties.	Authorities to whom powers or duties may be respectively delegated.	
		Committee delegates.	Individual delegates.
<u>154 (6)</u> <u>192 (5)</u>	Power to arrange for the execution of acts required to be done by any notice or non-compliance therewith.	...	Engr., C. O.
<u>155</u> <u>193</u>	Power to prosecute for non-compliance of written notices not punishable under any other section.	...	C. O.
<u>156 (1)</u> <u>194 (1)</u>	Power (in default by the owner) to carry out work in connection with any building or land.	...	Eng., H. O., C. O.
<u>156 (1) (b)</u> <u>194 (1) (b)</u>	Power to declare the Municipality's expenses to be improvement expenses in certain cases, and to fix instalments for the recovery of the same.	...	C. O.
<u>156 (2)</u> <u>194 (2)</u>	Power to levy improvement expenses on the occupier of any building or land if the defaulter be the owner thereof, the occupier deducting the same from his rent.	...	C. O.
<u>157</u> <u>195</u>	Power to approve the action of an occupier wishing to be allowed to execute the work and to reimburse himself for expenses.	...	C. O.
<u>159</u> <u>197</u>	Power to authorise an Officer or Councillor to enter into or upon any building or land for the purpose of making any survey or inspection the Municipality may be entitled to make.	...	C. O.
<u>160</u> <u>*198</u>	Power to appoint two members of a panchayat,	M. C.	
<u>160 (A)</u> <u>199</u>	Power to determine and recover costs (ordered to be recovered in pursuance of powers vesting in the C. O.).	...	C. O.

Sections of D. M. Act. and M. B. Act.	Municipality's powers or duties.	Authorities to whom powers or duties may be respectively delegated.	
		Committee delegates,	Individual delegates.
161 (1) 200 (1)	Power to direct prosecution for any public nuisance and to order proceedings to be taken for the recovery of any penalties and for the punishment of any persons offending against the provisions of the Act, and to order the expenses incidental thereto to be paid out of the Municipal fund.	...	C. O. or H. O.
164 203	Power to sue the person who fails to satisfy Municipal claims made under the Act or who causes any injury to Municipal property or rights.	M. C.	In default C. O. in case of claims not exceeding Rs. 300.
165 (1) 204 (1)	Power to compromise in respect of any suit instituted by or against the Municipality or in respect of any demand arising out of any contract entered into by them under the Act.	M. C.	do
165 (2) 204 (3)	Power to make compensation out of the Municipal funds to any person sustaining any damage by reason of the exercise of any of the powers vested in the Municipality, their officers and servants under the Act.	M. C. in case of claims exceeding Rs. 300.	
171 211	Duty of transmitting accounts to Government.	...	C. O.
172 212	Power to prescribe how accounts are to be published.	M. C.	
185 34 (2) (e)	Power to sanction delegation of powers by Chief Officer.	M. C.	

ADVANCES FOR CONVEYANCES.

Rules framed by the Poona City Municipality to regulate advances for the purchase of conveyances as sanctioned by Government under their Resolution No. S—91 (64) dated 4-11-1930 (General Department).

[Sec. 58 (d) of Broughs Act.]

1. Advances for the purchase of motor cars, motor cycles or other means of conveyance:—The Municipality may sanction an advance to its salaried employees for the purchase of a motor car, motor cycle or a means of conveyance other than a motor car or a motor cycle on terms and conditions similar to those laid down in chapter 13 of the Financial Rules under Devolution Rule 37 (e).

2. The advances shall be limited to the permanent outdoor staff.

3. The power of making advances shall be exercised by the municipality, and not delegated to the President or to a Committee appointed by the General Board.

Rules under clauses (a) and (d) of section 58 of the Bombay Municipal Boroughs Act, 1925.

Advances to Contractors

1. In the case of any contract for the execution of any work for, or the supply of any materials or goods to the municipality, the Chairman of the Standing Committee or the Chief Officer if so authorised by a resolution of the Standing Committee may, subject to the provisions of rule 2, pay in advance to the contractor a sum not exceeding the value of the part of the work done or of the materials or goods already supplied.

2. (i) No advance shall be made in anticipation of work being done or any materials or goods being supplied.

(ii) No advance shall be made unless a substantial portion of the work is done, or a large quantity of the materials or goods required is supplied.

(iii) The contractor shall before payment under rule 1 is made submit his provisional bill and such bill shall be accompanied by a certificate of the Municipal Officer whose duty it is to supervise such work or to receive such goods or materials.

(iv) The certificate under sub-rule (iii) shall specify—
(a) the work done or the materials or the goods supplied.

(b) whether the bill has been reasonably drawn ;

(c) the sum, if any, paid to the contractor before, for the work done or materials or goods supplied ; and

(d) the amount proposed to be paid to the contractor in advance against his provisional bill.

(v) The sum to be advanced to a contractor against his provisional bill shall not, in any case, exceed two-thirds of the amount stated in such bill.

(Sanctioned under G. R. G. D. No. S. 91 (64), dated 16th August 1937.)

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Rule framed regarding elimination of pies from Municipal accounts:— *Under section 58 (d) of the Bombay Municipal Boroughs Act, 1925.*

RULE:—“In all payments to or by the Municipality six pies and above shall be reckoned as one anna, and less than six pies shall be omitted from reckoning. This rule does not apply to the recovery and refunds of octroi.”

(Sanctioned under G. R., G. D., No. S. 91 (64) dated 26th October 1936.)

Rule regarding the provision of telephone connections at the residence of the President, Vice-President and Chairman of the Standing Committee of the Poona City Municipality.

The President, the Vice-President and the Chairman of the Standing Committee, shall so long as they hold their respective appointments, each be provided with a telephone connection on the Government exchange at the cost of the Municipality.

Provided that the Municipality will not be liable for charges payable for trunk calls with the telephones so provided.

“The above revised rule shall be deemed to take effect from the 6th January 1937.”

(Sanctioned under G. R., G. D. No. S. 91 (64), dated 14th February 1939).

Rules framed under Sec. 58 (d) of the Bombay Municipal Boroughs Act, 1925, relating to the working of the Municipal Record Office.

(Sanctioned by the General Board under Resolution No. 174, dated 22 nd June 1937.)

1. The working hours of the Municipal Record Office shall be from 11-30 a.m. to 5-30 p.m. or such other as shall be fixed from time to time.

2. The Record Office shall remain closed on Sundays and every public holiday.

3. No municipal servant or member of the public shall touch any paper without the permission of the Record Keeper.

4. Anybody who wants to see any papers shall pay the necessary fees to the copying clerk and present the receipt to the Record Keeper. On presenting the receipt the Record Keeper shall show the papers concerned to the applicant or his agent only once.

5. If the applicant desires to see the papers again he shall have to pay fresh fees.

6. On seeing the papers the applicant or his agent should give in writing that he has seen the papers.

7. No person shall be allowed to see any papers unless he pays the necessary fees.

8. The papers shall be shown during office hours only.

9. The municipal servants shall be allowed to see the papers for office purposes during working hours.

10. If any municipal servant requires a copy of any paper he shall have to take written permission of the Chief Officer.

11. On taking any paper from the record the person who takes it shall have to sign in the register maintained for the purpose.

12. The paper so taken shall have to be returned within a week. The person who takes away the papers shall be held responsible for its return.

13. Papers shall be given only on getting written permission either from the Chief Officer or the Personal Assistant to the Chief Officer or the Head of the Department.

14. The copying clerk shall do copying work in the record office on working days only.

15. For immediate and urgent work written order shall have to be obtained either from the Chief Officer or Personal Assistant to the Chief Officer.

16. Smoking is strictly prohibited in Record Office.

17. The Record Keeper shall not on any account keep papers taken to the court when he goes there for evidence. If the Court orders to keep the papers he shall prepare a *yadi* and obtain on it a signature of some responsible officer of the court and shall immediately report the matter to the Chief Officer or his Personal Assistant.

18. The Record Keeper shall not give any information or show any papers to any Municipal Councillor without the written permission either from the Chief Officer or his Personal Assistant. If Municipal Councillors have to see any papers or have to copy out certain papers from the municipal record they shall have to obtain a written permission from the Chief Officer.

19. The Chief Officer may refuse permission to show papers of a confidential and not of a public nature to all except the sitting Municipal Councillors. The Chief Officer shall decide whether a particular paper is confidential and not of a public nature.

Note:—The Commissioner, C. D., under his No. Poona 6/49 dated 24th Sept. 1937 informed that these rules are in the nature of administrative orders and it is not therefore necessary to obtain the sanction of Government for their introduction:

**Instructions framed by the Poona City Municipality
under its inherent powers for regulating the
travelling allowance to members of
the Poona City Municipality.**

1 DEFINITIONS :—

- (i) Member means councillor of the Municipality.
- (ii) Head quarters means Municipal Office.

2. The President shall be deemed to be an Officer of the first grade and the members shall be treated as Officers of the second grade.

3. The Travelling allowance rules of the Bombay Civil Services Rules applicable to Government servants of the first and second grades for journeys performed beyond five miles of Head quarters will be applicable to the President and members of the Municipality respectively.

4. For the purpose of rule 420 of the Bombay Civil Service Rules the President and a member shall be deemed to be entitled to a daily allowance of Rs. 6 and Rs. 3 respectively.

5. The rules applicable to the President will apply to the Vice-President when acting for the President during his absence on leave.

6. No journey shall be performed beyond five miles of head quarters by a member without the sanction of the Municipality.

7. The members are entitled to actual conveyance hire for journeys performed within five miles of head quarters in execution of the duties entrusted to them such as inspection of schools for determining the grants payable to them, inspection of houses for fixing the house tax etc. The conveyance hire will, however, be limited to the rates prescribed by the District Superintendent of Police for all public conveyances. They are not entitled to any conveyance hire for attending the meetings either of the Municipality, Standing Committee or of any of the Sub-Committees duly appointed by the Municipality.

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8. Claims for conveyance hire should be preferred in the usual form prescribed for the purpose duly supported by the payee's receipts for the actual conveyance hire paid.

9. The President of the Municipality shall be the Controlling Officer for countersigning bills on account of travelling allowance outside municipal limits.

10. The members shall be considered as non-ministerial Officers.

(Sanctioned under the General Board Resolution No. 282, dated 18th August 1938.)

Framed by the Poona City Municipality under section 46 (d), 46 (e) and 46 (f) of the District Municipal Act of 1901 and sanctioned by Government in their Resolution No. 112 dated 9th January 1909, General Department.

SECURITIES TO BE FURNISHED BY SERVANTS.

Rules under section 46 (d) [Sec. 58 (e)].

Servants of the Municipality, permanent or temporary, having money transactions in their hands and passing contractors' work and others in the accompanying schedule shall each give security to the extent of one year's pay or as mentioned in the schedule.

SCHEDULE.

The following employees from Nos. 1 to 13 should furnish Security to the extent of one year's pay and employees Nos. 14 to 23 should furnish security as mentioned against their names:—

- 1 All Officers, i. e. Heads of all Departments.
- 2 All Shirastedars or Head Clerks in whose hands the tasalmat or finally accepting the bills for payment is entrusted and also the whole staff of the Account Department.
- 3 Storekeeper.
- 4 Overseer.
- 5 Sub-Overseer.
- 6 Divisional Sanitary Inspectors.
- 7 Reay Market Inspector [Now Mahatma Phule].
- 8 Slaughter House Inspector.
- 9 The Octroi and Kirkee Establishment, except Naka Sepoys.
- 10 All Vasuli Karkoons.
- 11 Havaldar.
- 12 Clerks and Sectioners employed on building permission work.
- 13 Inspectors of Naka Nos. 5 and 15.

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- 14 Treasury Clerk Rs. 1,000.
- 15 All Naka Sepoys Rs. 25 only.
- 16 Vajantri Pass Karkoon Rs. 25.
- 17 Municipal Pleader's Clerk Rs. 25.
- 18 Nalwalla Rs. 25.
- 19 Vaccinator Rs. 25.
- 20 Pound Keeper Rs. 25.
- 21 Market Mokadams who collect pass fees Rs. 50 each.
- 22 Slaughter-Mokadams Rs. 50 each.
- 23 Shirastedar to the Municipal Engineer Rs. 1000.

(Sanctioned under G. R., G. D. S. 91 (64) dated 7th December 1937.)

Local or Mofussil securities may be proposed and accepted as under :—

(a) *Local securities* :—Two Municipal Councillors be appointed by the Managing Committee as referees, and the certificate of solvency by any one of them may be accepted on reference to them by the Municipality,

(b) *Mofussil* :—For mofussil securities the employees themselves must manage the execution and production of surety bonds duly completed and certified by the Mamlatdar of the Taluka in which the surety as proposed resides.

Security may be deposited in cash or Government paper or other authorised securities equivalent to the full amount required.

[Sanctioned under G. O. No. 5682 (G. D.) dated 14th August 1917.]

APPOINTMENT OF MUNICIPAL SERVANTS

Rules under section 46 (e) [58 (f)]

[*G. R. G. D. No. 112 dated 9-1-1939*]

The staff of Municipal Officers and servants, their designations, salaries, duties and conveyance allowances shall be as shown in schedule C with such modifications as are sanctioned by the Municipality under power vested in it by the Act or by the Commissioner, Central Division, or by Government from time to time.

[*Sanctioned under the Commissioner C. D.'s No. Poona 6/6-III, dated 13th March 1939.*]

2. The Chief Officer, the Engineer, the Health Officer, the Assistant to the Chief Officer, the Superintendent of Octroi, the Auditor or Auditors and all other Officers, whose salary is above Rs. 100 per mensem, shall be appointed, dismissed or otherwise punished only by the Municipality, subject to the provisions of section 182 of the Municipal Act: [Sec. 34 of C. M. Act.]

(a) Provided that in the event of gross misconduct or dereliction of duty the above mentioned Officers, except the Auditor or Auditors, may be suspended by the Managing Committee or any other Committee, exercising the powers of the Managing Committee to whom they (the Officers) are subordinate, subject to the conditions that the Chief Officer, the Engineer and the Health Officer shall not be so suspended without the previous sanction of the Commissioner C. D., and that in the case of the other officers, the Committee shall immediately communicate their reasons to the President: the President shall place the matter in respect of all these Officers before a general meeting of the municipality within a fortnight of the suspension: [modified by sec. 34 (5) (b) of the C. M. Act.]

(b) Provided also that the Auditor or Auditors may be suspended, in the event of gross misconduct or dereliction of duty, by the President, who shall report his action to the General Committee within a fortnight.

3. The Chief Officer shall have power to suspend, for gross misconduct or dereliction of duty, Municipal servants in receipt of

salaries above Rs. 15 and below Rs. 100 per mensem : (modified by Rule 18 on page 38).

Provided that he shall report such cases immediately to the Chairman of the Managing Committee or to that of any other Committee concerned.

4. Subject to rules 2 and 3 all other Officers and servants in receipt of salaries above Rs. 15 per mensem shall be appointed, dismissed or otherwise punished by the Managing Committee, or other Committees, when invested with such powers. [superseded by Rule 18 on page 38].

5. Rules 2, 3 and 4 shall apply as regards appointment, suspension, desmissal or other punishment to temporary establishments also.

6. The Chief Officer shall have power to transfer municipal servants in receipt of salaries below Rs. 100 per mensem from one department to another, for a period not exceeding three months, to suit convenience of work.

7. For purposes of promotion, the whole clerical department shall be treated as one staff.

8. Servants of the municipality, working in one department, may be permanently transferred to another department, provided they possess qualifications necessary to that post in that department.

9. Periodical increments of salary in the case of graded posts sanctioned by Government or the Commissioner shall be allowed to be drawn under sanction of authorities, as laid down below :—

Sanctioning authority in case of appointments.

Department.	Up to Rs. 15	From Rs. 16 to Rs. 100.	Exceeding Rs. 100.
1. Head Office.	C. O.	M. C.	G. B.
2. Sanry. Dept.	H. O.	S. C.	G. B.
3. P. W. Dept.	Engr.	P. W. Committee	G. B.
4. Octroi Dept.	Octroi Supdt.	Manag. Committee	G. B.

5. Primary Edu.	• School Board	School Board	G. B.
6. Market Com.	C. O.	Market Committee	G. B.
7. Other Depts.	C. O.	Manag. Committee	G. B.

(Rule 9. sanctioned under G. O. No. 4926 dated 15th June 1919, G. D. It is now modified by Rule 18 on page 38).

10. The Primary School Leaving Certificate Examination or the Entrance Examination of any constituted University should be the essential qualification for admission to the service of this Municipality. None should be admitted to the service unless he has good English and Marathi Hand-writing.

Every candidate seeking appointment for the first time should produce a certificate of physical fitness for the work required of him, to be obtained from a Sub-Committee of two councillors who should be Doctors.

“ Provided that, if there be not two councillors with medical degrees on the Board at any time, such certificate should be obtained from a registered medical graduate of any recognized University.”

(Sanctioned under G. R. G. D. No. S. 91(64) dated 22-6-1938)

11. No person who is in receipt of a pension from other departments, should be appointed to Municipal service.

12. No person, who has completed 55 years of his age, should be newly admitted to Municipal service.

(Vide G. R. G. D. No. 4184 of 30-6-24.)

Rules for the conduct, discipline, etc., of employees of the Municipality framed by the Poona City Municipality under clauses (*d*), (*f*) and (*g*) of section 58 of the Bombay Municipal Boroughs Act, 1925, as approved by Government (and sanctioned under G. R. G. D. No. S-91 (64) dated 12th October 1937)

I. RULES UNDER CLAUSE (*d*) OF SECTION 58
OF THE BOMBAY ACT, XVIII OF 1925.

1. (1) An Officer or servant of the Municipality shall not, except with the previous sanction of the Municipality—

(*a*) accept directly or indirectly on his own behalf or on behalf of any person; or

(*b*) permit any member of his family so to accept, any gift, gratuity or reward or any offer of a gift, gratuity or reward from a person not a member of his family.

(2) Subject to any general or special order of the Municipality, any such officer or servant may accept a complimentary present of fruit or flowers or similar articles of trifling value, but all such Officers and servants shall use their best endeavours to discourage the tender of such gifts.

(3) Any such Officer or servant may accept, or permit any member of his family to accept, a gift from a personal friend, provided he is not in a position to confer any benefit upon the donor in the discharge of his official duties and has no reason to suppose that the gift is offered with any ulterior motive.

2. (1) An Officer or servant of the Municipality shall not, except with the previous sanction of the President of the Municipality—

(*a*) receive any complimentary or valedictory address, accept any testimonial presented to him, or attend any public meeting or entertainment held in his honour; or

(*b*) take part in the presentation of a complimentary or valedictory address or of a testimonial to any other Officer or servant of the Municipality or to any person who has recently quitted the service of the Municipality, or attend a public meeting or entertainment held in honour of such other Officer, servant or person.

(2) Notwithstanding anything contained in sub-rule (1) such Officer or servant may attend a farewell entertainment of a substantially private and informal character held as a mark of regard to himself or to some other officer or servant of the Municipality or to a person who has recently quitted the service of the Municipality, on the occasion of the retirement from the service or departure from a district or station of himself or such other Officer, servant or person.

3. An Officer or servant of the Municipality shall not, save with the previous sanction of the President of the Municipality, receive any trowel, key or other similar article offered to him at a ceremonial function such as the laying of a foundation stone or the opening of public building.

3-A. An Officer or servant of the Municipality shall not lend money to any person possessing land within the local limits of his authority, nor shall he, except in ordinary course of business with a Joint Stock Bank or a firm of standing, borrow money from, or otherwise place himself under a pecuniary obligation to, any person subject to his official authority, or residing, possessing land or carrying on business within the local limits of such authority.

4. An Officer or servant of the Municipality shall not purchase or bid either in person or by agent, or in his own name or in the name of another or jointly or in shares with others, for any property which may under the provisions of the Bombay Municipal Boroughs Act, 1925, or of any other law for the time being in force be sold by order of the Municipality.

4-A. Subject to the provisions of section 55 of the Bombay Municipal Boroughs Act, 1925, it shall be competent for an Officer or servant of the Municipality or candidate for service under the Municipality to continue to hold any immovable property actually held by such Officer, servant, or candidate at the time of his entry into the service and thereafter to acquire any immovable property by succession, inheritance or bequest, or, with the previous sanction of the Municipality, by purchase or gift.

1-B. Notwithstanding anything contained in rule 4-A, but subject to the provisions of section 55 of the Bombay Municipal

Boroughs Act, 1925 it shall be competent to an Officer or a servant of the Municipality to hold or acquire immovable property in good faith for the purpose of a residence.

5. Every Officer or servant of the Municipality or candidate for service under the Municipality shall make, on appointment to the authority having power to appoint him through the usual channel, a declaration of all immovable property which is held by him or by his wife or any member of his family living with him or in any way dependent on him, and shall annually on the 1st April notify the said authority of any change that has occurred in such declaration.

The declaration shall be prepared afresh and submitted decennially.

Provided that the Municipality may exempt any class of ministerial servants from the scope of this rule.

6. An Officer or the servant of the Municipality shall not make any investment other than an investment in immovable property which gives him such private interest in matters with which his public duties are connected as would be likely in the opinion of the Municipality to embarrass or influence him in the discharge of his duties.

7. An Officer or servant of the Municipality shall not speculate in investments.

7-A. An Officer or servant of the Municipality, whether on duty or on leave, shall not without the special sanction of the Municipality take part in the promotion, registration, or management of any Bank or other company.

8. An Officer or servant of the Municipality shall not, without the previous sanction of the Municipality, engage in any trade or undertake any employment while on duty or on leave, other than his public duties.

It shall be competent to a Municipal Officer or servant to take up occasional work of a literary or artistic character provided that his public duties do not suffer thereby, but the Board may in

its discretion at any time forbid him to undertake or require him to abandon any employment which in its opinion is undesirable.

Explanation:—(1) The secretaryship of a club does not constitute employment in the sense of this rule, provided that it does not occupy so much time of such Officer or servant as to interfere with his official duties and that it is an honorary office, that is to say, that it is not remunerated by any payment in cash or any equivalent thereof.

Explanation:—(2) No teacher who is a Municipal servant may undertake private tuition except with the previous permission of the President which must be obtained in writing and which he may give subject to such conditions as the Standing Committee may prescribe.

9. An Officer or servant of the Municipality shall not, unless generally or specially empowered by the Municipality in this behalf, communicate directly or indirectly to any person who is not officially connected with the Municipality or to the press any document or information which has come into his possession in the course of his official duties or has been prepared or collected by him in the course of those duties whether from official sources or otherwise.

10. An Officer or servant of the Municipality shall not, without the previous sanction of the Municipality, become the proprietor in whole or in part, or conduct or participate in the editing or management of any newspaper or other periodical publication.

11. Subject to the provision of rule 13 it shall be competent to an Officer or servant of the Municipality to contribute anonymously to the press, provided he confines himself within the limits of temperate and reasonable discussion; if his connection with the press is contrary to the public interest the Board may withdraw his liberty to contribute.

12. An Officer or servant of the Municipality shall not, publish in his own name any statement of fact or opinion which may embarrass the relations between the Municipal Board and the people of the municipal district or any sections of the people.

13. It shall be competent to an Officer or servant of the Municipality, for the purpose of removing misapprehensions, or correcting misstatements, to defend and explain in public the policy of the Board.

14. (1) An Officer or servant of the Municipality shall not take part in, or subscribe in aid of, any political movement in India or any political movement relating to Indian affairs. Where there is room for doubt, whether any action which such Officer or servant proposes to take will contravene this rule, he shall refer the matter to the Collector of the District through the President of the Board and thereafter shall act in accordance with such orders as may be passed by the Collector.

(2) Such Officer or servant shall not canvass or otherwise interfere or use his influence in connection with or take part in any election to a Legislative Body ;

Provided that such Officer or servant, if qualified to vote at such election, may exercise his right to vote but if he does so, shall give no indication of the manner in which he proposes to vote or has voted.

(3) Such Officer or servant who issues an address to electors or in any other manner publicly announces himself or allows himself to be publicly announced as a candidate or prospective candidate for election to a Legislative Body shall be deemed for purposes of sub-rule (2) to take part in an election to such body.

(4) The provisions of sub-rule (2) shall also apply in the case of an election to any municipal council, local board, school board or other elective local body.

II. RULES UNDER CLAUSE (f) OF SECTION 58 OF THE BOMBAY ACT, XVIII OF 1925

1. No Officer and servant of the Municipality shall enter into any pecuniary arrangement for the resignation by him of any office under the Municipality for the benefit of another. In case of a breach of this rule any appointment consequent upon such resignation shall be cancelled and the Municipality shall take such disciplinary action as it may deem necessary against the parties to the arrangement who are still in the service.

5. When an Officer or servant of the Municipality is adjudged or declared an insolvent, or when a moiety of the salary of such Officer or servant is constantly being attached or has been continuously under attachment for a period exceeding two years, or is attached for a sum which, in ordinary circumstances, cannot be repaid within a period of two years, he shall be liable to dismissal.

In every case under this rule the burden of proving that the insolvency or indebtedness is the result of circumstances which, with the exercise of ordinary dilligence, the debtor could not have foreseen or over which he had no control, and has not proceeded from extravagant or dissipated habits, shall be upon the debtor.

**Revised rule 3 regarding conduct, discipline, etc, of
Municipal employees.**

3. (i) No person who has been sentenced by a criminal court for an offence punishable with imprisonment for a term exceeding six months or to transportation shall, if such sentence is not set aside or reversed in appeal or revision, be appointed as a municipal Officer or servant;

(ii) Any municipal Officer or servant who has been sentenced by a criminal court for an offence punishable with imprisonment for a term exceeding six months or to transportation shall, if such sentence is not set aside or reversed in appeal or revision, and if such Officer or servant shall not have been dismissed, cease to be a municipal Officer or servant on the expiry of such sentence, and the municipality shall not re-instate or re-employ any such Officer or servant, unless the Municipality decides by a majority of two-thirds of the total number of councillors that there are extenuating circumstances justifying the re-instatement or re-employment of such Officer or servant;

(iii) The Municipality shall not pay any salary or any other allowance to any such Officer or servant during or on account of the period of his imprisonment or transportation.

Provided that the Municipality may with the previous sanction of the Commissioner grant a subsistence allowance to any such Officer or servant during or on account of the said period.

(Sanctioned under G. R. G. D. No. S. 91 (64) dated 11th January 1939.)

Explanation :—For the purpose of this rule offence against the State means—

- (a) an offence under Chapter VI or VII of the Indian Penal Code.
 - (b) an offence involving interference with the administration of the law, or with the maintenance of law and order or which prejudices the public peace or safety and is punishable under any law for the time being in force; or
 - (c) any attempt or conspiracy to commit, or any abetment of any of the offences falling under clause (a) or (b).
- (4) The Municipality shall not without the express sanction of the Commissioner in writing employ in its service any person dismissed from Government service or from the service of any other local body.

III. RULES UNDER SECTION 58 (g) OF THE BOMBAY ACT, XVIII OF 1925.

1. No Officer or servant of the Municipality, who has been convicted and sentenced by a criminal court to imprisonment for any offence committed by such Officer or servant while on duty or on leave, shall be allowed while in jail to draw any pay or allowance from the Municipality.

Provided that Municipality may, if it so decides, pay him a subsistence allowance from the date of his apprehension to the date of his conviction on the analogy of rule 156 of the Bombay Civil Services Rules.

Rules 3-A, 4-A, 4-B and 7-A are sanctioned under Resolution No. S-91 (64) dated 14th March 1938.

LEAVE TO MUNICIPAL SERVANTS

Rules under section 46 (f) [58 (g)].

1. The provisions of the Fundamental Rules sanctioned by the Secretary of State and the Subsidiary Rules framed thereunder from time to time by the Government of Bombay shall be followed as far as possible, in granting leave, acting allowance and travelling allowance and in keeping record of service.

(Rule 1 sanctioned under G. R. G. D. No. 1754 dated 12th December 1922.)

2. The authorities, who have power to make appointments, shall have power to grant leave to the Officers and subordinates under their control :

(a) provided that the Managing Committee and other Committees when vested with powers in this behalf, shall have power to grant privilege leave to all Municipal servants above Rs. 100 per mensem ;

(b) provided also that the Chief Officer shall have power to grant casual leave to any member of the Municipal establishment.

3. In filling up vacancies in the clerical staff preference shall be given to those who have passed the Public Service, the School Final, the Matriculation or other University Examinations when they are otherwise efficient and fit for the post or posts, which are vacant.

4. In filling up vacancies for posts requiring professional knowledge, preference shall be given to candidates, who have passed the necessary examination or examinations.

5. (a) Municipal servants may be allowed 20 days' casual leave in each official year ;

(b) 10 days shall be the maximum limit of leave to be granted at one time ;

(c) Casual leave may be granted in combination with holidays, but such combined leave shall not extend beyond 10 days at a time.

6. The above rules do not apply to Municipal servants under the control of the School Board, whose appointment, leave, dismissal or other punishment shall be regulated by special rules made in that behalf.

GRATUITIES AND COMPASSIONATE ALLOWANCES.

Rules under section 46 (g) [58 (h)]

1. All municipal servants shall compulsorily retire on their attaining the age of 55 years; and no extension shall thereafter be granted under any circumstances.

Provided further that the date of compulsory retirement shall be deferred to a date not beyond 28 months to afford due opportunity to proceed on leave preparatory to retirement to those municipal servants whose leave would otherwise lapse by bringing the age limit for compulsory retirement from 60 to 55 years

(Sanctioned under G. R. G. D. No. S. 91 (64), dated 11th August 1939).

2. In these rules average emoluments means the average amount paid monthly to a municipal employee in the shape of pay and acting allowance and war allowance or provisional allowance during the last 36 months he spent in *qualifying service* (i. e. service including all leave except leave without pay).

3. The grant of gratuities and compassionate allowances under these rules shall be made in consideration not merely of an employee's length of service, but also of his character and of the value of his past service.

4. No gratuity or compassionate allowance shall be granted to an employee dismissed from service, or compelled to retire by disease or debility caused by his vice or intemperance.

5. To any municipal Officer or servant who has completed five years' service the Municipality may grant a gratuity on his retirement or on medical certificate of his being unfit for further service or on his becoming disabled through execution of his duty as a municipal Officer or servant.

[Note :—Government are advised that blameless servants leaving service after the usual period of notice or with the consent of the Municipality, come within the meaning of the term " retirement " and such persons can be given, advantage of the existing Rule 5 of the Gratuity Rules of the Municipality.]

(Vide Collector's No. Poona 6/66 of 7-2-1930.)

6. Such gratuity shall in no case exceed the amount arrived at by multiplying the retiring employee's average monthly emoluments by the number of complete years of his qualifying service.

Provided that the Municipality shall have power to condone deficiencies of service upto three months and interruptions up to

the same period, except as regards interruptions, when the length of qualifying service exceeds 10 years, in which case a period up to 12 months may be condoned.

[Rule 6 was revised under G. R. G. D. No. 3095 of 1st September 1924].

7. To any municipal employee who becomes disabled through the execution of his duty as a municipal Officer or servant before completing his five years of municipal service, and to any other person entitled to a gratuity, the Municipality may in lieu thereof, grant a monthly compassionate allowance for such period as the Municipality may deem proper.

8. Such compassionate allowance shall in no case exceed one-fourth of the employee's monthly pay.

9. In the event of the death of an employee, the same amount of gratuity or compassionate allowance may be paid to his heir or heirs as he would have received had he been living.

(Rule 9 sanctioned under G. R. G. D. No. S. 91 (64) dated 15th December 1931).

*Sanctioned by Government under G. O. (G. D.) No. 11894
dated 21st November 1929.*

PROVIDENT FUND RULES

[*Under Sec. 46 (h) of the old Act i, e. Sec.
58 (i) of the Boroughs Act.]*

1. (a) *Formation of Provident Fund* :—An account to be called the Municipal Provident Fund shall be opened by the Municipality at the Government Treasury or at a Bank to be approved by the Municipality and Government, and all sums received by the Municipality on behalf of the Provident Fund shall be paid to the credit of that account.

“ Such portion of the Provident Fund as the municipality may think fit may also be invested in Government securities. ”

(Above sentence sanctioned in G. R. G. D. No. 3159 dated 17th June 1925.)

Add at the end of rule 1 (a) as amended by G. R. G. D. No. 3159 of 17th June 1925:—

“ or Municipal Debentures. ”

(Sanctioned under G. R. G. D. No. S-91 (64) dated 18th November 1930).

(b) All permanent municipal servants drawing Rs. 30 or more per mensem shall join the Fund. Those whose pay is less than Rs. 30 per mensem may join at their option.

2. *Rate of employee's contribution*:—Before the disbursement of the pay or the leave allowance of any permanent municipal employee whose substantive pay is Rs. 30 or more per mensem, there shall be deducted therefrom and credited to the Provident Fund a Cess amounting to one-twelfth of such pay or leave allowance. The calculation of the amount of contribution shall be made on complete Rupees.

[The word “ is ” was substituted for the word “ exceeds ” and the words “ or more ” were inserted before the words “ per mensem ” by G. R. G. D. No. S.-91 (64) dated 19th February 1930.]

3. *Reduction of Municipal employee*:—If an employee, subsequent to his becoming a subscriber to the Fund, be reduced to a post carrying less than Rs. 30 per mensem, he will cease to subscribe to the fund, if he so desires, until reinstated or re-promoted to a grade to which the Provident Fund is open, but a final withdrawal of his deposit will be allowed only as provided in rules 10 and 11 below.

4. *Municipality's contribution*:—At the opening of each year, the Municipality shall contribute to the fund a sum equal to the amount of the cess payments made in the previous year under Rule 2 above *i. e.* at the rate of one-twelfth of the pay or leave allowance of the employees concerned.

5. *Working expenses*:—All expenses connected with the keeping of the accounts of the Provident Fund shall be debited to the municipal funds.

(Rule S-A is deleted under G. R. G. D. No. S. 91 (64) dated 12th May 1938).

6. **ASSIGNED PROFITS** :—At the end of each official year the total amount of interest received in the year and other amounts forfeited under rule No. 11 below, less expenses incurred under rule No. 5 shall be assigned to all the subscribers rateably to the total amount of their respective contributions then in the fund (on the average balance system). The municipal contribution and the share of interest and forfeited amounts are called assigned profits.

In the case of death of an employee or on his ceasing to be a municipal servant at any time before the end of the financial year interest at a rate not exceeding 4 per cent per annum shall be paid on the monthly average balances at the credit of the subscriber till the date of sanction of claim by the Standing Committee. Such persons shall not be entitled to any share of the forfeited amounts of that year.

Interest at the rate of 2 per cent per annum or any other rate of interest on current account prevailing at the time in the Bank in which the amount of the fund is deposited, whichever is less, shall be allowed on amounts due to the subscribers from the date on which payment is sanctioned by the Standing Committee to the date of actual payment.

(Sanctioned under G. R. G. D. No. S-91 (64), dated 12th May 1939).

7. *Individual accounts*:—The Municipality shall keep a separate account of each depositor's receipts and payments and shall furnish him with an abstract of such account in April in each year or shall supply him with a pass book, showing once at the end of each official year the opening balance, and total amount of subscription and withdrawals during the year, and closing balance after adding the annual interest and the share of the municipal contribution.

8. *Depositors to satisfy themselves as regards correctness of accounts*:—Depositors are required to satisfy themselves as to the correctness of the entries in the abstract or the pass book; and unless errors in them are brought to the notice of the officer furnishing the abstract or the pass book within one month from the

date of their receipt, the Municipality will not be responsible for any sums not included in them.

9. *Method of disbursement*:—No money shall be withdrawn from the Provident Fund except on cheques signed by the President or the Vice-President.

10. *When cess contribution can be claimed*:—Cess contributions cannot be claimed by or on behalf of the contributor except (1) on the death of the depositor, or

(2) on his ceasing to be a municipal employee.

11. *When assigned profits can be claimed*:— The assigned profits remain the property of the Fund, and do not become the property of the depositor or his representative till three months after the contribution has become claimable under rule No. 10

(1) Provided that in case of special need the Municipality may pay out to a depositor any part of the excess of his assigned profits over Rs. 100 if his pay is Rs. 50 or over and any part of the excess over Rs. 50 if his pay is less than Rs. 50 per month.

(2) Provided that if the depositor is dismissed from municipal service owing to conviction by a criminal court, the assigned profits contributed by the Municipality shall be liable to be forfeited to the fund and made available for distribution at the time of the next assignment of profits.

(3) No profits (including municipal contribution) will be paid to a member of less than five years' standing at the time he leaves municipal service. Such a member will be entitled only to *his own contribution with interest. The municipal contribution and assigned profits will be added to the general accounts of the Provident Fund.* This provision will not be applicable in the case of those that retire owing to old age or on medical certificate or on reduction of establishment.

[The words "*his own*" were substituted for article "*the*" and "*with interest*" for words "*made by himself*" and the sentence "*The municipal contribution... Provident Fund* inserted under G. R. G. D. No. S-91 (64) dated 19th February 1930.]

(4) If a member resigns municipal service except on a medical certificate, he will be entitled only to half of the municipal

contribution to which he might be otherwise entitled. The remaining half should be added to the general account.

12. *Municipal claims against depositors* :—Before any payments are made to any depositor from the Fund, all sums due by the depositor to the Municipality on any account shall be recovered out of the amount due to him.

13. *Fund not liable to attachment* :—The assigned profits being the property of the Fund under the control of the Municipality, shall not, in any way, be liable to attachment by any process of the Civil or the Criminal Courts for the debt or the liability of the contributor or his heirs or assignees until the amount becomes payable to the subscriber.

13-A. The amount which accumulates to the credit of a subscriber will, when he quits the service, become his property, and will be handed over to him, unless the Chief Controlling Officer of the Municipality has received notice of an attachment, assignment or encumbrance affecting the disposal of the amount or any portion of it ; should such notice have been received, the Municipality will hand over to the subscriber only that portion of the amount which is not affected by the attachment, assignment or encumbrance, and orders of the Managing (Standing) Committee will be obtained for disposal of the balance.

14. *Effect of not claiming the assigned profits for three years* :—All sums remaining unclaimed for three years after they become claimable from the Fund shall ipso facto become forfeited to the Fund, and shall not be claimable by or on behalf of the depositor thereafter.

15. *Nomination of payee* :—Every depositor shall be required to furnish a declaration in due form stating the name and relationship of the person to whom in the event of the depositor's death he wishes the amount claimable on his behalf from the Fund to be paid. This declaration may be cancelled at any time by the depositor and a fresh declaration substituted.

In making this declaration, the following relations of the depositor shall have precedence over all others and the depositor will not be permitted to leave any part of the accumulations of

the Fund to any one outside the family, so long as there is a member of it surviving.—

(1) widow or widows, (2) mother, (3) children, natural or adopted, (4) widow or widows and children of a deceased son.

A subscriber has absolute discretion regarding the distribution of the amount at his credit among the members of the family as detailed above.

16. *Declaration to be kept carefully*:—All declarations in force shall be carefully kept in the personal custody of the Accountant.

17. *Who can claim payments*—Sums claimable from the Fund on behalf of a particular depositor shall be paid to no one but the depositor, during his life-time, and after his death to his nominee under rule 15, or if there is no such nominee to any body who produces a succession certificate in respect of the depositor's estate.

Provided that in cases in which such payment is impossible, the President shall decide to whom the money can be equitably paid on behalf of the depositor, and the sum due shall be paid accordingly.

18. *Managing Committee's power to issue executive orders*:—The Managing (Standing) Committee may issue executive orders to carry out the object of the Fund and for the management thereof not inconsistent with these rules.

19. *Payment of Gratuity for period of service not covered by the Provident Fund*:—

(a) Municipal servants joining after 1st April 1921, shall get full benefit of the Provident Fund after five years' service.

(b) Municipal servants who have not completed five years' service on 1st April 1921 or at the time of their joining the Provident Fund after the said date will get, after five years' service:—

(135)

1. Gratuity for approved service upto 1st April 1921 or the later date on which they join the fund according to the Gratuity rules in force, and
 2. Full benefit of the provident fund for the remaining period.
- (c) Municipal servants who have completed five years' service before joining the provident fund will get gratuity for the period before joining the fund and the full benefit of the provident fund for the subsequent period.

Rules 11 (2), 11 (3) and 19 Sanctioned under G. R. G. D. No. 4082 dated 16th April 1923. Amended Rules Nos. 2, 4, 5, 6 and 11 (1) sanctioned under G. R. G. D. No. 4082 dated 16th September 1927

Secretariate, Fort, Bombay, 29th November 1920

No. 11895—In exercise of the powers conferred by section 6 of the Provident Funds Act, 1897 (IX of 1897), as amended by the Devolution Act, 1920 [XXXVIII of 1920] the Governor in Council is pleased to extend the provisions of the former Act to the Provident Fund established by the Poona City Municipality under the Bombay District Municipal Act 1901 (III of 1901).

LEVY AND REFUND OF OCTROI

Sanctioned under Government Order, General Department
No. 12,355 dated 10th December 1920.

Revised Octroi rules and by-laws of the Poona City Municipality under Section 46 (i) and 48 (j) of the Bombay District Municipal Act, III of 1911. Corresponding to Sec. 58 (j) and 61 (n) of the City Municipalities Act XVIII of 1925.

(LEVY AND REFUND OF OCTROI).

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1. Short title.
2. Definitions:—
 - (a) “ Import ” and “ Export. ”
 - (b) “ Import Naka ” and “ Export Naka. ”
 - (c) “ Prescribed. ”
 - (d) “ Import bill ” and “ Export Certificate. ”
 - (e) “ Public Authority. ”
 - (f) “ Goods in transit. ”
 - (g) “ Claimant ”
3. (1) Octroi limits.
(2) Names of Import and Export Nakas.
4. (1) Imposition and nature of tax, and class of property made liable thereto.
(2) Exemptions.
(3) Tax when payable.
5. (a) Arrangements to be made by the Chief Officer.
(b) A set of scales and weights to be supplied to each naka.
(c) A stitched Import-bill Book to be supplied.
A stitched Export certificate Book to be supplied.
A declaration book to be supplied.
6. Duties of Import Naka Karkuns as to Import bills.
7. Naka Karkuns to prepare as many receipts as may be required.

8. Naka Karkuns to retain declarations.
9. Powers of Naka Karkuns.
10. Declaration to be sent to the Chief Officer.

Refunds

11. Refunds :—
 - (1) Refund on goods vesting in Public Authority.
 - (2) Refund on exported goods.
12. No refund to be made in respect of goods which change form by process of manufacture.
13.
 - (1) Duties of a Naka Karkun when goods in transit are brought to his Naka for export.
 - (2) Duties of a Naka Karkun when goods not in transit are brought to him for export.
 - (3) Issue of Export-certificates.
14. Procedure for obtaining a Transport pass.
Railway Invoice to be accepted as evidence of export.
15. Duties of the exporter after obtaining the pass.
16. Effect of not exporting goods in transit within a week.
17. Each export to be noted in the Import Bill.
18. Refund by the Chief Officer to persons producing export — certificates up to Rs. 5.
19. All other claims to refund to be dealt with by the Standing Committee.

Miscellaneous

20. Appeal.
 21. Transport Pass or Import Bill to be produced for inspection when required.
 22. Municipal Officers to grant copies of transport passes, etc., if original retained.
 23. Punishment for breaking by-laws.
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Rules and Bye-laws under section 46 (i) and section 48 (j) of the Bombay District Municipal Act III of 1901, corresponding to sec. 58 (j) and 61 (n) of the City Municipalities Act, XVIII of 1925.

LEVY AND REFUND OF OCTROI

1. *Short title* :—These rules and bye-laws may be cited as the Poona City Municipality's Octroi Rules and Bye-laws.

2. *Definitions* :—In these rules and bye-laws, unless there is something repugnant in the subject or context,

- (a) "Import" and "Export" mean respectively the conveying into, and out of, octroi limits of the Municipal district from, or to any other local area.
- (b) "Import Naka" and "Export Naka" mean a Municipal Naka at which goods are being respectively imported and exported and "Import Naka Karkun" and "Export Naka Karkoon" mean a Municipal Karkoon at any such Naka on duty connected, respectively, with 'import' and export.
- (c) "Prescribed" means required or authorised by any rule or bye-law of the Municipality for the time being in force.
- (d) "Import bill" and "Export certificate" mean respectively a receipt and certificate in the prescribed form furnished and signed by the Naka karkun, in accordance with the conditions prescribed in that behalf.
- (e) "Public Authority" means Government, a Local Board or a Municipality.
- (f) "Goods in transit" mean goods exported within seven days next after their import.
- (g) "A claimant is one who produces the duly receipted import bill and the corresponding export certificate."

[Clause "(G)" is sanctioned under G. R., G. D. No. S. 91 (64), dated 9th November 1959].

3. *Octroi limits*—The Octroi cordon includes Poona City, Poona Cantonment, Poona Suburban Municipal area and Kirkee Cantonment.

The limits of the Poona City Municipality as recently revised are given below. The limits of the other three local bodies should be taken as those that might be sanctioned from time to time.

North—The southern side of the Wellesley Road from the Bolai quarry westward to the G. I. P. Railway sub-way; thence the southern side of the New Railway Bridge; thence along the southern boundary of the Railway line to the level crossing No. 65 in Bhamburda on the Poona Ganeshkhind Road; thence along the southern side of the Ganeshkhind Road up to the foot of the Chatarsingi Hills by the northern boundary of Survey Nos. 110, 109 and 108 in the village of Bhamburda.

East:—The western side of the Wellesley Road from the Bolai quarry towards the Synagogue upto the eastern end of the road going by the south of Ghorpade's Takya in Survey No. 178. Thence a straight line to the western end of the bridge on the Manik Nala on Sachapir Street; thence the Poona Military Cantonment boundary as far as the south-eastern corner of Survey No. 95 of Munjeri; southern boundary of Survey No. 95 up to the north-east corner of Survey No. 96; eastern boundary of Survey Nos. 98, 97 crossing the canal in a straight line with the eastern boundary of Survey No. 139; eastern boundary of Survey Nos. 139, 137, 144, 143, 321, and 322; northern and eastern boundary of Survey No. 141.

South:—Southern boundary of Survey Nos. 142 and 145 touching the south-western boundary of Survey No. 146; southern boundary of Survey No. 147, western boundary of Survey No. 147, where it meets the south-east corner of Survey No. 148; southern boundary of Survey No. 148 crossing the Nala in a straight line to meet the south-eastern corner of Survey No. 286. Thence southern boundary of Survey No. 286 crossing the Poona-Satara Road in a straight line to meet the southern boundary of Survey Nos. 42 of Parwati. The southern boundary of Survey No. 42, 41 and 40 of Parwati crossing the Ambil Odha in a line with the Southern boundary of Survey No. 92; the southern

boundary of Survey Nos. 92, 93 and 103, touching the southern corner of Survey No. 108; southern boundary of Survey Nos. 109 and 110. The eastern and southern boundary of Survey No. 112; and 113; crossing the canal in a line with the southern boundary of survey No. 112 and 113; then the southern boundary of Survey No. 113 crossing the Sinhgad Road in a line with the southern boundary of Survey No. 114; Southern boundary of Survey No.114.

West:—North-Western boundary of Survey No. 108 of Bhamburda; crossing the old Aundh Road; the north-western boundary of Survey Nos. 107 and 106; western boundary of Survey No. 106; northern boundary of Survey No. 105; western boundary of Survey Nos. 105 and 106 again; southern boundary of Survey No. 106 upto the north-west corner of Survey No. 89; and western boundary of Survey Nos. 89&90. Southern boundary of Survey No. 90. Western boundary of Survey No. 91, portion of Southern boundary of Survey No. 91. Western and south-western boundary of Survey No. 92. Southern boundary of Survey No. 92-A. South-western boundary of Survey No. 83; Western boundary of Survey No. 82 and thence to join the corner of Survey No. 226 in a straight line with north-east corner of Survey No. 80-A. Northern boundary of Survey Nos. 80-A, 79, 241, 78, 77; western boundary of Survey Nos. 77, 240 and 76 in the village of Bhamburda; portion of northern boundary of Survey Nos. 54, 65, 66, 72, 79, 86, of Yerandawana; western boundary of survey No. 54; portion of southern boundary of Survey No. 87 of Yerandawana as far as the junction of canal with the Paud Road; thence the western boundary of Survey No. 88 and the southern boundary of Survey Nos. 88, 89, 91 and 92; the south-west boundary of Survey No. 100; until it touches the bank of the river Mutha; then crossing the river Mutha in a southern direction up to the southern boundary of Parwati Survey No. 127; then southwards along the right bank of the river along the western boundary of Survey Nos. 126 and 125 upto the northwest corner of Survey No. 124, and then western boundaries of Survey Nos. 119, 115 and 114, upto the south-western corner of Survey No. 114 of Parwati.

(Revised Municipal Limits sanctioned under G. R., G. D. No. 5914 dated 8-9-1934).

(2) *Names of Import and Export Nakas*:—The Municipal Import and Export Nakas are the same and they are as follows:—

1. Wanavadi Naka.
2. Hadapsar Naka.
3. Ghorpadi Naka.
4. Yeravda Naka.
5. G. I. P. Railway Goods Shed Naka.
6. Poona Railway Station Parcel Office.
7. Mimamsa Vidyalaya Naka.
- 7-A Navi Peth Naka.
- 7-B Phulewadi Naka.
- 7-C Municipal Stable Naka.
8. Bhamburda Station.
9. Swar Gate Naka.
- 9-A Swar Gate Kata Naka.
10. Kondhwa Naka.
11. S. M. Railway Goods Shed Naka.
12. Kothrud Naka.
13. Ganeshkhind Road Naka.
14. Dapodi Naka.
15. Kirkee Railway Station Naka.
16. Vaitag Vadi Naka.
17. Ghaseti pul Naka.

} Vithalwadi Naka.
(at present)

4. *Imposition and nature of tax and class of property made liable thereto*:—(1) Subject to the exemptions and the provisions hereinafter expressly specified, a tax on all goods of the descriptions mentioned in Schedule A hereto annexed shall, on the import thereof, be payable to the Municipality at the rates specified for such goods, respectively in the said schedule.

(2) *Exemptions*:—The following goods shall be exempt from the said tax:—

(a) Personal apparel not imported for sale.

(b) Personal baggage and household kit [the words “ and household kit ” added under, G. R., G. D., No. S. 91 (64) dated 2-9-1932.]

(c) Goods which (not being articles imported by the Government agency for sale) are the property of a Public Authority and are accompanied at the time of import with an invoice endorsed with a certificate to that effect signed by the officer under whose authority they are imported.

150-6-47

207 pemp.

Resolution:—The proposal to *add* the following new clause as clause (h) to sub-rule (2) of rule 4 of the Octroi Rules of the Poona City Municipality is sanctioned.

“(h) Materials required for manufacturing, bottling or making ready for sale any exciseable article at any Government Warehouse, distillery or shop shall be exempted, provided that at the time of import, they are accompanied by a certificate signed by the officer-in-charge of the warehouse, distillery or shop containing a description of the goods and a declaration that they are required for the purpose or purposes mentioned above.”

(*Sanctioned under G. R., G. D., No. S. 91 (64), dated 8-2-1945*).

(d) Goods imported for the purpose of shows or exhibitions organised by a public body within the octroi cordon and not sold at such shows or exhibitions shall be exempt from octroi.

[Clause 4 (2) (d) sanctioned by G. R., G. D. No. S-91 (64) of 28-1-31]

(e) When a whole consignment of goods or a portion of it arriving by railway is re-exported without being taken delivery of or without its being removed outside the railway premises, such consignment shall not be regarded as having entered the octroi cordon and shall be consequently exempt from the payment of octroi duty. "

[4 (2) (e) Sanctioned under G. R., G. D. No. S. 91 (64) dated 20th March 1939]

(f) Goods proposed to be exported for hawking shall be brought to the Kata Office for inspection and the hawker shall produce two copies of the invoice showing the description of the goods. One copy shall be retained for office record and the other copy shall be signed and sealed by the octroi office and delivered to the hawker for being kept with the goods. This shall, for the purpose of identification, hold good for three months only. The municipal seal shall be affixed on goods on which octroi is leviable advalorem and the description of the goods shall be entered in the register maintained for the purpose at the export Naka and no octroi shall be levied on them if they are imported within three months.

(g) If the goods, which are exported in form different from the form in which they were imported and on which the amount of octroi payable on import being less than one rupee is not refundable, are to be imported again after export, they shall, at the time of export, be entered in the register maintained for the purpose. No octroi shall be levied on such goods when they are imported again if it is proved to the satisfaction of the Octroi Officer that they are the same as those entered in the said register and have been imported again within one year from the date of their export.

[Clauses Nos. 4 (2) (f), and 4 (2) (g) sanctioned under G. R., G. D. No. S. 91 (64) dated 17th Dec. 1937.]

(3) *Tax when payable*:—The said tax shall, except in cases where an account current is kept under section 80 of the Bombay District Municipal Act. [Section 99 of the Bombay Boroughs Act

of 1925] be payable to the Import Naka Karkun, at the time of import, on his tendering an import bill for the same.

Provided that the duty paid on " goods in transit " shall be treated as " deposit " if such goods be taken out of the municipal limits within seven days from the date of importation.

[Sub-para 3 of rule No. 4 (3) is deleted by G. R., G. D. No. S-91 (64) dated 20th May 1936].

5. *Arrangements to be made by the Chief Officer* :—The Chief Officer of the Municipality shall cause—

(a) A copy in vernacular of these rules and bye-laws with the schedules thereto and of the fare table for the time being in force bearing his signature :—

- (i) to be furnished to each naka karkun,
- (ii) to be fixed up at the Municipal Office, and
- (iii) to be posted at each naka.

(b) *A set of scales and weights to be supplied to each naka* :—A set of scales and standard weights to be kept at each such naka, and also at the Municipal Office.

(c) From time to time to be furnished to each naka karkun—

- (i) *A stitched import bill book to be supplied* :—A stitched import bill book with pages numbered in consecutive order containing a foil and a counterfoil of blank receipts according to the form in schedule B hereto annexed.
- (ii) *A stitched export certificate book to be supplied* :—A stitched export certificate book with pages numbered in consecutive order containing certificate in foil and counterfoil according to the form in schedule ' C ' hereto annexed.
- (iii) *A declaration book* :—A stitched declaration book arranged as above in the form of schedule D hereto annexed.

6. *Duties of Import Naka Karkuns as to Import Bills* :—Every naka karkun shall, whenever goods are brought to his naka, prepare an import bill by ascertaining and noting in the consecutive order of the pages both in foil and counterfoil of his import bill book the following particulars, *viz* :—

- (a) the description of the goods according to Schedule A hereto annexed;
- (b) the quantity or weight of goods;
- (c) the rate at which the tax is calculated;
- (d) the amount of the tax, if any, leviable on the goods;
- (e) the name of the owner or the person in charge of the same;
- (f) if accompanied by a declaration under rule No. 11 (1) below, statement to that effect showing the name of the importer, the quantity and description of the goods and the contract specified;
- (g) if declared in writing to be goods in transit—
 - (i) the fact that such declaration has been made;
 - (ii) the date and hour at which the goods pass the naka.
- (h) if accompanied by a certificate under rule No. 4 (2) (c) above, a statement to that effect with the name of the officer whose signature the certificate purports to bear;
- (i) the date of the payment of the tax, if any;
- (j) every importer of goods liable to duty ad-valorem shall produce the original invoice (or bijak) showing the value of the goods, and shall give the Naka Karkun a declaration in writing in ' E ' hereto annexed. But if the contents of the invoice and the declaration appear to be untrustworthy, the invoice and the declaration shall not be accepted and the Octroi duty shall be recovered in the manner laid down in rule 6 (k);

[Rule 6 (j) was sanctioned under G. R., G. D. No. S-91 (64) dated 3rd November 1932].

Explanation:—The value of goods, for the purpose of assessing the octroi duty thereon shall be the value made up of the cost price of the goods plus carriage and other incidental charges such as shipping dues, insurance, customs, railway freight, except such as is incurred for carriage of the goods by railway in India, etc. incurred till the arrival of the goods at the octroi cordon.

[Explanation sanctioned under G. R. G. D. No. S-91 (64) dated 17-2-1932].

(k) If the original invoice or bijak is not forthcoming the amount of duty calculated at the average market value, made up of the cost price plus carriage and other incidental charges to be fixed from time to time by the Chief Officer or other officer authorised in this behalf shall be deposited with the Naka Karkun and *if within fifteen days from the date of import the invoice is produced and duty is found to be in excess according to the invoice of value* refund of the excess amount may be obtained from the Octroi Office and if it is found to be in defect the amount of deficit shall be paid in the Octroi Office.

[*Revised Octroi bye-law 6 (k) sanctioned under G. R., G. D. No. S-91 (64), dated 9th March 1938*].

(l) If an importer of the goods is not satisfied as to the quantity, description, or the rate, at which the tax on the goods imported by him is calculated the amount of duty calculated by the Nakerdar shall be deposited with the Naka Karkoon. If within fifteen days from the date of import the importer satisfies the Octroi Superintendent of the correctness of his contention, refund of the excess amount may be obtained from the octroi office, but if he is not able thus to satisfy the Octroi Superintendent within fifteen days from the date of import the amount deposited shall be treated as octroi paid.

[*Clause (l) to rule 6 sanctioned under G. R., G. D. No. S-91 (64) dated 16-2-38*].

7. *Naka Karkun to prepare as many receipts as may be required:—*(1) The naka karkun shall prepare so many separate import bills for each of such different portions of the goods taxable with not less than one rupee, as the owner of the person in charge of the goods desires.

(2) On payment of the amount, if any, leviable, the naka karkun shall sign the foil, detach it, and deliver it to the person making the payment and shall retain the counterfoil undetached in his import-bill book.

8. *Naka Karkun to retain declaration*—The Naka Karkun shall retain any declaration given to him in writing that the goods imported are goods in transit or are imported by contractors in fulfilment of a contract with a public authority and, if such declaration is not in writing shall inform the person in charge of the goods that unless such written declaration is given, no refund will be obtainable, and if the person in charge is willing to make one, it should be taken in form D annexed to this rule.

[*Revised rule No. 8 sanctioned under G. R., G. D. No. S-91 (64), dated 18th March 1938.*]

9. *Power of Naka Karkun*:—Every naka karkun is hereby authorised under section 94 of the Act to require a person to comply with the provisions of that section, and in case of refusal, on demand, to permit an inspection of the goods or to pay the amount leviable thereon, shall, unless there be any special reason to the contrary, exercise the power conferred on him by sections 94 and 98 of the said Act as set forth in Schedule F.

10. (a) *Declarations to be sent to the Chief Officer*:—(a) At the close of each day every naka karkun shall report to the Chief Officer of the Municipality every case in which goods have been imported accompanied with a declaration—

(i) Under No. 11 of these rules and bye-laws that they are required in fulfilment of a specified contract with a public authority, or

(ii) That they are goods in transit.

(b) Every declaration referred to in each such report shall be sent by the naka karkun to the Chief Officer of the Municipality who shall file them.

Refunds.

11. *Refunds*—Refunds of the amounts paid on imported goods shall notwithstanding that such goods, since their import may have broken bulk or changed hands, be made from the Municipal fund in the cases and subject to the following conditions, viz:—

(1) *Refund on goods resting in public Authority*:—In respect of goods declared at the time of their import to be required in

fulfilment of a specified contract with a public authority, the refund shall be made to the credit of the public authority, or to the contractor, if he has paid the duty, subject to the conditions:—

- (i) that such goods shall have vested in such public authority and
- (ii) that a certificate to that effect signed by the officer in charge of the work to which such contract relates shall have been produced.

(2) *Refunds on exported goods*:—Except as aforesaid on refund shall be made in respect of goods unless:—

- “(i) The amount of octroi paid on the goods in respect of which refund is claimed was not less than one rupee, except in the case of goods in transit and in the case of payments under protest under rule 6(k).”

[Sub-clause (i) of clause (2) of Rule No. 11 sanctioned under G. R., G. D. No. S-91 (64) dated 18th March 1938.]

- (ii) the goods have been exported within twelve months next after the date of their import;
- (iii) A claim has, not later than *seven days* next after *the export* thereof, been made for such refund in the prescribed manner to the Chief Officer of the Municipality.

Explanation:—If the *seventh day*, next after the date on which goods are exported is a Municipal holiday, a claim for refund made on the first working day after the holiday or holidays, as the case may be, shall be considered as within time and shall be accepted;

- and (iv) the claimant has produced a duly receipted import-bill and an export certificate relating to such goods.

[Revised sub-clause (iii) of clause (2) of rule No. 11 and the revised Explanation sanctioned under G. R. G. D. No. S-91 (64) dated 10-6-38].

11 A. If the imported goods are after repairs within one month from the date of their import, exported to the same station from which they were imported, the whole amount of octroi paid in respect of such goods shall be refunded. The following declaration form shall be filled in by the *importer*.*

*The word 'importer' was substituted for 'exporter' under G. R. G. D. No. S. 91 (64) dated 22-4-1938.

Poona City Municipality.

Declaration.

Name of Naka.
 Number of Naka.
 Number and date of import-
 bill with respect to } ...
 which declaration is made

I _____ inhabitant of _____
 _____ hereby declare to the best of my
 knowledge and belief that the articles included in the above
 import bill are imported for repairs and are to be returned to
 _____ within one month from.....day after
 being repaired and should be treated as articles temporarily
 brought for repairs the octroi duty on which is to be refunded in
 full on making a claim for the same in writing, with the import
 bill and export certificate within three days of their export.

Signature or thumb mark of the
 importer.

Note—No refund will be granted if the goods are exported after one
 month from the date of their import.

[New rule 11-A sanctioned under G. R., G. D. No. S-91 (64)
 dated 17-12-37.]

12. *No refund to be granted in respect of the goods which change
 form by process of manufacture:—*No refund shall be granted on
 the export of goods which have since their import changed their
 form by any process of manufacture.

Provided that goods shall not be deemed to have changed their
 form within the meaning of this bye-law merely by reason that
 they are wood, which since its import has been cut and made into
 beams, planks and rafters; or grain and *tur* ground and converted
 into pulses; or tobacco converted into snuff or *bidis* or rice parched
 and made into *murmuras*; or wheat or other grain made into flour.

13. (1) *Duties of Naka Karkun when goods in transit are
 brought to him for export:—*Every naka Karkun, whenever goods
 declared to be in transit are brought to his Naka for export, shall-

- (a) require the production of the receipted import bill relating to the same;
- (b) examine such receipted import bill and shall satisfy himself—
 - (i) that the import bill is in due form and is signed by the Naka Karkun;
 - (ii) that the goods so brought for export are included in the goods specified in the import bill;
 - (iii) that the goods are stated in the import bill to have been declared at the time of import as “ goods in transit.”
 - (iv) that the goods have been brought for export within six days next after the date on which they appear from the import bill to have been imported; and
 - (v) that the amount claimed as refund is not in excess of that originally paid.

[Sanctioned under Erratum No. S-91 (64) G. D. dated 21st December 1939)

When a whole consignment of goods arriving by one railway is taken delivery of and is intended to be re-booked by the same or other railway, the amount of duty shall be deposited and refund obtained on satisfying the Superintendent of Octroi as to the identity of the goods by the production of the receipt of the forwarding railway.

(2) *Duties of Naka Karkun when goods not in transit are brought to him for export*:—And whenever goods other than those in transit are brought to the Naka Karkun for export, he shall—

- (a) require the exporter to produce a transport pass obtained from the Octroi Branch of the Municipal Office ;
- (b) examine the goods and satisfy himself that—
 - (i) they are identical in all respects with those mentioned in the transport pass, and that
 - (ii) they are brought to this Naka within 48 hours from the time mentioned in the transport pass.

(3) *Issue of export certificate.*—And when so satisfied he shall prepare and sign an export certificate both in foil and counterfoil, detach and deliver the foil to the exporter of goods, and shall retain the counterfoil undetached in his export certificate book.

14. *Procedure for obtaining a transport pass.*—The persons claiming refund of octroi on account of goods which are not declared to be in transit, or which are declared to be in transit but not exported within 6 days from the date of importation, shall, before exporting the goods, take them to the municipal office between 7 a. m. and 5 p. m. on any day not being a public holiday for the inspection of the Chief Officer or the Octroi Superintendent or of the Naka Karkun authorised by them to inspect the same, who shall—

- (a) require the claimant to produce duly received import bill relating to the same;
- (b) examine it and satisfy himself—
 - (i) that the import bill is in due form, and is signed by the Naka Karkun.
 - (ii) that the goods brought for inspection are included in the goods specified in the import bill;
 - (iii) that the goods have been brought for inspection within twelve months from the date of their import;
 - (iv) that the amount of octroi paid on the goods in respect of which refund is claimed was not less than one rupee and that the amount claimed as refund is not in excess of that originally paid.

(Sanctioned under Erratum No. S-91 (64) G. R., G. D. dated 14th July 1939.

- (c) and issue a transport pass in the form of schedule "G" annexed to this.

(Sanctioned under Erratum No. 91 (64) G. R., G. D. dated 14th July 1939).

Proriso to Rule 14.—*Railway invoice to be accepted as evidence of exportation.* In the case of goods exported by railway, the railway receipt for despatch of goods will be accepted as evidence of export in lieu of a transport pass. This railway receipt must be

produced with the application for refund along with the import bill and the export certificate within 7 days next after the date of the export of goods to entitle the applicant to a refund. The railway receipt will be returned to the applicant immediately after tallying it with the export certificate. All such applications for refund should be made to the Chief Officer and should be delivered in the office of the Superintendent of Octroi between the hours of 11-30 a. m. to 5-30 p. m. on office working days; if the last date for making the application be a holiday the application may be made on the next working day.

(Sanctioned under G. R. G., D. S-91 (64), dated 28-11-38 and 14th July 1939).

15. *Duty of the exporter after obtaining the pass*:—The holder of a transport-pass or any person on his behalf shall within 48 hours next after obtaining the transport-pass, take the goods and the pass to the naka by or through which he wishes to export his goods, show the same to the naka karkun thereof, and obtain from him an export certificate.

16. *Effect of not exporting goods in transit within a week*:—If goods in transit stay in the city longer than a week, they shall be treated as imported goods for purposes of refund provided that the importer gives notice to the Octroi Superintendent to the effect that the goods have remained in the city and gets his receipt endorsed to that effect and the deposit made on their account shall be treated as duty paid.

17. *Each export to be noted on import bill*:—If goods included in one import bill are exported on more than one occasion, the import bill shall, at each time, be endorsed by the officer making the refund specifying:—

- (1) the kind of goods exported;
- (2) the quantity and weight of goods;
- (3) the amount of duty when refunded; and
- (4) the number and date of transport pass,
to prevent fraudulent claims being made again.

18. *Refund by the Chief Officer to persons producing export certificate up to Rs. 5* (1) Refunds shall be made by the Chief Officer of the Municipality, or if authorised, by him, by the

Superintendent of Octroi, without reference to higher authority subject to the following conditions:—

- (a) that an application in writing is made to the Chief Officer or the Standing Committee *within seven days* next after the date of export of the goods in respect of which it is claimed,

[Revised clause 18 (1) (a) sanctioned under G. R., G. D. No. S-91 (64) dated 10-6-38.]

- (b) that the claimant produces with the application,
 - (i) the receipted import bill, and
 - (ii) an export certificate relating to such goods,
- (c) that the amount of octroi paid on the goods in respect of which refund is claimed—
 - (i) did not exceed five rupees, and
 - (ii) was not less than one rupee.”
- (d) that the export of such goods has taken place within six days in the case of goods in transit, and within one year in the case of other goods next after their import; and
- (e) that the Chief Officer sees no reason to doubt that the claim is just and proper.

“ Provided that the Chief Officer or, if authorised by him, the Superintendent of Octroi shall have power to make refunds on “ goods in transit ” and of payments “ under protest ” (Under rule 6 (k)] to any extent irrespective of the limits laid down in (c) (i) and (ii) above, as the refund in such a case is *ipso facto* a refund of deposit made and not a refund of the duty paid.”

[Revised clause (c) and the proviso sanctioned under G. R. G. D. No. S-91 (64) dated 18-3-38].

(2) At the end of each month the Chief Officer shall report to the Standing Committee every case of refund made by him or by the Octroi Superintendent under his orders, during that month.

(3) A deduction of ten percent shall in all cases be made before refunding the amount of octroi duty on the exportation of goods either in transit as per rule 13 or otherwise under rule 11(2).

19. *All other claims to refund to be dealt with by the Standing Committee:—*(1) Except as hereinbefore provided, every

claim for refund shall be made to, or submitted to, and decided by the Standing Committee and no refund shall be made without the sanction of the said Committee.

(2) The Standing Committee—

- (i) shall, before granting sanction, make such inquiry, and require such further proof as to any matter affecting the admissibility of any such claim, as it may deem necessary, and
- (ii) unless satisfied that the refund is admissible under these rules and bye-laws, shall reject the claim.

Provided that all claims under no. 11 (1) of these rules and bye-laws shall be at once allowed on the genuineness of the certificate therein referred to having been ascertained.

Miscellaneous.

20. *appeal*:—An appeal shall lie from any rejection of claim to refund, if presented within fifteen days, from the date of such rejection—

- (a) to the Municipality, if the claim is rejected by the Standing Committee; or
- (b) to the Standing Committee, if the claim is rejected by the Chief Officer.

Transport pass or import bill or invoice or bijak that was produced when making a declaration in Form " E " to be produced for inspection when required.

“ Every person holding a transport pass or receipted import bill or the original invoice or bijak that was produced when making a declaration in Form ‘E’ shall, when required by an officer of the Municipality, produce the same for his inspection and shall deliver the same to him if required on his supplying him a copy of the same under his signature.

Provided that the period during which the Municipality can require the production of the original invoice or bijak shall be one year from the date of declaration under rule 6 (j) Schedule “ E ”

[*Rule 21, sanctioned under G. R., G. D. No. S-91 (64), dated 2nd September 1937.*]

22. *Municipal Officer to grant copy of transport pass etc. if original retained*:—Every Officer of the Municipality requiring any transport pass or duly receipted import bill to be delivered to him shall at once supply the holder thereof with a copy of the same under his signature.

23. *Punishment for breaking bye-laws*:—Whoever acts in contravention of bye-law 21, or supplies false information or produces a false transport pass or false export certificate, shall lose his claim to refund and shall also be liable on conviction to a fine which may extend to Rs. 50.

Bye-law about stopping motors at Nakas for inspection of articles or goods. [Under section 61 (1) (bb) of the Boroughs Act.]

24. Any person driving a motor car or lorry, which is a public conveyance or used for commercial purposes, when required by a Naka Karkun at the octroi naka to stop the same by showing a red flag or red lamp, shall at once stop the car or lorry and allow the Naka Karkun to inspect it for ascertaining whether it contains any articles or goods on which octroi duty is leviable. Any person who commits breach of this bye-law shall on conviction, be liable to pay fine not exceeding Rs. 50 (fifty).

[Above bye-law was sanctioned under G. R., G. D. No. S-91 (64) dated 25-4-33.]

SCHEDULE A

Revised schedule of octroi of the Poona City Municipality.

S. No.	Name of article.	Rate Per maund
		Rs.
1	Bajari	... }
2	Jwari	... }
3	Turi and tur dal	... } 0-1-0
4	Nachani	... }
5	Vari husked and unhusked	... }
6	Rice husked	... }
7	Satu or Indian Barley	... }
8	Matki	... }
9	Mug and mug dal	... }
10	Udid and udid dal	... }
11	Kulith (Vetch)	... }
12	Rajgira	... } 0-1-3
13	Peas	... }
14	Indian corn	... }
15	Poppy seed	... }
16	Wheat	... }
17	Gram and gram dal	... }

S. No.	Name of article	Rate Per maund
18	Grains of all kinds (husked or unhusked), Dals, and all kinds of flour and soyabin, lahyas, phutane, muramuras etc. All kinds of parched grains. ...	Rs. } 0-1-3
19	Cocoanut ...	} 0-1-6
20	Dates, Fresh ...	
21	Sago ...	
22	All kinds of dried fruits and their cakes ...	
23	Arrowroot ...	} 0-2-0
24	Tapioca ...	
25	Kajus and Cingadas ...	
26	Almonds with shells ...	0-4-0
27	Jaugry (Gul) (not refundable) ...	0-0-5
28	Sugar ...	
29	Sugar Candy ...	} 0-6-0
30	Dried milk (Khava) and Malai ...	
31	Butter ...	
32	Ghee, cocoagem, vegetable ghee ...	
33	Almond seeds ...	} 0-8-0
34	Miscellaneous articles of grocery ...	

S. No.	Name of article.	Rate Per maund
35	Pistas with shells ...	Rs. 0-4-0
36	Pista seeds ...	0-8-0
37	Murumba, pickles, spices, etc. ...	
38	Oilmans stores and preserved provisions of all kinds. Baking and curry powder, Tallow, Ham and Bacon, confectionery of all sorts. ...	<i>Ad valorem</i> 2-8-0 per cent
39	Biscuits, cakes, sevais, sweet-meats, chivada and shev. ...	
40	Cream ...	0-6-0
41	Pepper mint, condensed milk, Tinned food and meat of all kinds, chocholet, saccharine, all kinds of essences, glucose No. 5-A. Tophee, all kinds of juice and cheese. ...	<i>Ad valorem</i> 2-8-0 per cent
42	Vegetables of all kinds ...	
43	Green chillies ...	0-0-6
44	Indian corn cobs ...	
45	Tamarind ...	
46	Fruits of all kinds ...	0-1-0
47	Sugar cane ...	
48	Dry fish and shrimps ...	0-1-6

S. No.	Name of article	Rate Per maund
		Rs.
49	Iced fish	... } 1-8-0
50	Eggs	... }
51	Green fodder	... }
52	All kinds of grass	... }
53	Kadbi	... } 0-0-3
54	All kinds of Konda and Bhusa	... }
55	Oil cakes of all sorts	... }
56	Cotton seeds	... 0-0-6
57	All kinds of chuni	... 0-0-3
58	Lucern grass	... } 0-0-6
59	Hemp seed	... }
60	Oats	... } 0-4-0
61	Horse food	... }
62	Fowls of all sorts, duck and fresh meat	... 0-8-0
63	Dung cakes	... 0-0-2
64	Fire wood	... 0-0-3
65	Char coal	... } 0-0-6
66	Coke and coal	... }

S. No.	Name of article	Rate Per maund
		Rs.
66 A	Coal ash and clinkers	... } 0-0-1
66 B	Coal dust	... }
67	Ground nut	... 0-1-0
98	Ground nut seed	... } 0-1-3
69	All kinds of oil seeds and all other seeds	... }
70	Khobra	... } 0-2-6
71	Oil of all sorts used for human consumption...	... }
72	Petrol	... } <i>Ad</i> <i>valorem</i> 1-9-0 per cent
73	Matches	... 0-2-6
74	Candles, wax, wax-candles, crackers, fire works, calcium carbide and safety fuses.	... 0-8-0
75	Rithas	... } 0-0-9
76	Shikekai	... }
77	Soap (washing)	... 0-2-6
78	Soap (Toilet), medicated soaps	... 0-8-0
78 A	Sodium sulphate	... } 0-2-6
78 B	Sizing salt	... }
79	Rubble stone	... 0-0-1

S. No.	Name of article	Rate Per maund
		Rs.
80	Lime stone	... } 0-0-1
81	Sand	... } 0-0-1
81 A	Murum	... } 0-0-1
81 B	Metal	... } 0-0-1
82	Cut stones and other building stones	... 0-0-2
82 A	White earth, yellow earth and marble pieces.	... 0-0-1
83	Shahabad, Tandur and other like slabs	... 0-0-3
84	Lime slaked or unslaked	... } 0-0-6
85	Bamboos of all kinds and split bamboos and their articles	... } 0-0-6
86	Country bricks, tiles including Mangalore, etc.	... 0-0-3
87	Jungle wood rafters	... 0-0-6
88	Teak wood rafters and planks scantling, square logs, beams.	... } 3-2-0
89	Malbar teak, woods of all kinds, Burmah teak, Mohagani Oka and similar high quality of wood	... } <i>Ad valorem</i> 3-2-0 per cent
90	Wooden doors and windows with or without frames and wooden pegs, stair cases	... } 3-2-0

S. No.	Name of Article.	Rate Per maund
		Rs.
91	Colours and paints, painting oils of all kinds including habak, chocolate, linseed oil and varnishes, etc. Tanning and dyeing material, all kinds of dyes, etc. lubricating oils, grease, etc. ...	} <i>Ad valorem</i> 3-2-0 per cent
92	Dammer, Tar, Road compositions of all sorts and roofing felts ...	
93	Cement, plaster and their articles of all kinds and lambi ...	0-1-0
94	Hemp and jute fibre ...	0-4-0
94 A	Aloes Fibres ...	0-1-6
94 B	Cocoa Fiber ...	0-0-9
94 C	Cocoa fibre ropes and articles made thereof ...	0-2-6
95	Green Ginger ...	0-0-6
96	Hirda (or myrabolum) ...	0-1-0
97	Sulphate of iron, Sulphate of copper. ...	0-1-6
98	Alum, sulphate of alumina ...	0-2-0
99	Soda, washing soda, silicate of soda, caustic soda and other salts ...	0-2-6
100	Sulphur, chlorate of potash strautia, zinc chloride, magnesium chloride ...	0-2-0
101	Ginger dry ...	} 0-4-0
102	Betel nut ...	

S. No.	Name of Article.	Rate Per maund
103	Salt petre	Rs. 0-4-0
104	Acids of all kinds	0-2-0
105	Sal amoniac	} 0-6-0
106	Borax	
107	Medicines of all kinds. All kinds of chemicals, disinfectants, mythylated spirit, surgical cotton, glycerine, tooth paste and tooth powders	} <i>Ad valorem</i> 1-9-0 per cent
108	Tea	} <i>Ad valorem</i> 3-2-0 per cent
109	Coffee	
110	Cocoa, ovaltine, etc.	
111	Garlic	} 0-1-0
112	Amsool	
113	Mustared seed and methy seed	
114	Coriander seed	
115	Chillies dry	} 0-2-0
116	Betel leaves	
117	Turmeric	
118	Jire	} 0-4-0
118 A	Shahajire	

S. No.	Name of article	Rate Per maund
		Rs.
119	Pepper	... } 0-4-0
120	Cinamon	... }
121	Cloves	... 0-5-0
121 A	Clove refuse	... 0-1-0
122	Cardamoms	... }
123	Nut megs	... }
124	Mace	... } 0-8-0
125	Assafoetida	... }
126	Gums of all sorts	... }
127	Sizing flour	... }
128	Ral (Resin)	... } 0-1-0
129	Ud (Benzoin), Dhup	... }
130	Catechu	... 0-4-0
131	Lac	... }
132	Camphor	... } 0-8-0
133	Sandle wood and pieces	... }
134	Saffron	... } <i>Ad</i>
135	Perfumed oils	... } <i>valorem</i> 3-2-0 per cent

S. No.	Name of Article.	Rate Per maund
		Rs.
136	Perfumery of all kinds, essences, aromatic chemicals scents, Uttars, creams, snows, udbattis, bukka, pachapala davana, marva, shilaras, wala and articles of wala, toilet requisites ...	} <i>Ad</i> <i>valorem</i> 3-2-0 per cent
136 A	Maida lakadi ...	} <i>Ad</i> <i>valorem</i> 1-9-0 per cent
137	Tobacco, tobacco refuse ...	0-8-0
138	Tobacco sticks, only ...	0-2-0
139	Chiroots, and cigars and cigarettes pipes tobacco and snuff ...	} <i>Ad</i> <i>valorem</i> 3-2-0 per cent
140	Country bidis ...	} 0-4-0
141	Leaves for bidis ...	}
142	Kamblis ...	}
143	Country carpets and coarsed cotton carpets ...	}
144	Fabrics of hemp or jute ...	}
144 A	Cotton and linen piece goods of all kinds (except hand-spun and hand-woven khadi) ...	} <i>Ad</i> <i>valorem</i> 1-9-0 per cent
145	Woolen piece goods of all kinds ...	}
146	Silken piece goods of all kinds ...	}
147	Embroidery cloth ...	}

S. No.	Name of article	Rate Per maund
148	Other textile fabrics, manufactured articles of clothing and dress, Hosiery oil cloth, Gonpath	Rs. <i>Ad</i> <i>valorem</i> -1-9-0 per cent
149	Old iron, old and unserviceable articles of iron and scrap iron	0-0-6
150	Iron and iron ware, iron articles, galvanized and tinned sheets.	0-1-6
151	Steel and steel articles	...
151 A	Zinc and zinc articles	0-2-0
152	Lead and lead articles	...
153	Old and unserviceable articles of copper and brass or scraps thereof	0-4-0
154	Copper and brass sheets	...
155	Copper and brass wire	<i>Ad</i> <i>valorem</i> 1-9-0 per cent
156	Copper and brass ware	...
157	Tin and articles of tin	...
158	Bell metal articles	...
159	Mercury	...
160	Metal alloys and articles thereof, type metal, type and blocks, antimony, white metal	0-8-0
161	Alluminium and alluminium articles.	...

S. No.	Name of article.	Rate Per maund
		Rs.
161 A	Old and unserviceable articles of alluminium and german silver etc. or scrap thereof	... } 0-4-0
162	Scrap of metal alloys	... }
163	Hardware, hardware tools and impliments of all kinds	... } <i>Ad</i> <i>valorem</i> 3-2-0 per cent
164	Furnishing hardware including plated ware and cutlery and silver ware	... }
165	Clocks and accessories	... }
166	Cycles and accessories	... }
166 A	Motor cars, motor buses, motor cycles, chassis, tractors, or any other vehicle drawn by motor power which at the time of import are not registered or licensed only for a limited period	... }
167	Machinery (with the exception of machinery imported direct by the owners of cotton spinning and weaving mills)	... } <i>Ad</i> <i>valorem</i> 1-9-0 per cent
168	Glass and glass articles	... }
169	Skins, hides and leather tanned or untanned and leather goods. All sorts of skins and footwear and all leather goods	... }
170	Gangawan	... }
171	Rubber and rubber goods	... }
172	Perambulators	... }

200-10-48

502 comp.

New Rule prescribing Fees for the Issue of Warrant.

(pages 213 and 220 of the English copy of rules and bye-laws).

Below rule 1 of Claims Recovery Rules *add* the following :—

“ **ISSUE OF WARRANTS** :—A fee equal to that for the issue of a notice shall be levied for the issue of a warrant of distress which fee shall be in addition to the fees for the execution of warrants.”

Sanctioned under Government Resolution, Health and Local Government Department, No. S. 91 (64), dated 4th August 1948.

150-C-47

207 pemp.

Resolution:—The proposal to add the following new clause as clause (h) to sub-rule (2) of rule 4 of the Octroi Rules of the Poona City Municipality is sanctioned.

“(h) Materials required for manufacturing, bottling or making ready for sale any excisable article at any Government Warehouse, distillery or shop shall be exempted, provided that at the time of import, they are accompanied by a certificate signed by the officer-in-charge of the warehouse, distillery or shop containing a description of the goods and a declaration that they are required for the purpose or purposes mentioned above.”

(*Sanctioned under G. R., G. D., No. S. 91 (61), dated 8-2-1945*).

100-5-47

155 pomp.

Add the following item No. 200 to the Schedule of
Octroi:--

Serial No.	Name of item	Rate
200	... Fresh fish ...	0-2-6 per maund.

(Sanctioned under G.R., G.D., No. S 91 (64), Dated 18-12-48.)

125-10 48

376 comp.

**Revised rule No. 8 of the Theatre Tax Rules
of the Poona City Municipality.**

Rule 8 :—The tax shall be assessed as follows :—

	Rs.
(1) Drama, for each performance ...	10
(2) Musical concert, dance, etc. for each performance ...	3
(3) Circus, for each performance ...	2
Tamasha for each performance ...	5
Cinema for each performance ...	5
Other theatricals and shows not mentioned above, for each performance ...	10

*Sanctioned under G. R., No. S. 91 (64), dated 9-6-1948 of
the Health and Local Government, Bombay.*

**Accompaniment to Government Resolution,
Health and Local Government Department,
No. S-91 (61), dated the 24th March 1948.**

*(Amendments in the rules of the Poona City Municipality
for the supply of certified copies of documents as
approved by Government.)*

For the existing rules 5, 8 and 15, the following revised rules shall be substituted, namely :—

5. A person desirous of obtaining a certified copy shall apply in writing to the Chief Officer, who shall pass the necessary orders thereon. The application shall be accompanied by an advance fee as mentioned below for which a receipt shall be given :—

- | | | |
|---|---|-------------------------------------|
| (1) In the case of documents for which fees have been specifically prescribed by rule 15. | } | Full amount of the prescribed fees. |
| (2) For all other documents. | | Rs. 5. |

Applications not accompanied by the requisite fee in advance shall not be attended to. (Under Government orders a two annas court fee stamps is required to be affixed to every application for copies).

8. If the applicant is not sure of the date and other particulars, a search fee of rupees two per year shall be paid in addition, with the application.

15. The following is the schedule of fees :—

Item	Copying fee	Comparing fee	Paper cost	Total amount
	Rs.	Rs.	Rs.	Rs.
1. An extract from the Birth or Death Register.	0- 6-0	0-1-6	0-0-6	0-8-0
2. An extract from the House-Tax, Demand or Revision (Assessment) Register.	0-12-0	0-3-0	0-1-0	1-3-0
3. Copy of the import or export certificate of octroi.	0- 6-0	0-1-6	0-0-6	0-8-0
4. An extract from Market Gale Register.	0-12-0	0-3-0	0-1-0	1-0-0
5. Copy of receipt from Vasuli, Municipal Market or Health Department.	0- 6-0	0-1-6	0-0-6	0-8-0
6. Copy of application for permission (building etc.) or plan.	0-12-0	0-3-0	0-1-0	1-0-0
7. Copy of order in the Parwangi Department.	0-12-0	0-3-0	0-1-0	1-0-0
8. An extract from the Vasuli Kird.	0-12-0	0-3-0	0-1-0	1-0-0
9. An extract from papers relating to a Town Planning Scheme.	0-12-0	0-3-0	0-1-0	1-0-0

For copies other than those mentioned above copying fees (for Marathi and English matter) shall be charged at the following rates:—

- | | Rs. |
|--|-------|
| 1. Copying fee for English 35 words or part thereof. | 0-1-0 |
| 2. Copying Marathi 35 words or part thereof... | 0-1-0 |
| 3. Comparing fee for 100 English or Marathi words or part thereof. | 0-1-0 |
| 4. For a copy inprinted form for printed form (fees at the above rates for matter) | 0-0-6 |

C. O. 200-7-48

135 pamp.

**Accompaniment to Government Resolution,
Health and Local Government Department,
No. S-91 (61), dated the 6th February 1948.**

New bye-law 1-A and revised bye-law No. 4 of the Poona City Municipality regarding registration of births and deaths as sanctioned by Government.

1-A. The father or guardian or in their absence the mother of every child born within municipal limits shall in writing intimate to the municipal *Registrar of Births and Deaths of the Municipality* the name of the child within one month of the child being named.

Provided that if the child has not been named within six months of its birth the father or guardian or in their absence the mother shall inform the *Municipal Registrar of Births and Deaths* accordingly before the child is six months old and shall continue to give similar information during each six months of the child's life until the child is named. Nothing in this bye-law shall apply if the child dies before it is named.

Every intimation given under this bye-law shall be acknowledged in writing by the *Municipal Registrar of Births and Deaths*.

PENALTY.

4. **PENALTY FOR BREAKING THE BYE-LAWS** :—If any person whose duty it shall be to give information required by bye-laws 1, 1-A and 2, without due cause, neglects or refuses to give such information within the period therein specified, he shall be punished, on conviction before a Magistrate, with fine not exceeding Rs. 10.

2300-2-46

588 pomp.

**Amendment of bye-law No. 36 regarding
Slaughter Fees.**

Letter from the President, Poona City Municipality No. C. O. 1580, dated 15th July 1944. Endorsement from the Collector of Poona, No. 1/35, dated 8th March 1945.

Endorsement from the Commissioner, C. D., 6/19, dated 27th March 1945.

RESOLUTION :—The following revised bye-law No. 36 of its bye-laws framed by the Poona City Municipality for issuing permits for slaughtering animals is sanctioned, subject to slight modification, viz :—

"36. A written permit shall in every instance be obtained from the Veterinary Superintendent for slaughtering animals intended for food and such permit shall be issued on payment of the fee prescribed in Appendix D Rule 6.

The Veterinary Superintendent shall have the power to refuse to give a permit to slaughter or to eject from the slaughter house any animal intended for slaughter, which may in his opinion be unfit for human food.

Sanctioned under G. R., G. D., No. S. 91 (64), dated 7th April 1945.

C. O. 200-12-47

501 pomp.

**Amendments to the Octroi Schedule of the
Poona City Municipality**

(i) For items No. 164 -167, 176-179, 181, 183 and 187 in the said schedule the following should be *substituted* :—

S. No.	Name of the article.	Rate	
		Ad valorem per cent	Weight Per ind.
164	Platedware, cutlery and silverware ...	1-9-0	...
165	All kinds of clocks, watches, time-pieces, their parts and accessories.	1-9-0	...
166	Cycles, tricycles, parambulators, their parts and accessories.	1-9-0	...
167	Machinery and parts of the machinery ...	1-9-0	...
176	Musical instruments of all kinds including gramophones, gramophone records, their spare parts and accessories.	1-9-0	...
177	Cinematograph and its accessories ...	1-9-0	...
178	Photographic goods and chemicals. photo- graphs, raw films, cinema carbons.	1-9-0	...
179	Ivory, articles of ivory, embroidery, thread of gold and silver etc.	1-9-0	...
181	Sculptured articles of wood, stones, clay or metal and furniture of all kinds.	1-9-0	...

S. No.	Name of article	Rate Per maund
173	Haberdashery, kunkoo, laces brushes, buttons, hair-pins, combs, etc. and other articles of general merchandise, such as boot and metal polishes, boot laces, whiting blanko, bramo papers, umbrellas, sticks, whips, tapes, canvass bags, holdalls, celluloid articles, beads, marbles and imitation pearls, milinary stores, fancy goods, polish papers, corks, gundh, fishing rods, etc.	Rs.
174	Stationery including papers of all kinds (except hand made papers and articles thereof), invitation cards, X'mas cards (like new year's cards), paper weights, call bells, blotters, drawing requisites, roller composition, printing ink, playing cards, card boards and straw boards, fountain pens, type writing requisites, slates, etc.	<i>Ad valorem 1-9-0 per cent</i>
175	All printed matter including catalogues, advertisements, pictures, diaries, etc., sign-boards, race-tip books., etc. but excluding books and all current issues of newspapers and periodicals .	...
175 A	Packing paper, paper bags	0-0-6
176	Musical instruments (including pianoes, harmoniums, gramophones etc.) and gramophone records	...
177	Cinematograph and accessories	<i>Ad valorem 1-9-0 per cent</i>
178	Photographic accessories	...
179	Ivory	...

200-6-47

(1) Item No. 55 shall be

(2) For item no. 186 the
substituted :—

“ 186. Oil cakes of all sorts
0—0—6 per maund.

(*Sanctioned under G. R., G. D*

160-5-47

155 penny.

Add the following item No. 200 to the Schedule of
Petrol:--

Serial No.	Name of item	Rate
200	Fresh fish	0-2-6 per maund.

(Sanctioned under G.R. G.D. No. S 91 (64), Dated 18-12-46.)

200-6-47

(1) Item No. 55 shall be *deleted*

(2) For item no. 186 the following revised item substituted:—

“ 186. Oil cakes of all sorts, including oil cakes
0—0—6 per maund.”

(Sanctioned under G. R., G. D., No. 91 (64), dated

180-5-47

155 penny.

Add the following item No. 200 to the Schedule of
Oetroi:--

Serial No.	Name of item	Rate
200	Fresh fish	0-2-6 per maund.

(Sanctioned under G.R., G.D., No. S 91 (64), Dated 18-12-46.)

(ii) The following new items should be added to the said schedule:—

201	Cinematograph films exposed (silent and talking).	1-9-0	...
202	Parts and accessories of motors, motor-cycles and aeroplanes.	1-9-0	...
203	Surgical instruments, optical goods, scientific apparatus, all electrical instruments, apparatus and appliances and goods including radios, wireless goods, typewriters and duplicators.	1-9-0	...
204	Photo-frames, tonga poles, wooden tube boxes and hood-sticks etc.	1-9-0	...
205	Sporting goods and toys	...	1-9-0
206	Medical herbs. (Kashtavshadhi)	...	0-2-0

Sanctioned under Government Resolution, Health and Local Government Department, No. S 91 (64), dated 24th July 1947.

(171)

S. No.	Name of article.	Rate Per maund
195	Cotton with seed	Rs. 0-4-0
196	Cotton without seed	0-6-0
197	Country seeds, Foreign seeds	} <i>Ad valorem</i> 1-9-0 per cent
198	Ply wood	} <i>Ad valorem</i> 3-2-0 per cent
199	Lamps, lamp ware, stoves, heaters, lanterns, and incandiscent lamps and their parts and carbide lamps.	} <i>Ad valorem</i> 1-9-0 per cent

(1) Sanctioned under G. R. G. D. No. S 91- (64) dated the 5th November 1943.

(2) Brought into force with effect from the 1st February 1944.

TOLL TAX

(Rules levying toll tax on vehicles framed under Section 58 (j) and 73 (3) of the B. M. B. Act 1925).

(Sanctioned under G.R.G.D. No., S. 91 (64) dated 13-11-1942).

1. All two wheeled conveyances shall, subject to rule 2 below, be liable to pay toll tax while entering the octroi cordon of the Poona City Municipality.
2. Such conveyances as are assessed to the conveyance tax in Poona City, Poona Cantonment, Poona Suburban or Kirkee Cantonment limits shall be exempt from toll tax.
3. Conveyances belonging to Govt. or the Local Bodies shall also be exempt from toll tax.
4. The rates of the toll tax shall be as under:—

(i) Two wheeled conveyance (vehicle) drawn by one or more animals or human agency and loaded with goods each	Rs. .
... ..	0-2-0
(ii) Two wheeled conveyance (vehicle) drawn by one or more animals or human agency and empty or carrying men and animals, each	...
... ..	0-1-0
(iii) Animals (i. e. bullock, horse, pony, mule or donkey) loaded only each animal	...
... ..	0-0-6

Note:—No toll shall be levied on vehicles in the year in which their owners have paid the yearly wheel tax in respect of them.

5. The tax shall be collected at the Octroi Nakas or Toll Nakas of the Municipality from the drivers of conveyances when the conveyances enter the octroi cordon of the Poona City Municipality once in twenty four hours from midnight to midnight.
6. In case of non-payment of such toll on demand, the procedure laid down in Section 98 of the Bombay Municipal Boroughs Act shall be followed.
7. Printed table of rates of the toll shall be kept at a conspicuous place in the cordon or Toll Naka.

NOTES TO SCHEDULE A.

1. With the exception of goods on which *ad valorem duty* is imposed, articles imported by rail or by motor vehicles or by any other conveyance are liable to pay duty by maunds, fractions of maunds being treated as under:— Maund=40 seers.

10 seers and below to be reckoned as..... $\frac{1}{4}$ maund.

Exceeding 10 seers but not exceeding 20..... $\frac{1}{2}$ maund.

Exceeding 20 seers but not exceeding 30..... $\frac{3}{4}$ maund.

Exceeding 30 seers but not exceeding 40.....1 maund.

and shall be charged accordingly.

[The words "or by motor vehicles" were inserted under G. R. G. D. No. S-91 (64) dated 5-4-1933.]

[The words "or by any other conveyance" were inserted under G. R. G. D. No. S-91 (64) dated 18-3-1938.]

For the purpose of fixing duty, the capacity of different kinds of conveyances shall be determined as follows:—

	Maximum limit of weight.
1. One Bandi or Gada drawn by 4 bullocks....	32 maunds of 40 seers.
2. One ordinary bullock-cart drawn by two bullocks ...	... 16 Maunds.
3. One ekka ...	... 8 "
4. One buffalo, mule, pony or bullock load ...	... 3—do—
5. One donkey load ...	... 2—do—
6. One head load ...	... 1—do—
7. One bicycle load ...	... 1 Maund

[Item No. 7 of bicycle load was inserted under G. R. G. D. No. S-91 (64) dated 18-3-1938.]

3. When the weight of goods brought in or on any conveyance does not reach the above maximum, duty shall be charged as follows:—

1. Bandi containing 1 to 8 maunds inclusive	$\frac{1}{4}$ of the full rate.
2. Bandi exceeding 8 maunds, but not exceeding 16 maunds	$\frac{1}{2}$ —do—

[Substitution of "40 seers" for "82 lbs" wherever occurred in the notes is sanctioned under G. R. G. D. No. S-91 (64) dated 30th November 1938.]

- | | |
|--|--|
| 3. Bandi exceeding 16 maunds, but not exceeding 24 maunds | $\frac{3}{4}$ of the full rate. |
| 4. Bandi exceeding 24 maunds but not exceeding 32 maunds | 1 full rate. |
| 5. Cart containing 1 to 4 maunds inclusive | $\frac{1}{4}$ of the full rate |
| 6. Cart exceeding 4 maunds but not exceeding 8 maunds | $\frac{1}{2}$ —do— |
| 7. Cart exceeding 8 maunds but not exceeding 12 maunds | $\frac{3}{4}$ —do— |
| 8. Cart exceeding 12 maunds but not exceeding 16 maunds | 1 full rate. |
| 9. Ekka containing 1 to 4 maunds inclusive | $\frac{1}{2}$ of the full rate. |
| 10. Ekka exceeding 4 maunds but not exceeding 8 maunds and when it exceeds the maximum, duty shall be charged as under:— | 1 full rate. |
| 1. Bandi containing weight over the maximum limit | $\frac{1}{4}$ rate for every additional 8 mds. or fraction thereof. |
| 2. Cart containing weight over the maximum limit | $\frac{1}{4}$ —do— additional 4 mad. or a fraction thereof. |
| 3. Ekka containing weight over the maximum limit | $\frac{1}{2}$ rate for every additional 4 mds. or a fraction thereof |

Pony and donkey load, if below one maund, to be exempt; one maund and above to pay full rate.

4. Head-load and bicycle load liable to duty below four annas per maund, if below 1 maund, is to be exempt; and if one maund and above to be treated as in Rule 1 above.
5. Head-load and bicycle load liable to duty of 4 annas and above per maund:—

(i) From 10 to 20 seers inclusive	$\frac{1}{4}$ of the full rate
(ii) exceeding 20 but not exceeding 40 seers	$\frac{1}{2}$ do-
(iii) Exceeding 40 seers	full rate.

(Sanctioned under G. R. G. D. No. 6953 dated 5th August 1925.)

“Head loads and bicycle load liable to octroi at the rate of 4 Annas and above per maund shall be exempt, if the actual amount payable as duty in any case falls below 4 Annas.”

[Addition sanctioned by G. R. G. D. No. S. 91 (64) dated 20-3-31.]

[The words “and bicycle load” between the words “head load” and the words “liable to duty” wherever they occur in note 3 were inserted under G. R. G. D. No. S-91 (64) dated 18-3-1938].

Additional clause in note No. 3 to schedule A of the octroi rules:

6. 8 Maunds of Kadbi and 10 Maunds of green grass will be considered as full load for a cart.

Carts containing four maunds of Kadbi or 5 maunds of green grass or less will be charged at half the schedule rate for a cart load.

(Sanctioned under G. R. G. D. No. 8140 dated 5th July 1921).

4. In case of mixed loads or packages, duty is to be charged on the whole weight of each such load or package at the rate chargeable on each article, *i. e.* if one bandi contains two maunds

of wheat and two maunds of jowari, duty shall be charged on eight maunds of wheat and eight maunds of jowari separately, or if a cart contains one maund of wheat and two maunds of jowari, duty shall be charged on four maunds of wheat and four maunds of jowari separately as explained in note 3 above.

Provided that in such cases the importer may at his option pay duty in respect of the whole consignment at the rate applicable to that of its component parts on which the rate of duty is highest.

[The proviso to note 4 was sanctioned under G. R. G. D. No. S. 91 (64) dated 28-4-1931].

5. The weight of wrappers of goods when not of mats or fabric shall be deducted from the total weights in assessing duty.

6. when a consignment of imported goods is exported in parts, fractions below ten seers shall be neglected and shall receive no refund. But fractions above ten seers shall be carried forward to the last exported part and paid for. Each item of export on which refund is claimed must be *bona fide* one consignment, made by one man to one man at one place on one day and must form part of one imported consignment. Each import bill shall for the purpose be reckoned as one consignment.

7. If an importer of goods is not satisfied as to the weight of his goods estimated by a naka karkun for the purpose of levying octroi, he shall claim to have his goods weighed and duty shall be charged according to the weight thus ascertained by actual weight.

8. In making calculations of the amount of duty, fractions of three pies if below a pie and a half shall be neglected; and a pie and a half or more shall be reckoned as one pice.

SCHEDULE B.

IMPORT-BILL (Rule 5 C-i.)

Poona City Municipality.

1. Number and name of naka.....
2. Description of goods.....
3. Description of vehicle.....
4. Weight or quantity of goods.....
5. Rate at which tax calculated.....
6. Amount of tax levied.....
7. Name of importer or person in charge of goods.....
8. If goods are declared as vesting in public authority,
.....
name of authority and description of contract.....
9. If goods are declared as in transit, the fact to be noted
here.....
10. Hour and date of import

Naka Karkun

NOTE:—If “ Goods in transit ” are not exported within seven days from the date of this import-bill, they will not be treated as “ goods in transit. ”

SCHEDULE C.

EXPORT CERTIFICATE (Rule 5 C-ii.)

1. Number and name of naka.....
2. Number and date of the Import-bill.....
3. Description of goods.....
4. Number of packages.....
5. Weight.....maunds.....seers.....
6. Name of exporter.....
7. Whether the goods were declared as in transit.....
.....
8. Hour and date of export.....

Certified that the goods described above have this day passed out of the Poona City Municipal limits through my naka in my presence.

Dated.....

Naka Karkun

NOTE:—Application for refund, if not within seven days next after the date of this certificate, will not be taken notice of.

[Revised note sanctioned under G. R. G. D. No. S. 91 (64) dated 10-6-38]

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SCHEDULE D.

DECLARATION (Rule 5 C-iii).

Poona City Municipality.

Name of naka	Number of naka	No. and date of import-bill with respect to which declaration is made

I.....inhabitant of Muoze
.....Taluka.....of the.....District
hercby declare to the best of my knowledge and belief that the
goods included in the above-mentioned import-bill are:—

(1) to be exported to.....within seven days,from to-day
and should be treated as goods in transit.

(2) required in fulfilment of a contract with a public autho-
rity, viz. for the work of..... . The contract was sanctioned
by the public authority under its No.....dated the

*(Sub-clause (2) sanctioned under G. R. G. D. No. S-91 (64)
dated 18th March 1938).*

Signature or thumb mark of Importer.

*Note:—One of the two declarations to be scored out according
to circumstances.*

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SCHEDULE E.

DECLARATION (Rule 6-j.)

Description of goods.....

Mark No.....No. of packages.....

WeightValue.....

Importer's name in full.....

Importer's address.....

I hereby declare that the above value is entered from the original invoice which has been shown to the Naka Clerk and been endorsed by him to that effect. I further declare that the invoice will be shown to any Octroi Officer, when demanded for inspection **within one year from this date.**

Dated.....

Importer's signature or thumb mark.

[The words " Within one year from this date " were added under G. R. G. D. No. S. 91 (64) dated 4-11-1935.]

SCHEDULE F. (Rule 9)

(Naka Karkun's powers and duties.)

(Sections 94 to 99 are taken from the Bombay Municipal
Boroughs Act of 1925).

94. *Power to examine articles liable to Octroi:—*(1) A person bringing into or receiving from beyond the octroi limits of a Municipal borough, any animal or goods on which octroi is payable shall, when required by an officer authorised in this behalf by the Chief Officer, and so far as may be necessary for ascertaining the amount of tax chargeable—

- (a) Permit that officer to inspect, examine and weigh and otherwise deal with such animal or goods; and
- (b) Communicate to that officer any information, and exhibit to him any bill, invoice or document of a like nature, which he may possess relating to such animal or goods;
- (c) Make a declaration in writing to that officer regarding the correctness and the accuracy of the document shown to him.

(2) *Power to search where octroi is leviable:—*If any person, bringing into, or receiving from beyond, the octroi limits of a Municipal borough in which octroi is leviable, any conveyance or package shall refuse on the demand of an officer authorised by the Chief Officer in this behalf, to permit the officer to inspect the contents of the conveyance or package for the purpose of ascertaining whether it contains anything in respect of which octroi is payable, the officer may cause the conveyance or package to be taken without unnecessary delay before a Magistrate or such Officer of the Municipality as the Government appoints in this behalf by name or office, who shall cause the inspection to be made in his presence.

95. *Presentation of bill for octroi:—*(1) An officer demanding octroi by the authority of the Municipality shall tender to every person introducing or receiving anything on which the tax is claimed, a bill specifying the animal or goods taxable, the amount claimed and the rate at which the tax is calculated.

96. *Penalty for evasion of octroi*:—Where any animal or goods passing into a Municipal borough are liable to the payment of octroi, any person who, with the intention to defraud the Municipality, causes or abets the introduction of or himself introduces or attempts to introduce within the octroi limits of the said borough any such animal or goods upon which payment of the octroi due on such introduction has neither been made nor tendered, shall be punishable with fine which may extend to ten times the amount of such octroi or to fifty rupees, whichever may be greater.

97. *Tables of tolls to be shown on demand*:—Every Municipality imposing any toll under this Act shall cause to be kept at each place where such toll is to be collected, a table in the vernacular language of the district, showing the amount leviable in all cases provided for in the rules including the terms, if any, on which the liability to pay such tolls may be compounded by periodical payments; and it shall be the duty of every person authorised to demand payment of a toll, to show such table on the request of any person from whom such demand is made.

98. *Power to seize vehicle or animal or goods on non-payment of octroi or toll*:—(1) In the case of non-payment on demand of any octroi or toll leviable by a Municipality, any person appointed to collect such octroi or toll may seize any animal or goods on which the octroi is chargeable, or any part of the burden of such vehicle or animal which is of sufficient value to satisfy the demand, and may detain the same. He shall thereupon give the person in possession of the vehicle, animal or article seized a list of the property together with a written notice in the form of schedule VII that the said property will be sold as shall be specified in such notice.

(2) *Power to sell property seized at once*:—When any property seized is subject to speedy decay, or when the expense of keeping it together with the amount of the octroi or toll chargeable is likely to exceed its value, the person seizing such property may inform the person in whose possession it was that it will be sold at once and shall sell it or cause it to be sold accordingly unless the amount of octroi or toll demanded be forthwith paid.

(3) *Release of property on payment:*—If at any time before a sale has begun, the person from whose possession the property has been seized, tenders at the Municipal Office the amount of all expenses incurred, and of the octroi or toll payable, the Chief Officer shall forthwith deliver to him the property seized.

(4) *Sale:*—If no such tender is made, the property seized may be sold, and the proceeds of such sale shall be applied in payment of such octroi or toll and the expenses incidental to the seizure, detention and sale.

(5) *Surplus how dealt with:*—The surplus, if any, of the sale proceeds shall be credited to the Municipal Fund, and may, on application made to the Chief Officer in writing within three years next after the sale, be paid to the person in whose possession the property was when seized, and if no such application is made, shall be the property of the Municipality.

99. *Power to keep account current with firm or public body in lieu of levying octroi on introduction of goods:*—The Standing Committee, if it thinks fit, instead of requiring payment of octroi, due from any person, mercantile firm or public body, to be made at the time when the animals or goods, in respect of which the Octroi is leviable, are introduced within the octroi limits of the Municipal borough may at any time direct that an account current shall be kept on behalf of the Municipality of the octroi so due from any such person, firm or body. Every such account shall be settled at intervals not exceeding one month and such person, firm or public body, shall give such information and details and make such deposit or furnish such security as the Standing Committee or any officer authorised by it in this behalf shall consider sufficient to cover the amount which may at any time be due from such person, firm or body in respect of such dues. Any amount so due at the expiry of any such interval, shall, for the purposes of chapter VIII, be deemed to be, and shall be recoverable in the same manner as an amount claimed on account of any tax recoverable under the said chapter.

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SCHEDULE-G.

TRANSPORT-PASS (Rule 14-C)

Poona City Municipality.

Serial No.....

To,

The Naka Karkun at

Please allow the following goods to go out of the Poona City Municipal limits through your naka and certify accordingly:—

1. No. of receipted Import-bill
2. Description of goods.....
3. No. of packages
4. Weight.....maunds.....
seers.....
5. Deduct weight of bardans.....
Maunds.....seers.....
6. Name of exporter.....
7. Estimated value of goods.....
8. Hour and date of issue of the pass.....

The above description is correct.

Signature of the exporter.....

Karkun.....

Chief Officer or Superintendent of Octroi.

*Note:—*This pass and the goods referred to in it must be taken to the out-going naka within 48 hours from the time mentioned in this Pass.

TAXES etc.

Taxes &c. to be levied under section 46 (i).

[58 (j) of C .M. Act Now B. M. B. ACT 1925.]

(Schedule sanctioned in 1875).

The Municipal fund shall be raised by the levy of all or any of the following taxes:—

1. Town duties (octroi)
2. House tax
3. Wheel tax
4. Special Sanitary cess
5. General Sanitary cess or non-privy cess.
6. Drainage tax.
7. Cesspool tax.
8. Water tax.
9. Encroachment on lands. (Nos. 5 to 9 were added later on).
10. Fees for licenses to do certain things otherwise prohibited viz:—
 - (a) To play bands of music in streets.
 - (b) To hold caste dinners in streets, public thoroughfares or lanes.
 - (c) To erect booths or platforms in streets, public thoroughfares or lanes, for marriage or other ceremonies, for depositing building materials or erect scaffolding.
 - (d) To carry on certain dangerous or offensive trades.
 - (e) To slaughter animals for human food.

All taxes and imposts mentioned above, or any of them, may be collected by the Municipality either departmentally by means of their own agency or by contract. Town duties shall, however, be collected departmentally only.

Bye-Laws under Section 48(i) [Sec. 61 (m) of C. M. Act.]

**ENFORCING INFORMATION AS TO LIABILITY TO
MUNICIPAL TAXATION**

*(Sanctioned by Government under G. O. No 5618
dated 13th August 1917 G. D.)*

1. *Form of information to be filled on demand.*—On presentation by any Municipal servant of any forms that may, from time to time, be prescribed in this behalf by the Managing Committee, every inhabitant of the Municipal district shall, within such reasonable period as shall be specified in such form, return such form subscribed with his signature to the Chief Officer with all blanks duly filled in, to the best of his knowledge or belief, as therein directed to show the said inhabitant's liability to Municipal taxation.

2. *Inspection of conveyances and animals to be permitted.*—Every person in possession of a vehicle, or animal, in respect of which he is liable to a Municipal tax shall, at all reasonable hours give the Chief Officer, or any person bearing a written authority from him in this behalf, free access to such buildings, stables, or other places in which such vehicles or animals are ordinarily kept and every facility for inspecting the same for the purpose of checking the correctness of any return that may have been requisitioned or furnished under Bye-law 1, and shall on demand, unless prevented by reasonable causes, forthwith produce such vehicles, or animals, and explain, if required, which of them is referred to in the entries made in any such return.

3. *Penalty for breaking Bye-laws*—Every person who commits any breach of Bye-laws 1 and 2, shall, for each offence, be liable, on conviction, to a fine not exceeding Rs. 50.

(189)

HOUSE TAX.

(Vide G. O. G. D. No. 4843 of 13-12-1917.)

[*Rule 1 (a) sanctioned under G. R. G. D. No. 1870 dated 11-3-1924*].

1. (a) The Municipality shall levy a house tax in respect of all houses, wadas, shops, stalls or other buildings or enclosures used as store yards. It shall be payable by the owners thereof or their agents in advance by half yearly instalments.

(b) The tax should be assessed at 5 per cent [subject to the scale given in clause (c)] on the annual rental or estimated rental value of the buildings or enclosures mentioned in the preceding clause.

“Provided that the amount of ground rent recovered by the Municipality shall be deducted from the annual letting value of the stall in assessing house tax on stalls in municipal markets”.

(*Proviso sanctioned under G. R. G. D. No. S. 91 (64) dated 12-4-38*)

(c) The assessment shall be calculated at the rate of 4 as. for every five rupees of the annual rental value amounting to Rs. 20 or more. Any fraction of annas four should be omitted.

(d) For purposes of assessment the annual letting value as arrived at after allowing 10 per cent deduction under section 78 (2) of the Municipal Boroughs Act, shall be taken in whole rupees, fractions of a rupee below annas eight being omitted and annas eight and above being taken as a whole rupee.

(*Sanctioned under G. R. G. D. No. S. 91 (64), dated 11th January 1938*).

2. If the house-owner or his agent cannot be found, payment may be demanded from the tenant or tenants who may deduct such payment from the rent due by him or them.

3. In the event of any house-owner or house-agent proving to the satisfaction of the Standing Committee that a house or other building or any portion of a house or building which could

be let out as a separate tenement has remained vacant and unproductive of rent for 60 consecutive days during any official year, the Committee shall remit so much not exceeding one-half of the rate for that year as may be proportionate to the number of days the said house, or building or any portion thereof as described above may have remained vacant and unproductive of rent. Provided that the owner of such house or building or his agent shall have given notice in writing of the vacancy to the Standing Committee and that the amount of rate to be remitted shall be calculated from the date of the receipt of such notice.

[Sanctioned under G. R. G. D. No. S. 91 (64) dated 23-6-1938]

4. Buildings exclusively devoted to public worship or charitable or educational purposes, and buildings *owned by* the Municipality shall be exempt from house tax (G. O. G. D. No. 8908 dated 10-7-21). [The words "Government or" after the words "*owned by*" were omitted under G. R. G. D. No. S-91 (64) dated 9-8-1932].

5. In the event of any increase in assessment, the Secretary [Chief Officer] shall issue a notice to the houseowner or his agent or tenant, specifying the amount at which the house has been assessed; objections to this assessment must be lodged in writing at the Municipal Office within one month from the date of receipt of the above notice. [Vid sec. 82 of the C. M. Act.]

6. All buildings with an annual rental value of less than Rs. 20 shall be exempt from the levy of house tax. (G. O. G. D. No. 1771 of 14-2-1920).

[Rule 7 cancelled under G. R. G. D. No. S. 91 (64) dated 17-9-1929].

8. The purchaser of a house shall be liable to pay the arrears of house tax due previous to the date of purchase.

9. The house tax shall not be levied in respect of a house or a portion of a house, which is exclusively used as a gymnasium for physical exercise, which is provided with a Howda (wrestling pit) and which is not rented out for any other object. (G. R. G. D. No. 1870 of 31-1-1922.)

DRAINAGE TAX.

(G. O. G. D. No. 1516 dated 7-2-1920).

1. A tax called the drainage tax shall be levied by the Municipality on all houses or buildings having a separate Municipal number and connected with the new drainage system. The tax shall be assessed as specified below [in rule 5]. It shall be payable in advance in two half-yearly instalments, the first instalment becoming payable on the 1st of April, and the second on the 1st of October each year.

(Rule 1 sanctioned by Government in their order No. 12344 dated 10th December 1920, G. D.)

2. The tax shall be demanded, collected or recovered from the owner, or from any of the joint owners of each house or building. If no owner can be found or if the Municipality deem it convenient, the Tax shall be recovered from a tenant or tenants or occupiers of such house or building.

3. The manner of demanding, collecting or recovering the Tax, shall be the same as that followed in recovering the General or Special Sanitary Cess.

4. Failure to pay the tax without a lawful excuse shall render the person liable to be proceeded against under section 83, 84 and 84 A of the District Municipal Act. [Sees. 105, 106 and 107 of C. M. Act.]

5. The tax shall amount to 75 per cent of the House-tax subject to a minimum of Rs. 2 per annum.

[Revised Rule 5 sanctioned by G. R. G. D. No. S. 91 (64) dated 6-12-1930].

5-A In cases in which the Municipality is unable to allow a portion of the waste-water or privy contents of a house to be connected to and pass through the Municipal drainage system in respect of which the tax is levied, one third (or such other portion as the Municipality may determine in particular cases) of the said tax shall be remitted.

(Rule 5-A sanctioned under G. R. G. D. No. S. 91 (64) of 6-12-1933).

5-B. Those houses or buildings which are exempted from house-tax under House Tax Rules Nos. 4 or 9 shall be assessed to the Drainage Tax on the basis of the house-tax which would have been payable for them if they had not been so exempted subject to the minimum charge prescribed in rule 5 above.

(Sanctioned under G. R. G. D. No. S. 91 (64), dated 7th January 1938.)

6. Houses exempt from house-tax shall not be exempt from the drainage tax if such houses have one or more drainage connections which are being used for the carrying away of the sullage water of the house or premises.

7. No remission of drainage tax in respect of houses having drainage connections but ceasing to use them, shall be given unless the house-owner or his agent has given notice to that effect in writing to the Municipality, on receipt of which the Municipality shall take steps to hermetically seal the drainage connection at some convenient place and to exempt the house from the drainage tax for that period during which the drainage connection was stopped. A drainage connection so stopped shall not be reopened and brought into use by a house-owner without first applying in writing to the Municipality and obtaining a written permission for the same. The expenses of stopping and re-opening drainage connection shall be borne by the house-owner.

8. In cases of houses in respect of which remission of house-tax is claimed and obtained by a house-owner or his agent under rule No. 3 of house-tax rules, a proportionate remission or refund of drainage tax—if there is any—shall be given if a claim for it is received in the same manner as described in rule No.3 of the house-tax rules and subject to the conditions enumerated therein.

[Nos. 6,7 and 8 sanctioned under G. R. G. D. S.91 (64) dated 13th Aug. 1938.]

(193)

Rules under Section 48 (k) [61 (p) of C. M. Act].

REGULATING WATER SUPPLY

Rules prescribing rates of water-supply.

Rules.

1. The water connection rate shall be payable half-yearly in advance on 1st April and 1st October every year.

(a) Water rate in cases of houses assessed to an annual house-tax of Rs. 10 or less shall be Rs. 18 per annum for $\frac{1}{2}$ " connection.

(b) Water rate shall be charged at the following scale in the case of houses assessed to a house-tax exceeding Rs. 10 per annum:—

$\frac{1}{2}$ " connection	... Rs. 22 per annum.
$\frac{3}{4}$ " connection	... Rs. 50 per annum.
1" connection	... Rs. 88 per annum.

2. In case the water connection is taken or remains in use for a period of less than a year, the water rate shall be charged at the rates given above in rule 1, in proportion to the number of months the connection is taken or is in use. Any period less than a month shall be taken as a full month.

Provided that when a meter is fixed to an existing connection during the course of a month, water rate shall be charged proportionately to the number of days for which water was supplied without meter.

[Sanctioned under G. R. G. D. No. S-91 (64) dated 28th March 1949.]

3. The rate of metered water shall be annas two per thousand gallons unless otherwise specified.

(Sanctioned under G. R. G. D. No. S-91 (64), dated 21st June 1937.)

Provided the minimum monthly charge in such cases shall be as follows:—

(194)

Rs. 1-12-0 p. m. for $\frac{1}{2}$ " connection.

Rs. 4 p. m. for $\frac{3}{4}$ " connection.

Rs. 7-8-0 p. m. for 1" connection.

[*Sanctioned under G. R. G. D. No. S-91 (64), dated 28th March 1940.*]

4. Only such temples, mosques, churches, chapels, synagogues and other places of religious worship as have no portion of their building or land let out on rent, should be exempted from the levy of the special water tax, and the discretion to grant this exemption should lie with the Managing [Standing] Committee.

(*Rule 5 -A (Nov 4) sanctioned under G. R. G. D. No. 1944 dated 10th February 1922.*)

[**Bye-Laws Under Section 48 (k) [61 (p) of C. M. Act.]**

REGULATING WATER SUPPLY.

(*Sanctioned by Government under G. O. No. 5618 dated 13th August 1917 G. D.*)

1. *Definitions*:—In these Bye-laws.

(1) "*Private connection.*"—"Private Connection" means the pipes with stop-cocks and other apparatus connected therewith, by which water is supplied from Municipal water pipes to private premises

(2) "*To stop Private Connection.*"—"To stop a Private Connection" means to prevent water from entering into a Private connection, by turning a stop-cock or otherwise without disconnection.

(3) "*To cut off Private Connection.*"—"To cut off a Private Connection" means to disconnect the private connection from the Municipal pipes.

(4) "*Waste*"—"Waste" includes any use made of water for purposes other than those, for which the supply is granted, except the extinguishing of fire.

2. *Who may obtain private connection*:—Private connections may be sanctioned by the Chief Officer on the application of the

owner of the property, or his authorised agent or the occupier, or in the case of public buildings by the trustees or managers thereof, or their agents, provided proper arrangements are made for draining off the water of the pipe to the satisfaction of the Chief Officer. No water connection shall be given to or continued in the name of a tenant, unless there is a standing deposit amounting to half the water rate for the year in his name which will be returned after deducting all outstanding dues when the connection is discontinued.

Provided that in case of metered connection given to the tenant the amount of such deposit shall be double the ordinary deposit if there had been no meter.

[*Byelaw 2 sanctioned under G. R. G. D. No. S. 91 (64) dated 23rd January 1941.*]

3. (1) *Water not to be used for purposes other than those for which it is granted:—*No person shall use water from a private connection for purposes other than those for which it is granted except with the permission of the Chief Officer, which permission shall not be given unless water is taken through a meter and paid for by measure [or at double the ordinary rate for water taps when no meter is used. No meter will be used without the consent of the owner concerned, except in the case of water required for mills, factories, brick-kilns or agriculture. (Vide G. R. G. D. No. 4221 dated 11-2-1925)] (Portion of Rule 3 (1) in brackets annulled by G. R. G. D. No. S. 91 (64) dated 10-1-1930.)

(2) *Water supplied by Private connection to be generally understood as supplied for domestic consumption:—*The water supplied by private connections shall be understood to be generally for domestic consumption unless otherwise expressly stated in the permission, but it may be used for small ornamental flower gardens without prejudice to this Bye-law.

(3) Water used for non-domestic purposes shall be supplied by meter only.

Water may be supplied by meter for domestic use at the request of a house-owner, provided he is willing to pay the due meter rate with the minimum charge prescribed by the proviso to Rule 3.

(4) Small houses assessed to an annual house-tax of Rs. 10 or less shall be given only $\frac{1}{2}$ " connection.

[(3) 3 and 4 Sanctioned under G. R. G. D. No. S. 91 (6A), dated 28th March 1949.]

4. *Conditions, on which private connections may be sanctioned*—Private connections may be sanctioned by the Chief Officer only on the following general conditions with such special conditions added as may be prescribed by the Managing Committee in each particular case:—

(a) *Pipes &c. shall be of a quality approved by the Managing Committee*:—That the private service pipes connected with the Municipal main and all other works and apparatus within the premises of the applicant connected therewith, shall be of such character, dimensions and material, as may be approved by the Managing Committee, and shall be laid and fixed at the expense of the applicants by a plumber holding a license from the Municipality.

(b) *Water-rate to be paid by applicant*.—That the applicant shall continue to pay the private connection water rate on due date until he has given a written notice to the Municipality to cut off the connection provided that any such notice given during the course of a month shall take effect from the commencement of the next month.

(c) *Expenses of a private connection to be paid by applicant*—That the applicant deposits with the Municipality such sum as may be estimated by it as being required for a private connection, out of which all charges incurred by the Municipality shall be met, and the excess, if any, shall be refunded to the applicant.

5. *Hours of water supply to be prescribed*—The Chief Officer may from time to time by public notice prescribe the hours between which the private connections shall be stopped; provided that, except in case of urgent public exigencies, such stoppage shall not exceed 12 hours in the day.

6. *When private connection may be stopped or cut off*—The Chief Officer may at any time stop or cut off a private connection in any of the following events, without any prejudice to the right of the Municipality to recover the arrears or the cost of cutting off and restoring the connection.

(1) *In case of default of paying water rate:*—In case of default of payment of water charges in respect of the private connection within 30 days of presentation of the bill, till all the arrears are paid.

(2) *In case of breakage of, or damage to, pipe:*—In case of breakage of, or damage to pipes, or of defects in the private connection, till the breakage, damage, or defect is made good to the satisfaction of the Chief Officer, or till the costs required to remove the defects are paid to the Municipality, and the defects removed.

(3) *If water allowed to run to waste:*—In case of waste of water, till measures are taken to the satisfaction of the Chief Officer to prevent the recurrence of such wastage.

(4) *In the case of extension of connection without permission:*—In case of the connection being, without the permission of the Chief Officer, extended beyond what is shown in the sanctioned plan until such extension is cut off.

(5) *If Bye-law 11 is broken:*—In case of breach of Bye-law 11 until free access is permitted.

(6) *In case of default of proper disposal of waste water:*—In case of failure to provide for proper disposal of waste water by joining the house drains to a municipal sewer or a covered cesspool until proper disposal is provided.

[Clause 6 sanctioned under G. R., G. D. No. S. 91 (64) dated 27-9-34.]

Chief Officer to give immediate notice of his action to houseowner:—Provided that the Chief Officer shall immediately on taking such action give the owner of the private connection written information thereof.

7. *Temporary stoppage of water in the public interests:*—The Chief Officer may, after due notice, at any time temporarily stop all or any of the private connections, when it may appear to him necessary to do so in the interests of the public.

8. *No compensation claimable for stopping or cutting off of private connections:*—No refund or remission of water rate, and no compensation of any kind shall be claimable in respect of the stoppage, or cutting off of any private connection under these Bye-

laws, nor shall any such stoppage or cutting off relieve any person of any penalties or liabilities he may have incurred prior thereto.

9. *Removal of private pipes from road.*—When a connection is cut off for any reason whatever, any pipe or fitting that may have been laid underneath any Municipal road or land, may be removed by the Municipality, and the cost of doing the same and of plugging the main may be recovered from the person liable to pay the private connection water rate.

10. *Reopening of a closed connection prohibited.*—When any private connection has been stopped or cut off by the Municipality, no person shall reopen or restore such connection, except with the permission of the Chief Officer.

11. *Access to private connection to be permitted.*—Every owner or occupier of any premises through which a private connection passes, shall at all times give each member of the Managing Committee, the Chief Officer, the Municipal Engineer, or any person bearing a written authority in this behalf from such officers, free access to such premises, so far as necessary for the purpose of inspection of the private connection, and every reasonable facility, he may demand for such purpose.

Provided that at least 3 hours' notice be given of intention to enter any occupied house, and that due regard be paid to the social and religious prejudices of the occupier.

12. *Work in connection with Municipal water pipes requires Chief Officer's sanction.*—No person shall attach or cause to be attached any pipe or pipes to any of the Municipal water pipes, or to any apparatus connected therewith whether the property of the Municipality or not, or extend, alter, or disconnect, any private connection already existing without the permission of the Chief Officer, or of an officer authorised by him in that behalf.

13. *Private connection to be made by licensed plumbers only.*—No private connection shall be made, altered, or extended, by any other person than a plumber holding a license from the Municipality under the Bye-laws made from time to time in that behalf.

14. *Tapping and plugging Municipal Mains prohibited.*—No person, not specially appointed by the Municipality for the purpose, shall tap or plug the Municipal water mains.

15. *Interference with Municipal water works prohibited.*—No person shall interfere, or tamper with any pipes, fittings, or other apparatus connected with the Municipal water works.

16. *Wastage and sale of water prohibited.*—No occupier of any building or property having a private connection shall waste or sell the water thereof, or allow any one else than an occupier of such building or property to make any use of such water.

17. *Pipes, fittings etc. to be always kept in repairs.*—No occupier of any building or property having a private supply of water shall knowingly allow the pipes, works or fittings connected therewith to get out of repair to such an extent as to cause waste of water.

18. *Accident to the pipe to be reported immediately.*—It shall be the duty of every owner and occupier of a building or property paying water rate to report immediately to the Chief Officer of the Municipality any accident to the pipe.

19. *Bathing and washing at certain public watering places prohibited.*—No person shall bathe or wash or cleanse or cause to be washed or cleaned his body or that of another, or any vehicle, carriage, cart or animal or anything whatsoever in or upon or by the side of any public stand-pipe, cistern, standpost, trough or Blistis' service: provided always that the rinsing of vessels intended for carrying water shall not be forbidden, and that nothing shall be deemed an offence against this Bye-law which is done at a watering place in pursuance of the official permission of the Managing Committee notified by public notice posted there.

20. *Removal of water for other than prescribed purposes prohibited.*—When the Municipality have, by order conspicuously posted by the side of any public stand-pipe, cistern or trough, declared the water supplied there reserved for any particular purposes, no person shall take water from the said stand-pipe, cistern, or trough, for any purposes other than those for which the water is for the time being so reserved.

21. *Obstruction prohibited.*—No person shall obstruct any other person taking water from any public stand-pipe, cistern, or trough.

22. *Watering of animals prohibited.*—No person shall water any animal at any public stand-pipe, or cistern, except at places prescribed by the Municipality for that purpose by a notice posted thereat.

23. *Wastage of water prohibited.*—No person shall cause any waste of water supplied by the Municipality at any public stand-pipe or cistern.

24. *Spitting prohibited.*—No person shall spit into or within 10 feet of, any public stand-pipe, cistern, or trough.

25. *Penalty for breaking Bye-laws.*—Any person committing a breach of any of the Bye-laws 3, 9 to 24, shall be liable on conviction to a fine which may extend to Rs. 50.

RULES REGARDING SPECIAL SANITARY CESS, CESS-POOLS ETC.

(G. O. G. D. No. 1516 dated 7-2-1920).

1. A Special Sanitary Cess called the Halalkhore Cess (now called Privy Cess) shall be levied by the Municipality with respect to each house or building having one or more privies, water closets or cess-pools attached to it and bearing a separate Municipal number affixed to it.

2. The cess shall be assessed at rates specified below and shall be payable in advance in two half-yearly instalments, the first instalment falling due on 1st of April and the second on 1st of October each year.

3. The cess shall be demanded, collected or recovered from the owner or from any of the joint owners of each building. If no owner can be found or if the Municipality deem it convenient, the cess shall be recovered from any tenant or tenants or occupiers of such house or building, who may deduct such payment from the rent.

4. When a privy or a water closet or cess-pool has ceased to be used, a notice to that effect must be given in writing to the Municipality.

5. No refund or remission of the cess shall be made unless a privy or cess-pool has ceased to be used for a period of not less than sixty consecutive days in any official year and unless the fact has been notified in writing to the Chief Officer, in which case, the Municipality may refund or remit one half of the amount of the cess leviable for the period: Provided that refund or remission of two-thirds of the cess shall be granted if a privy is unused for the whole half year for which instalment is payable if notice of the vacancy has been duly received in writing by the Chief Officer.

(Sanctioned under G. R. G. D. No. S-91 (64) dated 29th August 1940).

6. No refund or remission shall take effect for the period previous to the date of the delivery of the notice mentioned in the foregoing rule. [This is now provided in sec. 86 (1)]

7. On the first of April and the first of October each year or as soon as possible after that date in each year, the Chief Officer shall issue a notice of demand to the party from whom the cess is to be recovered, mentioning in such notice the date before or on which, the place at which and the hours during which the cess should be paid. The date of payment shall be fixed not more than 30 days or less than 15 days from the date of the notice, provided that due allowance shall be made by the Municipality for the interval between the date of such notice and the receipt thereof in due course by the person liable. [Sec. 104 (3) of C. M. Act allows only 15 days for payment after the bill is presented.]

8. A person transferring to another the ownership of a house or building or in any other manner ceasing to be the owner thereof shall nevertheless continue to be liable to pay the cess unless and until the transfer or cessation of owner-ship has been notified to the Municipality.

9. In the case of two or more houses having a joint privy or privies within the limits of one of such houses or in the case of a joint privy or privies situated on land partly within the limits of one house and partly within the limits of another, or in the case of such privy or privies situated on land outside the limits of both or all the houses concerned, the special sanitary cess shall be assessed as if the joint privy or privies belong to one house and the amount

shall be divided equally into as many shares as there are houses and the amount of each share shall be recovered from each of the owners of such houses.

Provided that nothing in this rule shall prevent any one of the owners of houses having a joint privy or privies from paying the full amount of the special sanitary cess though the joint privy or privies may not be situated within the limits of such owner's house.

[Rule 9 sanctioned under G. R. G. D. No S-91 (64) dated 13-5-1930.]

10. House owners who get their privies cleaned by their own sweepers shall be exempt from the payment of the special sanitary cess, but shall be liable to pay the non-privy (i. e. general sanitary) cess

[Rule 10 sanctioned under G. R., G. D. No. S-91 (64) dated 2-7-1934.]

Rates of the Special Sanitary Cess.

For the 1st seat in a privy	...	Rs. 8 per annum.
For each additional seat or privy	...	„ 6 „
For each seat in a water closet	...	„ 0 „
For each cess-pool up to 50 c. ft. capacity	...	„ 3 „
For every 25 c. ft. or part thereof over and above 50 c. ft.	...	Re.1 „

(Tax on first and additional seats was raised from Rs. 6 and 4 to Rs. 8 and Rs. 6 respectively by G. R. G. D. No. 884 dated 11-8-1927).

(Tax on water closets was abolished by G. R. G. D. No. 3159 dated 5-8-1925).

GENERAL SANITARY CESS RULE NO. 1

A General Sanitary or Non-Privy cess shall be levied by the Municipality with respect to such house or building bearing a separate municipal number but having no privy or privies or water closets. No refund or remission of the non-privy cess shall be made unless a house has remained unoccupied for a period of not less than 60 consecutive days and unless the fact has been previously notified in writing to the Chief Officer, in which case the Standing Committee may refund or remit the whole or a portion of the cess due for the period of vacancy as they may deem equitable, provided that Non-privy cess shall not be levied by the Municipality with respect to such houses or buildings as have a right to the use of a common privy.

(Sanctioned under G. R. G. D. No S. 91 (64) dated 11the
October, 1944 and

Brought into force with effect from 1-1-1945).

GENERAL SANITARY OR NON-PRIVY CESS.

(G. O. G. D. No. 1516 dated 7-2-1920)

1. A General Sanitary or Non-privy cess shall be levied by the Municipality with respect to each house or building bearing a separate municipal number but having no privy or privies or water closets. No refund or remission of the non-privy cess shall be made unless a house has remained unoccupied for a period of not less than 60 consecutive days and unless the fact has been previously notified in writing to the Chief Officer, in which case the Standing Committee may refund or remit the whole or a portion of the cess due for the period of vacancy as they may deem equitable.

[Sanctioned under G. R. G. D. No. S-91 (64) dated 25-4-1933].

1-A The cess shall also be levied from house owners who get their privies cleaned by their own sweepers.

[Rule No. 1-A sanctioned under G. R. G. D. No. S. 91 (64) dated 2-7-1934].

2. The cess shall be assessed at Rs. 3 per annum. It shall be payable in advance in two half-yearly instalments the first instalment falling due on 1st of April and the second on the 1st of October of each year.

3. The cess shall be demanded and collected or recovered from the owner or from any of the joint owners of each house or building, and if no owner can be found or if the Municipality deem it convenient, shall be recovered from any tenant, tenants or occupiers of each house or building who may deduct such payment from the rent.

4. A person transferring to another the ownership of a house or building or in any other manner ceasing to be the owner thereof shall nevertheless continue to be liable to pay the cess unless and until the transfer or cessation of ownership has been notified to the Municipality.

5. On the first of April and the 1st of October each year or as soon as possible after that date, the Chief Officer shall issue a

notice of demand to the party from whom the cess is to be recovered, mentioning in such notice the date before or on which, the place at which and the hours during which the cess should be paid.

6. The date of payment shall be fixed not more than 30 days or less than 15 days from the date of notice, provided that due allowance shall be made for the interval between the date of notice and the date of receipt thereof in due course by the person liable. [The period is limited to 15 days by sec. 104 (3)].

7. No general sanitary, i. e., non-privy cess shall be levied on buildings, constructed by tenants for use as shops only in the Reay Market and other land belonging to the Municipality, Government or private persons and used solely for the said purpose and not for residential purposes.

[Sanctioned under G. R. G. D. No. S-91 (64) dated 5th April 1937.]

8. No General Sanitary, i.e., Non-Privy Cess shall be levied on premises used as gymnasia referred to in House Tax Rule No.9.

[Sanctioned under G. R. G. D. No. S-91 (64) Dated 3-1-1940.]

RULES FOR THE LEVY OF THE GENERAL WATER CESS

[Sanctioned by the Government of Bombay under G. O.
No. 3782 (G. D.) dated 31st May 1918]

1. The General Water Cess at the rate of Rs. 2 per annum will be levied with respect to each house or building bearing a separate Municipal number affixed to it and not provided with a separate Municipal Water Connection.

Provided that those houses should be exempt from the Cess, which would require the laying of a pipe more than a 100 yards in length if the owners of such houses desire to have water connctions.

2. The tax will be collected in advance in two half-yearly instalments.

3. If a house owner paying the General Water Cess obtains a water pipe connection during the course of the half year, a refund of the General Water Cess in respect of the period for which the special water cess is levied will be paid to the house owner.

(Rule 3 sanctioned under G. R. G. D. No. 2164 dated 5-3-1924).

4. The House Owner is primarily responsible for the payment of this tax: where he is not to be found, the tax will be recovered from the tenant.

5. Those houses that are situated within 100 yards of a Municipal main but cannot receive pipe water on account of their high level and have no Municipal Stand-pipe or cistern within 50 yards, should be exempted from this cess. [Rule 5 sanctioned under G. R. G. D. No. 2164 of 23-10-1924].

6. No refund or remission of the general water cess shall be made unless a house has remained unoccupied for a period of not less than 60 consecutive days and unless the fact has been previously notified in writing to the Chief Officer, in which case the Standing Committee may refund or remit the whole or a portion of the cess due for the period of vacancy, as they may deem equitable.

[Rule 6 sanctioned under G. R. G. D. No. S. 91 (64) dated 24-6-1931]

7. Temples, mosques, churches or other places of religious worship which possess water connection but have been exempted from the payment of the special water rate under bye-law 5-A of the bye-laws regulating water supply shall also be exempt from the general water cess.

8. Owners of houses in which water connection from a water supply system other than that of the Poona City Municipality have been taken shall be required to pay the General Water Cess at the current rate.

[Rules 7 and 8 sanctioned under G. R. G. D. No. S. 91 (64) dated 2nd July 1934].

9. No general water cess shall be levied on buildings constructed by tenants for use as shops only in the Reay Market and

other land belonging to the Municipality, Government or private persons and used solely for the said purpose and not for residential purposes.

[Sanctioned under G. R. G. D. No. S. 91 (64) dated 5th April 1937.]

10. No General Water Cess shall be levied on premises used as gymnasia referred to in the House Tax Rule No. 9.

[Sanctioned under G. R. G. D. No. S-91 (64) Dated 3-1-1940.]

Rules and Bye-laws for regulating and taxing the conduct of hotels, restaurants, tea and coffee houses etc.

[Under Section 48 (u) and Section 59 (xi)]

[Sec. 61 (b b) and sec. 73 (xiv) of C. M. Act].

(Sanctioned by G. O. G. D. No. 7527 dated 15-7-1920).

Hotel:—means and includes any place or eating house where strangers, travellers, or other persons are provided with meals and drink for a price.

Restaurant:—means and includes any place or shop, where tea, coffee, cocoa, aerated waters and other non-intoxicating drinks and various articles of prepared food are provided or sold at a price.

Manager:—means the owner or the person under whose authority or for whose profit a hotel, restaurant, or a tea-shop is started, kept or conducted within the Municipal limits and includes a person in charge of such hotel, eating house, restaurant or tea-shop.

In these Bye-laws the word hotel shall be understood to mean also an eating house, restaurant or teashop; and what is laid down in the case of a hotel or an eating house shall be understood to be applicable to a restaurant or a tea-shop also.

Rules for taxing Boarding-houses etc., under Section 59 (xi)
 [*Sec. 73 (xiv)*]

1. The Municipality shall levy a tax in respect of all hotels, eating-houses, restaurants, tea or coffee-houses and other places where food, meals, refreshments, tea, coffee or other non-intoxicating drinks are provided on payment of money.

2. The tax shall be assessed at rates given in rule 4 on the annual rental actually paid or payable for the place used as a Hotel.

3. In case the Manager pays no rent, the assessment shall be at 6 per cent. of the annual rental which, in the opinion of the Municipality such place shall fetch, if let or leased for such purpose.

(a) Provided that if the Manager satisfies the Municipality that the hotel is opened for a period not exceeding three months or for a special occasion, the Managing Committee shall have power to exempt the Manager, either wholly or partially, from the payment of the tax.

(b) Provided also that no refund shall be made from the amount already paid on account of such tax except when the Managing Committee shall have exempted the Manager wholly or partially for reasons to be recorded in writing.

(c) Provided further that the minimum of the assessment shall be Rs. 3 per annum.

4. The assessment shall be made according to the following scale :—

For an annual rental, actual or estimated, of						
Rs. 50 or less	...	...	...	...	...	Rs. 3
Exceeding Rs. 50 but not exceeding Rs.	60					Rs. 3-8
" " 60		"	"	70		" 4
" " 70		"	"	80		" 5
" " 80		"	"	90		" 5-8
" " 90		"	"	100		" 6

For every additional Rs. 20 or a part thereof, Re. 1.

[Rule no. 4 amended by G. R. G. D. No S. 91 (64) dated 16-4-1931.]

5. The tax shall be payable by the owner, manager, agent, the purchaser of good will or any other person on the spot and in charge for the time being of such hotel.

6. The tax shall be payable in advance and shall be collected in two half yearly instalments, the first of which shall become due on the 1st of April and the second on 1st of October each year.

(a) Provided that in the case of hotels, restaurants, tea and coffee houses, etc., which are opened after the commencement of the Municipal half-year, i. e., after 1st of April or 1st of October as the case may be, the tax shall be levied from the first day of the month in which it is opened to the end of that half-year.

(b) Provided also that if the day of the opening of hotels, restaurants, tea and coffee houses, etc., be any date after the 15th of the current month, the tax shall be levied from the 1st day of the next month.

[Sanctioned under G. R. G. D. No. S-91 (64) dated 7th December 1936].

7. The purchaser of a good will or the heir or the Manager shall be liable to pay all the arrears of the tax due for the period prior to the date of purchase or succession.

8. The demand for the tax shall be made by a printed notice prescribing the time within which payment shall be made and failing which steps shall be taken to recover the tax as nearly as may be in the same manner as that followed in recovering the Octroi dues.

9. If the Manager claims a total or partial exemption, he shall, within the time prescribed in the notice, communicate in writing his reasons for such exemption to the Managing Committee.

10. The decision of the Managing Committee shall be final so far as the petitioner is concerned.

Bye-laws under Section 48 (u) and section 142 (1)

[Sec. 61 (b b) and sec. 176 (1) of C. M. Act.]

1. No person shall, in connection with a hotel, use as a kitchen dining room, refreshment room or bel room, a place surcharged with offensive smell arising from a privy, urinal, sewer, cesspool or any other insanitary source, and he shall situate the kitchen at such a distance from the room where customers are served or lodged, that such room shall be entirely free from smoke or any unpleasant and oppressive smells.

2. Every Manager shall furnish every entertainment room with a well drained sink, or washing place and water pipe with a stop cock.

3. Every Manager shall keep the premises very clean and shall thoroughly wash or cause to be so washed every dish, plate, cup, saucer, spoon, glass-ware and all other vessels each time before they are offered for use to customers. He shall also keep the tables and the table-cloth, bedding and other furniture perfectly clean and in good condition and shall sweep every room used by customers at least thrice a day.

4. He shall allow none of his servants but as are dressed in decent and clean clothes to attend on the visitors.

5. He shall not without the written permission of the Managing Committee, keep his hotel open for business between 2 A. M. and 5 A. M.

6. He shall, at all hours, while the Hotel is open, allow the President, the Vice-President, the Municipal Councillor, the Chief Officer, the Health Officer or any other Municipal servant that may be accompanying such Councillor or Officer to enter his premises and afford such Councillor or Officer every facility for inspecting the place, also all the vessels, articles of food or drink and furniture and shall comply with directions that the President, the Vice-President, or Officer may give in writing for securing cleanliness, light and air.

7. Every manager shall provide, stock or offer for sale only such articles of food and drink as are fresh, good, wholesome and

fit for human consumption. He shall also keep in clean and well covered vessels drinking water, fresh and pure, for the use of the customers.

8. He shall, as the President of the Municipality directs, provide one or more metal receptacles fitted with good lids. He shall always keep the same in good condition and shall use them for collecting the sweepings and waste food and he shall empty such receptacles into the Municipal dust-bins at least thrice a day and shall see that no bad odour is given out from such receptacles.

9. He shall lime-wash all the rooms of the Hotel at least twice a year in April and October, and shall keep or cause to be kept milk and other edibles under wire-covers or in perforated zinc safes.

10. Municipal Councillors and Officers visiting boarding houses for inspection shall carry on the inspection or inquiry without hurting the religious feelings of the customers present at the time.

11. The Chief Officer, the Health Officer, a Municipal Councillor or any other Municipal Officer who holds a written authority from the President or the Vice-President to inspect a boarding house shall remove or cause to be removed from such boarding house any article of food or drink which is unsound, unwholesome or unfit for human consumption, and, if necessary, prosecute the Manager for breaking the Bye-laws.

12. The Manager shall not allow any person to touch the unsold articles of food and drink with unwashed and unclean hands, nor shall he entertain a servant, visitor or customer, who is dirty or suffering from a loathsome or contagious disease. He shall not permit or suffer any body to spit or expectorate in the kitchen or the refreshment room.

13. No person shall, with unwashed or unclean hands, touch any articles of food or drink placed for sale at a Boarding house or a tea or coffee house; nor shall any person spit anywhere except at a place set apart for such purpose, and no person suffering from a loathsome or contagious disease shall enter the restaurant or the boarding house on any account.

Any person breaking the above Bye-law shall be turned out of the Boarding house and shall be punished with a fine to the extent of Rs. 10.

14. Every Manager of a Hotel or any of his servants who breaks any of these Bye-laws except Bye-laws 10, 11, 13, shall be liable to have the unwholesome articles of food and drink seized and destroyed under Bye-law No. 11 and besides shall be punished with a fine which may extend to Rs. 50

**Rules for the levy of taxes on Theatres, Circuses, cinemas etc.
under section 59 (xi).**

[Sec. 73 (xiv) of the C. M. Act].

(Sanctioned by G. O. G. D. No. 7527, dated 15th July 1920).

Definitions.

Drama:—A 'Drama' is any stage representation by persons of incidents, imaginary or real, and includes a mimic drama in which dummies are used as dramatic personages.

Provided that in rules 1, 2, 4 and 6 the word 'drama' shall be deemed to cover every form of public entertainment or amusement to which the public are admitted either free of charge or by tickets, paid for or complimentary.

Cinema:—Cinema means a representation on a screen of a real or imaginary incident by means of photographic film.

Circus:—Circus means any amusement in which horsemanship or acrobatic and other feats of bodily exercises are exhibited.

Tamasha:—Tamasha is an ancient form of popular entertainment which depicts the customs and manners of the society through the medium of a farce, mimicry, conversation or music.

Other theatricals and shows:—Include all forms of public entertainment other than dramas, musical concerts, tamashas, circus shows and cinema shows.

A Proprietor or manager of a drama, cinema or circus means and includes any person who appropriates as owner or a partner the whole or part of the earnings of such dramatic or cinematographic performance or the person who sells the passes or tickets or signs the hand-bill of such drama or cinema.

Explanation:—A single performance includes every performance given in the course of a single day or night and to witness which, no fresh charge is made.

[Sanctioned under G. R., G. D., No. S-91 (64), dated 3rd June 1941.]

Rules.

1. A Tax called the theatre-tax shall be levied by the Municipality on each performance of a drama, cinema or circus according to the scale of rates specified in rule 8.

2. The tax shall be collected on each occasion before a performance begins from the Proprietor, Secretary, or Manager of such drama or circus.

3. The tax shall be collected by a Municipal servant who holds a written authority from the President, the Chairman of the Managing Committee or the Chief Officer in this behalf.

4. No performance of a drama etc., shall be permitted to commence unless and until the tax is fully paid.

5. A receipt on a printed form shall be given as a voucher that the tax has been fully paid, without which no payment of the tax shall be recognised.

6. In the case of delay, refusal or failure to pay the tax fully, the Municipal servant charged with the duty of collecting the tax shall stop or call in such police aid as is necessary to stop the performance of such a drama without prejudice to such other penalties to which the offender may be liable under these Bye-laws.

7. The Standing Committee may grant exemption from the payment of the tax or may sanction its refund if already recovered, in cases in which the performances have been exempted by Government from the payment of the tax under the Bombay Entertainments Duty Act, 1923."

(Sanctioned under G. R. G. D. No. S. 91 (64), dated 18th January 1938).

For the existing rule No. 8 the following revised rule shall be substituted:—

*Rule 8:—*The tax shall be assessed as follows:—

	Rs.
Drama or Musical concert, for each performance	2
Circus, for each performance	3
Tamasha, for each performance	2
Cinema, for each show	1
Other theatricals and shows, for each performance ...	1

[Sanctioned under G. R., G. D., No. S-91 (64), dated 3rd June 1941.]

(213)

Bye-laws

1. Every Proprietor or Manager of a dramatic company, cinema or circus, shall, before he begins a performance, pay to the Assistant Chief Officer or the Municipal servant authorised in this behalf, the theatre tax and obtain from him a receipt on a printed form for such payment.

2. Every Manager or Proprietor shall produce such receipt for inspection when demanded by a Municipal Officer or by a Municipal servant authorised to collect the tax.

3. On failure to produce such receipt for inspection the Manager shall satisfy such Officer or servant that the tax has been really paid and in the event of his failure to prove the payment of the tax to the satisfaction of such Municipal servant, the Manager shall be called upon to make a fresh payment which the Manager shall pay forthwith.

4. Every person who breaks any of these Bye-laws or evades payment of the tax shall be liable to have the performance of his drama, cinema, etc., stopped and prohibited, and shall also be punished with fine which may extend to Rs. 25 for each such offence.

WHEEL TAX.

(Sanctioned by Government Order No. 2126 dated
22nd March 1918, G. D.).

1. A Wheel Tax according to the scale defined in schedule (A) shall be levied on all conveyances plying within Municipal limits.

2. Carriages and carts in transit or staying in Poona not longer than a fortnight shall be exempt.

3. Carriages and carts belonging to Government or to the Municipality shall be exempt.

4. The tax shall be collected half yearly in advance. In calculating refunds or payments in arrears, periods shorter than a fortnight shall be omitted, and periods over a fortnight shall be counted as a full month.

5. All public conveyances and pack carts shall bear a Municipal number.

6. Persons disposing of or ceasing to use their conveyances, shall give notice in writing to the Municipality, and remissions or refunds of the tax shall be granted from date of such notice only. Failure to give the required notice shall render the owner liable to full tax and shall bar his claim to any refund.

7. An annual fee as defined in schedule A shall be levied on every motor or motor cycle kept within Municipal limits; provided that no license will be necessary in respect of motors or motor cycles belonging to *bonafide* travellers passing through Municipal limits or of casual residents staying within Municipal limits for not more than 30 days. If the Chief Officer grants the license applied for, he shall issue along with the license a brass badge with a number and shall charge annas two for it. [Licenses are at present granted by the Police Department].

8. Should any conveyance, private or public, which is liable to pay wheel tax, ply within Municipal limits without paying the tax due upon it, the Municipal Officer shall have power, after the expiration of a week from date of demand by bill or written notice, to detain such conveyance pending payment or application to a Magistrate for process of recovery under section 84 of the District Municipal Act of 1873. [Wheel Tax on public conveyances is at present collected by the Police Dept. The tax on private conveyances is collected by the municipality by bills and by warrants, if necessary.] [Recourse to Magistrate's court is not allowed by the present Act.]

SCHEDULE A.

Revised scale of wheel tax.

(1) For a Cart drawn by hand	Rs. 3 per annum.
(2) For a one bullock cart	Rs. 4½ „
(3) For a two bullock cart	Rs. 6 „
(4) For a bundy (a large bullock-cart)	Rs. 6 „
(5) For a two wheel horse carriage	Rs. 12 „
(6) For a four wheel horse carriage	Rs. 20 „

(7) For a Motor cycle	Rs. 15 per annum.
(8) For a motor cycle with side car	Rs. 15 ,,
(9) For a Trailor	Rs. 24 ,,
(10) For a five seated motor car	Rs. 30 ,,
(11) For a five seated taxi	Rs. 36 ,,
(12) For a lorry under two tons	Rs. 45 ,,
(13) For a Two Ton Lorry	Rs. 50 ,,
(14) For a Three Ton Lorry	Rs. 60 ,,
(15) For a Four Ton Lorry	Rs. 70 ,,
(16) For a Lorry above four Tons	Rs. 80 ,,

[Nos. 1 to 6 sanctioned under G. O. G. D. No. 1516 dated 7-2-1920 and Nos. 7 to 11 and 13 to 16 sanctioned under G. R. G. D. No. 6053 dated 19-2-1925. Tax on hand carts was raised from Rs. 2 to Rs. 3 by G. R. G. D. no. 6053 dated 3rd December 1927. No. 12 sanctioned under G. R. G. D. No. S-91 (64) dated 4-12-1934]

TAX ON MUSIC.

(Sanctioned under G. O. G. D. No. 7527 of 15-7-1920).

(Section 59, clause XI), [Sec. 73 (xiv) of the C. M. Act.].

1. A tax shall be levied on bands of music of any kind such as Tasha, Wajuntri, Choughada, Dhol, English Band and the like, played in streets, lanes and thoroughfares, within the Municipal limits; provided that the Managing Committee shall have power to exempt from the payment of such tax and to grant refunds on or remissions of the whole or a portion of such tax to any person who shall play or cause such music to be played for purposes of a religious or of quasi-religious ceremony of a public character. (The Standing Committee has delegated to the Chief Officer its power to grant free music passes for religious and quasi-religious purposes under its resolution No. 887 dated 24-10-28 and 2151 dated 26th October 1939 respectively).

2. The tax shall be levied, recovered or collected from the person who engages or causes such band of music to be played or from person who applies for a permit to play such music.

3. The tax shall be collected in advance before a permit to play such music is issued and shall be assessed and paid according to the rates specified herein below.

4. On an oral or written application by any person wishing such music to be played in streets etc., and on his paying the tax assessed for the kind of music and for the period during which he wishes such music to be played, the Assistant Chief Officer or any other Municipal servant authorised by him in this behalf shall issue a printed permit to such person subject to such restrictions and conditions as the Managing Committee may have imposed.

5. Such restrictions and conditions shall be attached to or printed on the back of such permit.

6. A permit granted under these rules shall be valid for such kind of music or during such period for which it is issued and so long as any of the restrictions and conditions imposed have not been broken, either by the person playing such music, or by the person to whom such permit is issued.

7. On breach of any of the restrictions or conditions, the permit shall, at the discretion of the Assistant Chief Officer, be cancelled.

Bye-laws.

1. No person shall play or cause to be played music of any kind, such as a Tasha, Wajantry, Dhol, Choughada, an English Band or any other band of music in any municipal street, lane or thoroughfare without having first paid the tax assessed on such music and obtaining a permit to play the same.

2. Every person, who shall play, or cause to be played a band of music in a public street, lane or thoroughfare within municipal limits, shall apply to the Assistant Chief Officer or the municipal servant appointed by him in this behalf, for a permit authorising such person to play or cause to be played such music.

3. Every person shall state the kind of music and the period during which he wishes such music to be played and shall pay to such municipal servant the tax assessed in accordance with the rates specified below.

4. Every person, to whom a permit for playing music in streets has been issued, and every person who actually plays such

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154 pamph.

**Add the following item No. 6 to the existing schedule
of rates of Music Tax.**

6. Any kind of music not mentioned above. ... As. 2 per day.

(Sanctioned G. R., G. D., No. S 21 (64), dated 16-8-48.)

music shall be bound to comply with the restrictions and conditions attached to or printed on the back of such permit.

5. Every such person shall produce the permit for inspection on a demand being made by any Municipal servant.

6. A breach of any of these Bye-laws or of any of the conditions printed on the permit shall be punished with the cancellation of the permit and a fine which may extend to Rs. 20.

Schedule of rates of music tax as sanctioned by Government in G. R. G. D. No. 4184 dated 11-6-1926.

1. A band of Tasha—
(Consisting of Tasha, Dhol and Timki jointly or singly). As. 2 per day
2. A band of wajantry—
(Consisting of Sambal, Sur and Sanai, jointly or singly). As. 2 per day
3. A band of Choughada— „ 8 „ „
4. An English Band— Rs. 1 „ „

5. Bag-pipes (for every set of three) As. 8/- per day. Provided that bag-pipes included in an English Band, taxed under item No. 4 above, and bag-pipes used in Melas shall be exempt from tax.

[Item No 5 sanctioned by G. R. G. D. No. S. 91 (64), dated 11th May 1936].

TAXES &c. TO BE LEVIED.

16. RULES (a) framed by the Poona City Municipality under clause (i) of section 46 of the Bombay District Municipal Act of 1901 [Sec. 58 of the B. M. B. Act. 1925] for prescribing the fees for notices demanding payments due on account of Municipal taxes and for the execution of warrants of distress and the rates to be charged for maintaining live stock districts and (b) sanctioned by Government in their Resolution No. 5742 (General Department) dated 7th October 1901.

(1) Fees shall be charged at rates given herein below:—

NOTICE FEES.

Amount to be recovered.	Rate.
(a) For every notice of demand issued under clause (3) section 104 of the City Municipalities Act 1925, when the amount demanded by the notice does not exceed Rs. 10. ...	0-4-0
(b) When the amount demanded by the notice exceeds Rs. 10 but does not exceed Rs. 100. ...	0-8-0
(c) When the amount exceeds Rs. 100. ...	1-0-0

[Revised notice fee rule given above was sanctioned by Government under G. R. G. D. No. S-91 (64) dated the 5th February 1930]

“ The notice fee shall become leviable on actual service of the notice in any of the ways mentioned in section 192 of the Bombay Municipal Boroughs Act, 1925. ”

(Above clause sanctioned under G. R. G. D. No. S-91 (64) of 6-11-1937.)

WARRANT FEES.

(d) For every warrant of distress issued under clause (1) of section 83 of the Act, [section 105 of the Boroughs Act.] when the amount to be levied under the warrant does not exceed Rs. 10. 10 per cent of the amount to be recovered.

(e) When the amount to be levied under the warrant exceeds Rs. 10 12 per cent of the amount to be recovered.

(Revised warrant fees sanctioned by G. R. G. D. No. 4221 dated 18-9-1923).

200-10-48

502 pemp.

New Rule prescribing Fees for the Issue of Warrant.

(pages 213 and 220 of the English copy of rules and bye-laws).

Below rule 1 of Claims Recovery Rules *add* the following :—

“ ISSUE OF WARRANTS :—A fee equal to that for the issue of a notice shall be levied for the issue of a warrant of distress which fee shall be in addition to the fees for the execution of warrants.”

Sanctioned under Government Resolution, Health and Local Government Department, No. S. 91 (64), dated 4th August 1948.

(2) The following rates shall be charged for maintaining live-stock distrained under clause (4) of section 83 of the Act (sec. 105 of the C. M. Act.)

	Rates of fine. Rs. As. P.	Rates of feed- ing charges per diem. Rs. As. Ps.
For every camel	1—0—0	0—3—9
„ buffalo	1—0—0	0—3—9
„ bullock and cow	0—8—0	0—3—9
„ horse	0—8—0	0—3—9
„ mare	0—8—0	0—3—9
„ colt	0—8—0	0—3—9
„ calf, not more than two years old	} 0—4—0	0—1—9
„ buffalo not more than two years old	} 0—4—0	0—1—9
„ sheep and goat	0—2—0	0—1—9
„ pig	0—4—0	0—1—9
„ ass	0—4—0	0—1—9
„ young ass	0—2—0	0—1—9
„ donkey	0—8—0	0—3—9

(The above rates are in force in July 1935).

(Above rule No. 16, from Miscellaneous Rules on pages 94 to 107 from Edition of 1935 is detached and appended herewith).

(Rule No. 17, from Miscellaneous Rules on pages 94 to 107 is detached and being superseded by Sec. 104 of C. M. Act; hence deleted.)

The rules framed under section 58 (j) of the Bombay Municipal Boroughs Act, 1925, for (1) the recovery of Municipal claims, (2) the distraint and sale of moveable property and (3) the attachment and sale of immoveable property are approved by Government and sanctioned under G. R. G. D. No. S-91 (64) dated 14th June 1939.

DEFINITIONS.

In these rules, unless there is something repugnant in the subject or context:—

- (a) " Act " means the Bombay Municipal Boroughs Act, 1925.
- (b) " Chief Officer " means the Chief Officer of the Poona City Municipality.
- (c) " Municipal Officers " mean the Vasuli Superintendent, Warrant karkuns and other Officers of the Municipality authorized by the Chief Officer to receive payment of Municipal dues.
- (d) " Municipality " means the Poona City Municipality constituted under the Bombay Municipal Boroughs Act, 1925.
- (e) " Section " means a section of the Bombay Municipal Boroughs Act, 1925.
- (f) " Defaulter " means a person who has not paid any Municipal claim for money recoverable under Chapter VIII of the Bombay Municipal Boroughs Act, 1925.

CLAIMS RECOVERY RULES.

1. For every notice of demand issued under sub-section (3) of section 104, fees shall be charged at the rates given below:—

NOTICE FEES.

	Rs.	A.	P.
(i) When the amount demanded by the notice does not exceed Rs. 10	0	4	0
(ii) When it exceeds Rs. 10 but does not exceed Rs. 100 	0	8	0
(iii) When it exceeds Rs. 100 	1	0	0

2. Fees at the following rates shall be levied for the execution of every warrant under clause 4 of section 105.

WARRANT FEES.

- (i) When the amount to be levied under the warrant does not exceed Rs. 10 10 per cent of the amount to be recovered.
- (ii) When the amount to be levied under warrant exceeds Rs. 10 12 per cent of the amount to be recovered.

3. *Expenses of sale*:—When after execution of warrant if any property of a defaulter is sold by public auction, expenses of sale shall be recovered from the sale proceeds as under:—

Expenses for proclamations ...	(a) Rs. 2.
When proclamation is published in a newspaper.	(b) Actual cost.
Notices of attachment. ...	Same as notice fees in rule (1) above.
Notices to persons having claims over property attached or sold. ...	—do
Other incidental charges for attachment and sale.	3 per cent of the amount realised by sale.

4. *Maintenance of live stock*:—The rates to be charged for maintaining any live stock seized under sub-section (4) of section 105 shall be the same as those for feeding and watering, etc. charged under the cattle pound rules in force in the city of Poona and which are as follows:—

	Rates of fine	Rates of feeding charges per diem.
	Rs. a. p.	Rs. a. p.
For every Camel.	1-0-0	0-3-9
—do— Buffalo.	1-0-0	0-3-9
—do— Bullock & cow.	0-8-0	0-3-9
—do— Horse.	0-8-0	0-3-9

				Rs. a. p.	Rs. a. p.
—do—	Mare.	...	...	0-8-0	0-3-9
—do—	Colt.	...	...	0-8-0	0-3-9
—do—	Calf not more than 2 years old.			0-4-0	0-1-9
—do—	Buffalo not more than 2 years old.			0-4-0	0-1-9
—do—	Sheep & Goat.	...	...	0-2-0.	0-1-9
—do—	Pig	...	...	0-4-0	0-1-9
—do—	Ass.	...	...	0-4-0	0-1-9
—do—	Young ass,	...	...	0-2-0	0-1-9
—do—	Donkey	...	...	0-8-0	0-3-9

Rules regarding the Distraint and Sale of Moveable property of the Defaulter.

1. *Notice of sale to be affixed*:—A copy of the proclamation and notice of sale shall be affixed on the notice board of the Municipality and on the outer door or some conspicuous part of the place from which the property was seized and distrained at least 7 days prior to the date on which the auction sale is to be held.

2. *Sales by whom to be held*:—The sales shall be held by warrant karkuns or other Municipal Officers authorised by the Chief Officer in this behalf.

3. *Time of sale*:—No sales shall take place on a Sunday or other holiday recognized by the Municipality nor until after the expiration of seven days from the last date on which notice and proclamation for sale have been affixed as required by the foregoing rules, except as provided in section 106 of the Bombay Municipal Boroughs Act, 1925.

4. *Municipal servants prohibited from bidding*:—No officer or other servant of the Municipality shall either directly or indirectly bid for or acquire or attempt to acquire any interest in the property sold.

Form of Proclamation & Notice of Sale of Moveable property, Goods and Chattel distrained.

(See Rule 1).

WHEREAS the property of (name)
hereinunder specified has been seized and distrained on account
of Municipal dues and claim due from (name)

AND WHEREAS it is necessary to recover
the said amount by sale of the said property together with all

(223)

lawful charges and expenses resulting from the said distraint and sale.

Notice is hereby given that on the day _____ of
19 _____ at between 11 a. m. and 5 p. m. the Warrant Karkun
Vasuli Superintendent
shall sell by public auction to the highest bidder and on such conditions as are set out in the sub-joined schedule of sale, the right title and interest of the said (name) _____ in the property hereunder specified.

Details of moveable property.

Chief Officer,
Poona City Municipality.

Memo of Conditions of sale of Moveable property of (name) _____

H. No. _____ Peth

to be held on the day of _____ 19 _____

1. The sale shall be conducted by the Warrant Karkun
Vasuli Superintendent
Poona City Municipality.
2. The officer is authorised to conclude the sale or postpone it at his discretion.
3. The party who is declared to be the purchaser shall be required to pay the whole purchase money on the spot to the officer conducting the sale; in default of payment, the property shall forthwith again be put for auction and sale.
4. The property will be handed over to the declared purchaser immediately on payment of purchase money and on obtaining his receipt.

Report of the officer.

The above proclamation and notice of sale was affixed on the municipal notice board on _____ and at _____ on

Warrant Karkun.

Rules for the Attachment and Sale of Immoveable Property.

1. *Proclamation of sale* :—When any immoveable property has been attached under sub-section (4) of section 105 of the Act, the Chief Officer shall cause a proclamation of the intended sale of such property to be made in Marathi specifying the time and place of the sale together with any other particulars that may be deemed necessary. Such proclamation shall be made in the manner prescribed in sub-clause (ii) of clause (d) of sub-section (4) of section 105 of the Act and if the Chief Officer so directs, shall also be published in a local newspaper.

2. *Sales by whom to be held* :—Sales shall be held by the Vasuli Superintendent or the Chief Officer.

3. *Sale to be stayed if payment made before the time of sale* :—If at any time before the time fixed for sale the defaulter or any other person on his behalf pays into the Municipal Office or to the Officer appointed to conduct the sale, the dues of the Municipality for the recovery of which the property is proposed to be sold together with all costs incidental to the notice, warrant, attachment and detention of the property and the publication of the proclamation, the sale shall be stayed.

4. *Postponement of sale to enable defaulter to raise money by mortgage, lease etc.* :—If before the sale has been made the defaulter satisfies the Chief Officer that there is reason to believe that the amount due to the Municipality can be raised by the mortgage, lease or private sale of the property attached or some other part thereof, or of any other immoveable property of the defaulter, the Chief Officer may, on the application made by the defaulter, postpone the sale of the attached property on such terms and for such period as he thinks proper, to enable the defaulter to raise the money.

5. *Postponement for any other reason* :—The Chief Officer may also from time to time postpone the sale for any other sufficient reason which he shall record in writing.

6. *Sale to be by public auction* :—The sale shall be by public auction to be held by an officer authorised in that behalf by the Chief Officer.

7. *Municipal servants prohibited from bidding* :—No Municipal servant shall directly or indirectly bid for, acquire or attempt to acquire any interest in the property proclaimed for sale.

8. *Time for sale*:—No sale shall take place on a Sunday or any other recognised holiday, nor until after the expiration of at least 30 days from the latest date on which a copy of the proclamation shall have been affixed under rule No. 1.

9. *Co-sharer's bid preferred*:—When the property put up for sale is a share of undivided immoveable property and two or more persons of whom one is the co-sharer bids the same sum for it, the bid shall be deemed to be the bid of the co-sharer.

10. *Purchaser to deposit 25 per cent of the bid*:—At all such sales the person who is declared to be the purchaser shall be required to deposit immediately 25 per cent of the amount of the bid and in default of such deposit, the property shall forthwith be again put up for sale.

11. *When the full amount is to be paid*:—The full amount of the purchase money shall be paid by the purchaser before sunset on the seventh day from that on which the sale of immoveable property took place, or if the said seventh day be a Sunday or other recognised holiday, before the sunset of the first working day after such seventh day.

12. *Defaulting purchaser forfeits deposit*:—If the purchaser makes default in paying the full amount of the purchase money within the prescribed period, his deposit shall, after the expenses of the sale have been defrayed therefrom, be forfeited to the Municipality and the property shall be resold. The defaulting purchaser shall forfeit all claims to the property or to any part of the amount realised on resale.

13. *When fresh proclamation necessary in cases of postponed sales and resales*:—Every postponed sale of immoveable property and every resale of it on the purchaser's default in payment of the full amount of the purchase money, shall, except when such resale takes place within 14 days from the date of the first sale, be made after the issue of a fresh proclamation in the manner prescribed for original sales.

14. *Liability of defaulting purchaser for loss on resale*:—If the proceeds of the sale which is eventually held be less than the price paid by the defaulting purchaser, the difference together

with all costs, the expenses incurred on such resale, shall be recoverable by the Municipality from such defaulter as arrears of Municipal taxes.

15. *Setting aside the sale*:—The Chief Officer may set aside the sale.

(1) On an application made within 30 days from the date of the sale by a person interested in the property sold, to have the sale set aside on the ground of some material irregularity or mistake or fraud in the publication or conduct of the sale, or on the ground that the defaulter had no saleable interest in the said property, or

(2) Of his own accord for reasons to be recorded by him in writing whether or not an application has been made to him under (1) above;

Provided that no sale shall be set aside on the ground of irregularity or mistake, unless it is proved to the satisfaction of the Chief Officer that the applicant has sustained substantial injury by reason thereof.

16. *On setting aside sale purchase money shall be refunded*:—When a sale is set aside, the deposit or purchase money, as the case may be, shall be refunded to the purchaser.

17. *Confirmation of sale*:—If the Chief Officer sees no valid ground for setting aside the sale, he shall make an order confirming the sale on the expiration of 30 days from the date of sale or as soon thereafter as the inquiry necessitated by an application of the nature referred to in rule No. 15 is completed.

18. *Purchaser to be entered in the Municipal records as owner and granted a certificate*:—When the sale of immoveable property is confirmed by the Chief Officer, the name of the purchaser shall be entered in the Municipal records as the owner in lieu of the defaulter, and he shall be granted a certificate declaring him to be the purchaser of the property in question. Such purchaser shall be entitled to the possession of the property.

19. *Disposal of proceeds*:—When a sale has been confirmed, the proceeds of the sale shall be disposed of in accordance with the provisions of sub-sections (2) and (3) of section 106 of the Act.

20. *Forms of proclamation and certificate.*—The proclamation and certificate referred to in rules 1 and 18 respectively shall be in such forms as may from time to time be approved by the Standing Committee.

FORMS OF PROCLAMATION AND CERTIFICATE

Form 'A'

Notice of attachment of immoveable property (under section 105 (4) (d) of the Bombay Municipal Borouges Act XVIII of 1925).

To

Whereas you have failed to satisfy the claim of the Municipality in respect of the Bill No. dated sent to you and the notice of demand No. dated served upon you under section 104 of the Bombay Municipal Boroughs Act XVIII of 1925 for Rs.....it is ordered that you, the said be, and you are hereby prohibited and restrained, until further orders from transferring or charging the property specified in the schedule annexed hereto by sale, gift, or otherwise and that all persons be and that they are hereby prohibited from receiving the same by purchase, gift or otherwise.

Given under my hand and the seal of the Poona City Municipality this day of 19

Chief Officer, P. C. M.

Back side of Form 'A.'

Schedule:—Here described the property attached:—

Delivered to the Warrant Karkun
on for service.

Superintendent of Taxes,
P. C. M.

Report of the Warrant Karkun:—

Warrant Karkun.

Submitted to the Chief Officer on

Superintendent of Taxes,
P. C. M.

a copy of the said proclamation on a conspicuous part of each of the said properties and afterwards on the notice board of the Municipality and then to submit to me a report showing the date on which and the manner in which the proclamations have been published.

Chief Officer, P. C. M.

Date

Schedule : (Description of Property).

Report of the Vasuli Superintendent :—

Vasuli Superintendent.

Form ' D '

PROCLAMATION OF SALE.

Notice is hereby given that an order has been passed by me for the sale of the attached property mentioned in the annexed schedule in satisfaction of

Name of Defaulter :— the claim of the Municipality
Claim of the Municipality mentioned in the margin
as under :— amounting with costs upto
date of sale to the sum of . The sale will be by

public auction and the property specified in the schedule will be put up for sale. The sale will be of the right title and interest in the property of the defaulter mentioned above as mentioned in the schedule below ; and the liabilities and claims attaching to the said property so far as they have been ascertained are those specified in the schedule against each lot.

In the absence of any order of postponement, the sale will be held by (name of the officer) at o'clock on the date at (place) . In the event however of the claim above specified and the costs of the sale being tendered or paid before the knocking down of any lot, the sale will be stopped.

At the sale, the public are generally invited to bid either personally or by duly authorised agents. The following are the further conditions of sale.

1. The particulars specified in the schedule below have been stated to the best of the information of the Chief Officer; but the Chief Officer will not be answerable for any error, misstatements or omission in the proclamation.

2. The amount by which the biddings are to be increased shall be determined by the Officer conducting the sale. In the event of any dispute arising as to the amount of bid or as to the bidder, the lot shall at once be again put up to auction.

3. The highest bidder shall be declared to be the purchaser of any lot, provided always that he is legally qualified to bid, and provided that it shall be in the discretion of the Chief Officer conducting the sale to decline acceptance of the highest bid when the price offered appears so clearly inadequate as to make it advisable to do so.

4. For reasons recorded, it shall be in the discretion of the officer conducting the sale to adjourn it; but when it is adjourned for a period longer than fourteen days, a fresh proclamation shall be made.

5. The person declared to be the purchaser of the immoveable property shall pay immediately after such declaration a deposit of 25 p. c. of the amount of the purchase money to the Officer conducting the sale and in default of such deposit the property shall forthwith be put up again and re-sold.

6. The full amount of the purchase money shall be paid by the purchaser before the Municipal Office closes on the 7th day after the sale of the property, exclusive of such day, or if the 7th day be a Sunday or other holiday, then on the first office day after the 7th.

7. In default of payment of the balance of purchase money within the period allowed, the property shall be re-sold after the issue of a fresh notification of sale. The deposit after defraying the expenses of sale may, if the Municipality think fit, be forfeited to the Municipality and the defaulting purchaser shall forfeit all claims to the property or to any part of the sum to which it may be subsequently sold.

Given under my hand and the seal of the Poona City Municipality this day of 19 .

Chief Officer, P. C. M.

SCHEDULE OF PROPERTY.

1	2	3	4	5
Number of lot.	Description of property to be sold with the name of owner.	The revenue assessed upon the estate or part of the estate, if the property to be sold is an interest in an estate or part of an estate paying revenue to Government.	Details of any incumbrances to which the property is liable.	Claims if any, which have been put forward to the property or any other known particulars bearing on its nature and value.

Form 'E'

SALE CERTIFICATE.

This is to certify that:—(Name)
has been declared the purchaser of the right, title and interest of
(Name of defaulter) at a sale by public
auction on the day of 19 of the following
property.

DESCRIPTION OF THE PROPERTY.

Held in pursuance of section 106 of the Bombay Municipal Boroughs Act. XVIII of 1925, and the rules framed under section 58 of the said Act, by the Poona City Municipality for arrears of the following claim for Municipal dues recoverable under chapter VIII of the said Act viz., (enter amount and nature of claim).

From the defaulter and that the said sale has been duly confirmed by the Chief Officer of the Poona City Municipality on
for Rs. paid by the said purchaser
on to the Poona City Municipality.

Given under my hand and the seal of the Poona City Municipality this day of 19

Witnesses.

Seal.

Chief Officer, p. c. m.

Form ' F '

Order for delivery to certified purchaser.

To

Whereas (Name) has become the certified purchaser of (description of property) at a sale by public auction held by the Poona City Municipality in pursuance of section 106 and the rules framed under section 58 of the Bombay Municipal Boroughs Act, XVIII of 1925, for the recovery for the amount of Rs. from the defaulter

you are hereby ordered to put the said the certified purchaser afore-said, in possession of the same.

Given under my hand and the seal of the Poona City Municipality this .day of 19 dated Chief Officer, P. C. M.

Report of the Officer.

Rules about writing off irrecoverable amounts under section 58 (k) of the B. M. B. Act, 1925.

Rule 1—Arrears of taxes or of costs of recovery may be written off as irrecoverable if, after they have been outstanding for at least a year, in the case of sums less than Rs. 10 and 3 years in other cases, the Standing Committee are satisfied that processes for recovery have been pushed on with due promptness and diligence and that the sum due cannot be recovered within any reasonable time or at any reasonable cost by any legal process.

Rule 2—The Standing Committee or the Chief Officer if the power is delegated to him by the Standing Committee may remit the whole or any part of any fee chargeable for distress:—

- (a) if the property distrained is found to be devoted to religious or charitable purposes;
- (b) if the person from whom any such fees is leviable is too poor to pay;
- (c) if the defaulter satisfies the Standing Committee or the Chief Officer (as the case may be) the default was due to some accident or mistake.

[Sanctioned under G. R. G. D. No. S-91 (64) dated 7th December 1939.]

Fees and License Fees

Bye-laws under section 61 (1) (ee) of the Bombay Municipal Boroughs Act, 1925, regarding the provision of number plates to houses, sanctioned by Government. under G. R. G. D. No. S-91 (64) dated 10th March 1938.

1. The Municipality shall provide free of charge number plates to all houses within its limits which do not already possess such plates.

2. Every number plate shall be attached to a prominent part of the house, preferably to the front door.

3. The Municipality shall, in case a number plate has been worn out or rendered undecipherable through exposure to weather or any other cause, provide a fresh number plate in lieu thereof.

4. A fresh number plate shall be issued by the Municipality on the application of a house owner on payment of annas 6 in case the old number plate has been lost or mislaid by the applicant.

Rules and Bye-laws regulating the use of the Municipal Motor Conveyance Stands under Sections 58 (j) and 61 (1) (s) of the Bombay Municipal Boroughs Act, 1925.

Sanctioned under G. R. G. D. S. 91 (64) dated 21st September 1937.

Rules under Section 58 (j) of the Act.

1. In these rules the term " Motor Vehicle plying for hire " will mean any vehicle driven wholly or partly by electrical or other mechanical contrivance and used for the purpose of carrying passengers or goods from one place to another on receiving payment of hire for the same from any number of the General public; and having a carrying capacity of 5 or more passengers or goods weighing $\frac{1}{2}$ ton or above and having its size of 5 $\frac{1}{2}$ ' 10' dimensions or above.

2. No motor vehicle as defined in rule (1) shall be allowed to make use of any public street or part of a street or any other

open land vested in the Municipality to stand on or loiter in for the purpose of canvassing, or seating to letting down passengers or goods except places to be set apart as motor stands for the said purpose from time to time by the Municipality with the previous approval of the District Magistrate.

3. A license fee of Rs. 2 per month shall be paid by the owner or owners of a motor vehicle making use of the said municipal stands for the purposes mentioned above. The fee shall be payable in advance for the month or months for which it is intended to make use of the Municipal motor stands. On payment of the prescribed fee the Municipality shall issue a license stating the number of the motor vehicle, the name of the owner and the period for which the license is given to use the municipal motor stands.

4. Motor vehicles having occasion to use municipal motor stands for one day only or for a period not exceeding 7 days will be charged fees at the rate of As. 4 per day and passes will be issued on payment of the prescribed fee, entitling them to use the municipal motor stands for the days mentioned in the pass.

5. The person in charge of a vehicle occupying the motor stand shall be primarily responsible for the payment of fees. The fees must be paid before occupying the stand to the officer appointed for the purpose by the Municipality.

6. For the purpose of the levy of fees, a day shall be counted from 5 A. M.

7. None of the foregoing rules shall be applicable to motor vehicles paying wheel tax to the Municipality."

[Sanctioned under G. R. G. D. No. S-91 (64) dated 13th November 1939.]

Bye-laws under Section 61 (1) (S) of the Boroughs Act.

1. The license or the daily pass must be produced for inspection by the person in charge of the motor vehicle on demand by a municipal servant or officer authorised by the Chief Officer in this behalf.

2. Failure to produce the license or the daily pass for inspection on demand will make the person in charge of the motor

vehicle liable to be turned out and prosecuted for making unauthorised use of the municipal motor stand concerned. The person prosecuted shall be liable to a fine not exceeding Rs. 10 (Ten).

(Sanctioned under G. R. G. D. S-91 (64), dated 21st Sept. 1937).

Rules, regarding renting of municipal arena at Bhamburda, near the Lloyed Bridge, for holding wrestling matches and other athletic sports, and also license fees for the same.

(Under sections 58 (j) and 90 of Bombay Municipal Boroughs Act of 1925 [Sanctioned by the General Board Resolution No. 235 dated 22nd September 1937.])

1. If an application in writing is received for renting of the arena for holding wrestling matches etc. the license fee shall be charged as under:—

Amount of reward	License fee.	
Re. 1 to Rs. 100 ...	Rs. 2-8-0	per day (i. e. 8 a. m. to 8 p. m.)
Rs. 101 to Rs. 200 ...	Rs. 5-0-0	do.
Rs. 201 to Rs. 500 ...	Rs. 10-0-0	do.
Rs. 501 to Rs. 1000 ...	Rs. 12-8-0	do.
Rs. 1000 onwards. ...	Rs. 25-0-0	do.

The Standing Committee shall decide whether the arena should be rented out free of charge to educational institutes. Declaration in writing regarding the amount of reward offered shall be given. The Chief Officer shall receive payment of rent in advance, otherwise permission shall not be granted.

2. The arena shall be leased out for holding physical exercise of all kinds, wrestling matches, lathi, legim, and all other athletic sports.

3. If more applications than one are received for renting out the arena on the same day, the Chief Officer shall have the discretion to grant a particular application. It shall also be within his discretion to decide whether arena should be rented or not.

4. The lessee and not the municipality shall be responsible for the order and good behaviour of the public in the arena.

5. The lessee shall be responsible for any damage done to the municipal property in the arena and shall pay Rs. 25/- as deposit at the the time of paying the rent. The amount of the damage, if any, shall be recovered from the deposit ; if the damage exceeds the amount of the deposit the lessee shall be liable to pay the balance. The amount of the deposit shall be returned on getting the possession of the arena from the lessee.

6. The lessee shall also pay the Government entertainment tax and the municipal theatre tax.

7. The lessee shall abide by all the legitimate orders issued by the municipal officers, from time to time.

Note :—The Collector of Poona informed the municipality under his No. M. U. N. 1552 dated 19-2-1937 that sanction of Government is not required for the above rules and the municipality is competent to frame its own conditions regulating the use of its property.

CERTIFIED COPIES

Rules framed by the Poona City Municipality for granting certified copies of papers or documents from Municipal records and charging fees therefor (Sanctioned under G. O. G. D. No. 4517 dated 30-5-1919)

Section 46 (i) [Sec 58 (j)]

1. Certified copies of papers or documents which any person has a right to inspect and which form part of the Municipal record may be obtained on application to the Chief Officer on payment of fees mentioned in rule 15.

2. The papers and documents etc. not declared by the Municipality as confidential and strictly Municipal shall be public documents and the parties are entitled to get their copies.

3. Except with the special permission of the Managing Committee, certified copies shall not be granted of papers or documents which no person has a right to inspect or in which the person seeking copies is not directly, substantially and personally interested under Rule No. 2.

**Accompaniment to Government Resolution,
Health and Local Government Department,
No. S-91 (64), dated the 24th March 1948.**

*(Amendments in the rules of the Poona City Municipality
for the supply of certified copies of documents as
approved by Government.)*

For the existing rules 5, 8 and 15, the following revised rules shall be substituted, namely :—

5. A person desirous of obtaining a certified copy shall apply in writing to the Chief Officer, who shall pass the necessary orders thereon. The application shall be accompanied by an advance fee as mentioned below for which a receipt shall be given :—

- | | | |
|---|---|-------------------------------------|
| (1) In the case of documents for which fees have been specifically prescribed by rule 15. | } | Full amount of the prescribed fees. |
| (2) For all other documents. | | Rs. 5. |

Applications not accompanied by the requisite fee in advance shall not be attended to. (Under Government orders a two annas court fee stamps is required to be affixed to every application for copies).

8. If the applicant is not sure of the date and other particulars, a search fee of rupees two per year shall be paid in addition, with the application.

15. The following is the schedule of fees :—

Item	Copying fee	Comparing fee	Paper cost	Total amount
	Rs.	Rs.	Rs.	Rs.
1. An extract from the Birth or Death Register.	0- 6-0	0-1-6	0-0-6	0-8-0
2. An extract from the House-Tax, Demand or Revision (Assessment) Register.	0-12-0	0-3-0	0-1-0	1-3-0
3. Copy of the import or export certificate of octroi.	0- 6-0	0-1-6	0-0-6	0-8-0
4. An extract from Market Gala Register.	0-12-0	0-3-0	0-1-0	1-0-0
5. Copy of receipt from Vasuli, Municipal Market or Health Department.	0- 6-0	0-1-6	0-0-6	0-8-0
6. Copy of application for permission (building etc.) or plan.	0-12-0	0-3-0	0-1-0	1-0-0
7. Copy of order in the Parwangi Department.	0-12-0	0-3-0	0-1-0	1-0-0
8. An extract from the Vasuli Kird.	0-12-0	0-3-0	0-1-0	1-0-0
9. An extract from papers relating to a Town Planning Scheme.	0-12-0	0-3-0	0-1-0	1-0-0

For copies other than those mentioned above copying fees (for Marathi and English matter) shall be charged at the following rates :—

	Rs.
1. Copying fee for English 35 words or part thereof.	0-1-0
2. Copying Marathi 35 words or part thereof...	0-1-0
3. Comparing fee for 100 English or Marathi words or part thereof.	0-1-0
4. For a copy inprinted form for printed form (fees at the above rates for matter)	0-0-6

4. In the absence of resolution of the general body, the Managing Committee shall in case of uncertainty decide whether copies of documents referred to in rule No. 3 can or cannot be given; but against the decision of the Managing Committee an appeal shall lie to the general body.

5. A person desirous of obtaining a certified copy shall apply in writing to the Chief Officer, who shall pass the necessary orders thereon. The application shall be accompanied by at least one rupee as advance fee for which a receipt shall be given. Applications not accompanied by the requisite fee in advance shall not be attended to. [Under Government orders a two annas court fee stamp is required to be affixed to every application for copies.]

6. In case copies applied for cannot be granted or in case the document is not forthcoming on the record, the applicant shall be informed accordingly, and the advance fee shall be refunded within three weeks.

7. The application shall bear the name and address of the applicant, shall state or describe the nature of the document and shall specify its date, month and year. In case the application does not bear the exact date etc., or gives no date of the document at all the application shall be returned.

8. If the applicant is not sure of the date and other particulars, a search fee of one rupee per year shall be paid in addition, with the application.

9. Certified copies shall be ready for delivery within ten days from the date of entertainment of application.

10. All enquiries as to certified copies or as to the result of the application may be made with the Chief Officer or with an officer appointed by him in this behalf. An appeal from the decision of the Chief Officer shall lie to the Managing Committee.

11. The Chief Officer may in his discretion require the applicant to deposit a sum which in the opinion of the Chief Officer is sufficient to cover the cost of copying etc, and in case of the applicant not complying with the order may reject his application.

12. The applicant or any person authorised by him in that behalf shall take away the copies within one month after the expiry of the time specified in rule 9, and in case of failure to do so the fees received shall be credited to the municipal treasury and the copies filed.

[Rule 12 sanctioned by G. R. G. D. No. S—91 (64) dated 8-2-1935]

13. Copies shall not be commenced unless the whole cost required for copying, comparing, etc., has been paid beforehand.

14. Every copy granted shall be certified as being a true copy and signed by the Chief Officer and sealed with the seal of the Municipality.

15. The following is the schedule of fees—

Serial No.	Item.	Copy- ing fee.	Com- paring fee.	Paper cost.	Total amount
		s.	As. P.	Pies.	As.
1	An extract from the Birth or Death Register.	3	0-9	3	4
2	An extract from the house-Tax Demand or Revision (Assessment) Register.	6	1-6	6	8
3	Copy of the import or export certificate of octroi.	3	0-9	3	4
4	An extract from market Gala Register	6	1-6	6	8
5	Copy of receipt from the Vasuli, Municipal Market, or Health Department.	3	0-9	3	4
6	Copy of application for permission (building etc.) or plan.	6	1-6	6	8
7	Copy of order in the Parwangi Department	6	1-6	6	8
8	An extract from the Vasuli Kird ...	6	1-6	6	8
9	An extract from papers relating to a Town Planning Scheme.	6	1-6	6	8

For copies other than those mentioned above Copying fees (for Marathi and English Matter) shall be charged at the following rates :—

	Pies
1. Copying fee for English 25 words or part thereof	9
2. Copying fee for Marathi 33 words or part thereof	9
3. Comparing fee for 100 English or Marathi words or part thereof	7
4. For a copy in printed form—for printed form	3
(fees at the above rates for matter)	
5. Fees for translation of :—	As.
(a) first 100 words or part thereof...	.....8
(b) subsequent 100 words or part thereof	4
6. For inspection of records which can be shown to the public. per hour	12.

*Note :—*Re. 1 shall be charged as search fee (in addition to Copying fee) for preparing a statement of information regarding house-tax and house owners for more than 15 years in connection with a single house number.

[*Rule 15 sanctioned by Government Resolution No. S. 91 (64) (G. D.) dated 14th September 1937*]

License Fees.

18. Licenses for the objects specified in clauses *a, b, c, d* and *e* under the 5th class of taxes in Rule 23, must be taken out before hand, and paid for at the rates set forth in appendix D. (This refers to Rule 23 of the rules published in 1878.)

19. A schedule of the aforesaid taxes under the signature of the Secretary shall be furnished to the tax-collector or farmer and copies thereof shall be fixed in conspicuous parts of the City for general information. (This schedule of taxes was in force in 1878).

20. All licenses, passes or receipts issued to persons in acknowledgment of the receipt by the Municipality of taxes, fees, rents, cesses and other imposts, shall be produced for inspection,

**Amendment of bye-law No. 36 regarding
Slaughter Fees.**

From the President, Poona City Municipality No. 1580, dated 15th July 1944. Endorsement from the College of Poona, No. 1/55, dated 8th March 1945.

Endorsement from the Commissioner, C. D., 6/19, dated 27th March 1945.

RESOLUTION :—The following revised bye-law No. 36 of its bye laws framed by the Poona City Municipality for issuing permits for slaughtering animals is sanctioned, subject to slight modification, viz :—

6. A written permit shall in every instance be obtained from the Veterinary Superintendent for slaughtering animals intended for food and such permit shall be issued on payment of the amount prescribed in Appendix D Rule 6.

The Veterinary Superintendent shall have the power to refuse to issue a permit to slaughter or to eject from the slaughter house any animal intended for slaughter, which may in his opinion be unfit for human food.

Sanctioned under G. R., G. D., No. S. 91 (64), dated 7th March 1945.

whenever required by a competent officer of the municipality, and shall be given up, if required, provided that duplicates of the same be supplied at once to the holder thereof.

21. Any person convicted before a Magistrate of evading or attempting to evade payment of authorised Municipal taxes, cesses and other imposts, shall be liable to a fine not exceeding Rupees 5. (Criminal prosecutions are not now allowed for recovering arrears of taxes).

(above rule Nos, 18, 19, 20 & from Miscellaneous rules on pages 94 to 107 from the edition of 1935 are detached and appended herewith)

under Section 48 Clause I (a) of D. M. Act of 1901)

[Sec. 61 (I) (b) (i) of the C. M. Act].

No place, not licensed or set apart by the Municipality for such purposes, shall be used as a meat or fish market or slaughter-house. Any person found contravening the provisions of this bye-law shall be liable to a fine not exceeding Rs. 10.

6. (a) All slaughter houses and markets, whether Municipal or private, shall be under the inspection and management of the Municipal Inspector of Markets, [now the Mutton Market Inspector] and shall be under the orders of his superior officers. The Inspector shall be primarily responsible for enforcing the provisions of the said Municipal Act and the bye-laws made by the Municipality for the regulation of such markets and slaughter houses.

(b) Whoever obstructs the Inspector in the execution of his duties, or disobeys his lawful orders, shall be liable on conviction before a Magistrate to a fine not exceeding Rs. 10.

36. When so ordered by the Managing Committee, a written permit shall in every instance be obtained from the Inspector for slaughtering animals intended for food, and such permits shall be issued on payment of the prescribed tax of one anna for each sheep, goat or kid. The Inspector of Markets [now Mutton Market Inspector] shall have power to refuse to give a permit to slaughter any animal, which in his opinion may be unfit for food,

or to eject from the slaughter house any animal intended for slaughter which may in his opinion be unfit for human food.

37. Any person who shall be found to have slaughtered any animal ejected as above, shall be liable to a fine not exceeding Rs. 5 on conviction before a Magistrate.

38. Fees shall be paid for licenses and for the slaughter of animals under the above bye-laws at the rates specified in Appendix D of the Municipal Rules.

*(Rule 3 originally sanctioned under Govt.
Resolution, G. D. No. 3159 of the 23rd January 1926.)*

(Schedules of streets are appended).

4. A fee of Rs. 2 per mensem shall be charged on all private meat or fish markets, for which licenses may be issued by the Municipality.

5. A fee of 8 annas per mensem shall be charged for all licenses granted to carry on tanning or dyeing operations within Municipal limits.

A fee of 4 annas per mensem shall be charged for all licenses granted for any of the purposes mentioned below:—

(a) Manufacture of gun-powder, fire-works, or snuff.

(b) Storage of hides, gun-powder, fire-works, matches, kerosence or other mineral oil, dammer, tar, or resin.

6. Slaughter fees shall be charged at the following rates for slaughter of animals at municipal slaughter yards or slaughter houses:—

	Annas.
(a) For slaughter of each sheep, goat or kid during hours to be prescribed from time to time ...	1
(b) For slaughter of each sheep, goat or kid outside prescribed hours.	2
(c) For slaughter of each animal such as bullocks, buffaloes etc. in the Kondhwa slaughter house.	8

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[Rule 6 sanctioned under G. R. G. D. No. S.—91 (64) dated 12-10-1931.]

(Above rule Nos. 34, 35, 39, 37, 38 and 4, 5, 6 from Miscellaneous rules on pages 94 to 107 from the edition of 1935 are detached and appended herewith).

FEES OF FISH MARKET STALLS.

Rates of rent to be charged for stalls in the fish market are as under:—

1. Large stalls Rs. 4 per mensem.
2. Small stalls Rs. 3 per mensem.
3. Open spaces on the pavement Rs. 2 per mensem.

[Rates of Rent sanctioned under G. R. G. D. No. 9749 dated 16-5-1933].

FEES CHARGED AT THE CATTLE MARKET.

Fees shall be charged for animals brought for sale at the Bhamburda Cattle Market at the following rates:—

- (1) Full grown animals:—As. 2 per head.
- (2) Calves and young animals:—Anna 1 per head.

[Rates of fees sanctioned under G. R. G. D. No. S. 91 (64) of 21-4-1932.].

**SANITATION, CONSERVANCY AND DISPOSAL
OF CARCASSES.**

**Bye-laws under Section 48 (m) of the D. M. Act (Sec. 61 (1)
(r) of C. M. Act.)**



1. *Places for Deposit of Rubbish*:—The places in which the refuse described in Section 127 [Sec. 158 of C. M. Act] of the Act may be deposited, are as shown in the following table:—

Item.	Kind of refuse.	Place of deposit.
1	Dust, dirt, ashes, and any animal or vegetable refuse collected from any ordinary dwelling house, or shop or kitchen, or stables, and not falling under other items.	Municipal bins located at various places within the City Municipal limits.
2	Waste paper, rags, broken glass, earthen ware, tiles, cans, and other mineral refuse and silt from houss-drains.	do. do
3	Garden sweeping, hedge prunings, branches of trees, and thatch.	do. do.
4	Refuse from privies.	Municipal night-soil Depots or carts.
5	Night-soil.	Privies.
6	Refuse from licensed pre-mises of all kinds.	Places specified in the license.

A person shall not be deemed to have committed a breach of this Bye-law if he deposits rubbish just outside his house in case the nearest dust bin be at a distance of 400 ft. or more from the said house.

2. *Hours of Deposit*:—Rubbish may be deposited as above at all hours.

3. *Nightsoil receptacle* :—No receptacle for night-soil shall be deemed to be proper receptacle in the sense of section 129 of the D. M. Act. [Sec. 160 of the C. M. Act.] unless:—

(1) It is made of iron, zinc or other metal or of double wicker work. The receptacle must be such as to hold 4 gallons of water and should be perforated at the bottom if it be made of metal sheets.

(2) It is, if placed outside a privy, provided with a tight fitting cover impermeable to liquids.

4. *Depth at which carcasses should be buried* :—No person shall bury any carcass so that any part thereof lies within 4' of the surface of the overlying ground.

5. No person shall lay a carcase or the bones, hides or entrails of dead animals on any public street or open place vested in the Municipality.

6. *Duty of disposing of carcasses* :—When any camel, horse, pony, donkey, mule, bull, ox, cow, calf, buffalo, goat, sheep, kid, lamb, deer, cat, dog. or any other animal dies in any place, the person in charge, thereof or in the absence of such a person, the occupier of the place where such animal is found dead, shall either—

(a) Within four hours after its death has come to his knowledge, or if that is at night, then within four hours after day-break, remove or cause it to be removed at his own expense, the carcass of such animal to *Gultekadi* and within four hours after its arrival there bury it or cause it to be buried at a depth of not less than four feet from the surface of the ground, or

(b) Apply at the Death Registration Office of the Municipality within one hour after the death of the animal has come to his knowledge, or if that is at night then within one hour after day-break, for the disposal of the carcass by the Municipality tendering at the same time the fees prescribed below:—

(1)	For each carcass of an elephant	Rs. 125
(2)	For do. of a camel	,, 50

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(3)	For do. of bull, ox, cow, horse, pony, mule, ass, or buffalo	3
(4)	For each carcass of calf, deer, sheep, goat, kid, lamb	1
(5)	For each carcass of cat or dog	...	...	As. 4

Provided that in case of a diseased animal suffering from dangerous and contagious disease like glanders, the disposal of carcass must be made through municipal agency.

Note :—Any intimation received after 6 p. m. will be taken as received at 6 a. m. next morning.

(c) If an animal is to be buried at any place other than Gultekadi it can be allowed to be buried at a place outside the city lying 500 feet or more from all habitation with the special permission of the Health Officer.

(d) The fees paid to the Municipality, if it does not remove the carcass within 4 hours and if the carcass is removed by the owner to the dust bin, should be refunded.

(e) If the person responsible [vide 6 (a) and (b)] does not take any action regarding the disposal of the carcass and leaves it in a private or public street, the Municipality may, after four hours dispose it of and the expense thereof should be recovered from the person responsible, in the same manner as an amount claimed on account of any tax recoverable under Chapter VIII.

(No. 6 sanctioned under G. R. G. D. No. S—91 (64) dated 3-I-1940.)

7. *Penalty* ;—Every person who shall be guilty of a breach of any of the bye-laws 1 to 6 shall, on conviction, be liable to a fine not exceeding Rs. 20.

GRAVE PITS.

Bye-laws of the Poona City Municipality regarding grave pits under section 61 (k) of the City Municipalities Act.
(Vide G. R. G. D. No. 3216 dated 23-8-1928).

1. Fees for digging graves in municipal burial grounds shall be charged and recovered at rates given below at the time of granting permission for burial:—

(a) Digging a pit for burial of the dead above 12 years of age. Re. 1

(b) Digging a pit for burial of the dead of 12 years and under. As. 8

2. The fee shall be paid at the office for registration of births and deaths at the time of receiving permission for burial.

3. No fee shall be charged from such relatives of the dead as undertake to dig their own pits in conformity with municipal rules.

4. Fees for digging graves shall be remitted in the case of such relatives of the dead as are too poor to pay them, as also in the case of a dead person who has no relative nor any property and has been brought for burial by his friends. The power to grant such remission shall vest in the Health Officer or a Municipal Councillor.

Rules for the levy of license fees on dangerous and offensive trades, under sec. 61 (1) (b) (iii) of the B. M. Act, 1925, sanctioned under G. R. G. D. No. 91 (64) dated 15th June 1938.

1. A license may be granted by the Standing Committee for the use of any building or place for the purpose of dangerous and offensive trades as described in Section 186 on the conditions prescribed in bye-laws framed under section 61 (1) (b) (iii) of the Act.

2. The license shall be for one official year terminating on 31st March of every year.

Provided that the licenses for the possession of explosives and petroleum shall be for one official year terminating on 31st December every year.

3. The licensee shall pay a fee of Rs. 5 in advance for each license.

4. A licensee desiring to renew his license shall apply at least two months before the expiry of his license, in default he shall have to pay double the fee prescribed.

5. The licensee shall cause his license to be affixed in some conspicuous part of his premises to which it relates.

6. The licensee shall be responsible for the neglect or non-observance of any of the conditions of the license by his servant or employees.

7. No. rebate or remission of fee shall be granted in case of suspension, or withdrawal of the license or in the case of license remaining unused.

Bye-laws framed by the Poona City Municipality under section 61 (1) (b) (iii) of the Bombay Municipal Boroughs Act, 1925, regarding dangerous and offensive trades.

[Sanctioned G. R. G. D. No. S-91 (64) dated 4th February 1939.]

Bye-law No. 1.—In these bye-laws :—

(1) "Dangerous trade" means the business—

(a) of storing for sale hay, straw, fodder, wood, coal, cow-dung cakes, dry leaves or other combustible material, and

(b) a cinema or any other business which may involve risk of fire.

(2) "Offensive trade" means and includes those trades that are mentioned in clauses (a) to (m) (both inclusive), clause (o) and clause (p) of sub-section (1) of section 186 of the Bombay Municipal Boroughs Act, 1925, and any other trade

coming under clause (r) from which offensive or unwholesome smells arise (e. g. fell mongering or preparing raw hides for leather dressing) or which results in any contamination of the atmosphere whereby a deposit of soot is caused or which is accompanied by mechanical noise.

(3) “ Manager ” means the person under whose authority or control or for whose profit a dangerous or offensive trade is carried on, whether such person is proprietor of the business or agent in charge thereof.

Bye-law No. 2 :—Nothing in these bye-laws shall apply to petroleum (except the storage of non-dangerous petroleum not exceeding in quantity the limits mentioned in the note below Schedule A to these bye-laws), explosives, ammunition, or military stores within the meaning of the Indian Petroleum Act, 1934, the Indian Explosives Act, 1884, and the Indian Arms Act, 1878, respectively, and the rules for the time being in force thereunder.

Bye-law No. 3.—CIRCUMSTANCES IN WHICH LICENSE MAY BE GRANTED OR REFUSED.—Subject to the fulfilment of the conditions in bye-law No. 4, a license may be granted for the use of any private place for the purpose of any of the trades mentioned in Schedule “ B ” provided that the Standing Committee approves of the proposed use, after the proposal has been notified to the public for at least seven days and all written objections thereto by the persons resident within 50 yards of the site have been duly considered. The Standing Committee may refuse a license if the proposed use is not approved.

Proviso 1.—LONG STANDING BUSINESS NOT TO BE STOPPED UNLESS NEW SITE IS AVAILABLE WITHIN ONE MILE.—Provided that when the effect of this bye-law would be to stop a use to which a place has been put of more than five years, a license shall not be refused unless the Standing Committee is satisfied that not more than one mile from the place in question some other place exists which the would-be licensee can put to the same use with less danger or offence to the public.

Proviso 2.—MINIMUM DISTANCE OF PLACE OF OFFENSIVE AND DANGEROUS TRADES FROM HUMAN HABITATION. — Provided also that, notwithstanding Proviso 1 above, the Standing Committee

shall have discretion to refuse a license for the use of any place (i) as a brick, tile, lime or pottery kiln or for tanning or dyeing, if objection is taken in writing by any person who has been living within 50 yards thereof from a date before the place was first so used; and (ii) for stacking hay, straw, fodder, dry leaves or combustible materials of a similar nature in the open, if objection is taken in writing by the owner of any building that has been standing within 25 yards thereof from a date before the place was first so used.

Bye-law No. 4.—CONDITIONS OF LICENSE.—A license may be granted for the use of any private place for storing any of the articles mentioned in Schedule A, exceeding in quantity the limits laid down therein, on the following conditions; and may be suspended or withdrawn at the discretion of the Standing Committee on a breach of any of these conditions :—

(i) CONSTRUCTION.—that the building used for storing the articles is built in accordance with a plan approved by the Municipality ;

(ii) MEANS OF CLEANINGS.—that the licensee keeps on the premises and maintains always in good repair and in a clean condition, such moveable receptacles for refuse and such buckets, shovels, brooms and other implements for cleaning purposes and for use in case of fire as the Standing Committee from time to time prescribe ;

(iii) REPAIRS.—that the licensee keeps the premises always clean and in good repair and working order and in particular that he keeps the drains and the pavements and pointing so sloped and smooth as to make it impossible for any liquid to stagnate thereon ;

(iv) WHITE-WASHING AND PAINTING.—that the licensee causes the whole of the walls to be cleaned and white-washed both within and without at least once in every twelve months and all wood and iron fixtures to be scraped thoroughly and repainted at intervals of not more than two years ;

(v) DAILY CLEANING.—that the licensee causes the floors, pavements and furniture of his premises to be washed down thoroughly and all rubbish to be removed from the premises within two hours of the close of each day's business:

(vi) **STAFF OF PEONS**—that the licensee employs or keeps on such duty at the premises for so long as they are open to the public so many peons as may be prescribed by the Chief Officer in the license for the purpose of maintaining order and preventing nuisance or obstruction in the licensed premises;

(vii) **LIGHTING**:—that the licensee causes the premises to be lighted to the satisfaction of the Chief Officer by oil lamps or gas or electricity from sunset until the hour which may for the time being be prescribed as the hour for closing the licensed premises.

Bye-law No. 5—**REFUSAL OF LICENSE FOR TRADES INVOLVING RISK OF FIRE WHEN CERTAIN STRUCTURAL REQUIREMENTS ARE NOT FULFILLED**.—A license for the use of any building for the purpose of manufacturing sweet meats or parching grain or for any other purpose necessitating the use of a fire which, on account of its size or position, or the use of belows in any process of manufacture, may in the opinion of the Standing Committee involve risk of the building or buildings in the vicinity catching fire, may be refused if the arrangements of the building and the fire place are not such as to fulfil the following requirements :—

(a) the distance between the highest point of the fire place and the lowest point of the ceiling shall be at least 10 feet;

(b) the roof, walls, doors, windows and floors shall, throughout the surface nearest the fire-place, be of iron, brick, tiles, plaster or other non-inflammable material and shall not be of wood ;

(c) the smoke arising out of the fire shall be taken out of the place by means of a chimney ;

(d) space of at least 2 feet round the fire-place shall be left vacant.

Bye-law No. 6.—**INSPECTION**.—Every manager of a dangerous or offensive trade shall at all reasonable hours allow the Chief Officer and the Health Officer and any municipal employees deputed by the Chief Officer in this behalf free access to all parts of his business premises and every facility for inspecting the same.

Bye-law No. 7.—**REQUIREMENTS AS TO CONDUCT OF DANGEROUS TRADES MENTIONED IN SECTION 61 (1) (b) (iii)**.—Every manager of a dangerous trade shall comply with the following requirements, viz :—

(a) he shall provide so many and such closed receptacles properly labelled and arranged as may be necessary to contain the entire stock in hand of all articles mentioned in bye-law 1 (1) and shall at all times keep therein the whole of such stock;

(b) he shall not carry on or cause or permit to be carried on any process of manufacture of the same in any room or enclosure in which any of the articles are stored:

(c) he shall provide a water-connection within at least 20 feet of the room or enclosure in which the articles above mentioned are manufactured or stored:

(d) he shall, in addition to a water-connection, keep a water-tank capable of containing 40 gallons of water within 20 feet of the place used for a dangerous trade, always filled with water for immediate use in case of accidents;

Bye-law No. 8—No person shall smoke, introduce a naked flame into or ignite any substance in any room, enclosure or space used for the purpose of any dangerous trade.

Bye-law No. 9—REQUIREMENTS AS TO STORE OF HAY, ETC.—Every manager of the business of storing for sale or selling hay, straw, fodder, or Kudbi shall comply with the following requirements, viz:--

(a) he shall cover the same with corrugated iron sheet roofing or masonry dhaba or terrace;

(b) he shall get the space enclosed by a six feet wall or a strong wire-fencing so as to prevent passers-by from entering into it;

(c) he shall provide a water-pipe on the spot with in 50 feet of the stack in addition to a water-tank capable of holding 40 gallons of water, and always filled with water for immediate use in case of accident;

(d) he shall not stack or store any material within 25 yards of any building except a building of the description mentioned in clause (a);

(e) he shall provide a passage at least 5 feet broad all round each stack.

Bye-law No. 10—REQUIREMENTS AS TO OFFENSIVE TRADES:—
Every manager of an offensive trade shall observe the following requirements, viz:—

(a) he shall not keep or cause or suffer to be kept in or on any premises under his control any dung, filth, sweepings, or any kind of refuse such as stable or cotton refuse or filthy leaves ;

(b) he shall not use any material as fuel which either before or after ignition emits any stench or fume injurious to health.

Exceptions :—Clause (a) shall not apply to small kilns such as those of Kodias, chalam, hukka, chadwa, bhotwa and chankini and pots of like size.

Bye-law No. 11.—SPECIAL REQUIREMENTS AS TO STORE OF WOOD—Every manager of a place for storing timber or fire wood for trade shall observe the following requirements :—

(i) he shall not permit any such stacking in a building or confined place to a height of more than 20 feet or in an open space to a height of more than 30 feet ;

(ii) he shall not permit any stacking of timber or firewood against a building ;

(iii) he shall not permit any such stacking within a distance of 20 feet from any street or passage unless he has taken such precaution as the Standing Committee may prescribe against the wood falling ;

(iv) he shall not permit the covering of any wood stack with cadjan, thatch or other inflammable material.

Bye-law No. 12 :—SPECIAL CONDITION WITH REGARD TO THE STORAGE OF KEROSENE.—Every manager of a building or a place using the same for the storage of kerosine shall observe the following special requirements, viz :—

(1) that he shall not store more than 500 gallons of kerosine.

(2) that he shall obtain from the Municipality a separate license for each house, shop or place so used.

(3) that the house, shop or place in which kerosine is kept:—

(a) is built in masonry, and the floor paved with stones ;

(b) has corrugated iron roof over it ;

(c) is properly ventilated ;

(d) is free from any other combustible materials.

(4) that there is an open space, not less than 10 feet all round the house, shop or place, provided that conditions mentioned in clause 3 above, shall not be applicable to a storage made in a place which is 100 feet open on all sides.

(5) that the house, shop or place, is approved by the Municipality as regards its locality and dimensions, with a view to the quantity to be stored therein.

(6) that no open light shall be used in such places or in their neighbourhood at any time during day or night, and no fire shall be used therein to open any vessel filled with kerosine.

(7) that the vessels containing kerosine, if found to leak shall be immediately emptied, and substituted by other good vessels.

(8) No sale of kerosine will be allowed in a place where gun powder, nitroglycerine, dynamite, guncotton, blasting powder, fulminate of mercury, fire works, turpentine, and other explosive substances are kept.

Bye-law No. 13.—SPECIAL REQUIREMENTS AS REGARDS TANNERIES.—Every manager of a tannery shall observe the following conditions, viz:—

(a) he shall provide each tanning vat with a well fitting lid, and shall have such lid kept at all times on the vat in such a way as effectively to close it, excepting only whilst hides are actually soaking in the vat;

(b) he shall cause all refuse taken from every tanning vat to be forthwith removed in a closed vessel to a Municipal night-soil or katchra depot, with necessary precautions against the emission of offensive smells therefrom, on the way;

(c) he shall arrange for covering all hides spread out for drying between sun-set and sun-rise with grass, or straw, or with such other material as may prevent the emission of stench therefrom;

(d) he shall not store any tanned hides except in an enclosure open to the sky and surrounded by an air-tight wall at least 6

feet in height and at least 10 feet distant from the open sides of the shed, with no buildings intervening.

Bye-law No. 14.—SPECIAL REQUIREMENTS AS TO STORING HIDES OR SKINS—Every manager of a building or place used for storing hides or skins shall observe the following conditions:—

(1) he shall cause every means of ventilation in connection with the said building or place to be maintained at all times in good and efficient action;

(2) he shall not permit or suffer any building or place in which hides or skins are stored or kept, to be used for human habitation.

Provided that nothing in this bye-law shall be deemed to apply to the storing of leathers or skins properly and completely tanned and dressed.

Bye-law No. 15.—SPECIAL REQUIREMENT AS TO DYEING :—Every manager of a building or place used for dyeing shall observe the following requirements, viz :—

(1) he shall arrange for all solid refuse to be daily collected in baskets, and thrown into a municipal dust-bin that may be provided to him for the purpose, and for all liquid refuse to be collected in close vessels which shall be emptied into any Municipal drain that may be there within 300 feet of the premises, or if there is no such drain, it shall be disposed of by the Municipality;

(2) he shall use or permit the use of only covered receptacles for the soaking of substances that may be used in preparation for dyeing and shall cause the materials so used to be disposed of before any foul odours, prejudicial to the health of the neighbourhood, arise therefrom;

(3) he shall not permit any cloth emitting foul odours to be spread out to be dried within 100 yards of any public road, or within 200 yards of any dwelling house.

Bye-law No. 16.—BONE-STORE—Every manager of a bone-store or bone-mill shall so dispose of bones as to make it impossible for them to become wet through rain or other cause.

Bye-law No. 17.—Every person who commits a breach of any of the bye-laws shall for each such offence be liable to a fine not exceeding Rs. 50.

SCHEDULE A.

(Vide BYE-LAW No. 4.)

Controllable trades for which licenses may be given without preliminary notice to the public.

Name of trade.	Clause of section 186 under which it falls.	Maximum quantities which may be kept at any time without a license.
Storing for sale—		
(1) Copra ...	Section 186 (1) (n)	4 Cwt.
(2) * Petroleum (Non-dangerous) as defined in the Indian Petroleum Act, 1934.	Do.	10 Gallons.
(3) Oil (other sorts)	Do.	15 Gallons.

* *Note* :—In the case of the storage of petroleum the municipal control is limited by the orders issued by the Central Government under the Indian Petroleum Act, 1934, to the storage of the following quantities of non-dangerous petroleum, namely :—

(i) In the case of non-dangerous petroleum having its flashing point below 150 F. to quantities not exceeding 500 gallons, provided none of it is contained in a receptacle exceeding 200 gallons in capacity.

(ii) In the case of non-dangerous petroleum having its flashing point not below 150 F. but below 200 F. to quantities not exceeding 10,000 gallons, not stored in the same installation or storage shed as other petroleum and exempt from license under the rules contained in Chapter V of the Petroleum Rules, 1937.

SCHEDULE B.

(Vide BYE-LAW No. 3.)

**Controllable trades for which licenses may be issued
under bye-law 3 after preliminary approval
of the site for storing, manufacturing,
etc, the following articles.**

Name of articles or trade.	Clause of Section 186 (1) under which the trade falls.				
Bamboos	(n)
Brick, Pottery or lime kiln	(i)
Dyeing	(f)
Fat	(n)
Firewood	(n)
Fireworks	(n)
Hides	(c) and (r)
Skins	(c) and (r)
Soap-making	(j)
Straw	(u)
Sweetmeats	(p)
Timber	(n)
Wool	(h)
Coal or Coke	(u)

(Rule Nos. 39, 40, 41, 42 & 43 from Miscellaneous Rules on pages 104 to 105 from the edition of 1935 are superseded by new rules printed on page Nos. (52) and hence delited.

LICENSING OF DOGS.

Rules under section 59.

[Sec. 73 (vi) of the C. M. Act].

*(Sanctioned by Government in their Resolution No. 5615,
dated 26th July 1913, General department).*

1. In these rules a dog shall include a bitch and all pups of the age of three months or more.

2. An annual license fee of rupee one shall be levied on every dog kept within Municipal limits, provided that no license

shall be necessary in respect of dogs belonging to *bona fide* travellers passing through Municipal limits or of casual resident staying within Municipal limits for not more than 30 days.

3. Every owner or person in charge of a dog shall, at the commencement of every year beginning with 1st April or as soon as he comes into possession thereof, apply to the Chief Officer, in the form set forth in schedule A, hereto annexed, for a license for that year. The prescribed fee for the license shall be sent with the application. Forms of the schedule will be provided on application to the Chief Officer.

4. On receiving an application with the prescribed fee the Chief Officer shall grant the license subject to the condition that the dog shall wear a collar.

(Sanctioned under G. R. G. D. No. S. 91 (64) dated 8th June 1938.)

5. On the license applied for being granted the Chief Officer shall issue along with the license a brass badge with a number and shall charge two annas for it.

6. The badge shall always be fixed to the collar on the dog for which the license has been granted.

7. If in the course of the year for which a license has been issued, the badge is lost, the Chief Officer shall, on an application from the owner or person in charge of the dog, issue a new badge on payment of two annas, provided that the Chief Officer is satisfied that no misuse is intended thereby.

8. If at any time during the year, any licensed dog changes ownership, the license already issued shall continue in force till the close of the year for which it was issued. Similarly, if at any time during the year a licensed dog dies, the license already issued may be transferred on payment of a fee of four annas for the remainder of the year to another dog belonging to the same owner on his applying to the Chief Officer.

9. Any person giving information to the Chief Officer as to the possession by any person of an unlicensed dog may be given a reward at the discretion of the Chief Officer not exceeding in amount the license fee for one year.

10. Every person who has received a license shall at all reasonable times be bound, during the period for which the license has been issued, to produce it on being required to do so by the Chief Officer or any person duly authorised by him in writing to demand its production.

- [Note :—(1) Rule 4 substituted for old Rules 4 and 5.
(2) Rule 5 substituted for the revised Rule 6.
(3) Rule 10 for the old Rule 12.
(4) Old Rule 10 deleted.
(5) Old rule Nos. 6, 7, 8, 9, 11 & 12 renumbered as 5, 6, 7, 8, 9, & 10 respectively.]

Above changes sanctioned under G. R. G. D. No.-91 (64) dated 8th June 1938.]

SCHEDULE A.

To,

The Chief Officer, Poona City Municipality.

I hereby certify that I have in my possession $\frac{\text{a dog}}{\text{dogs}}$ as described below. I forward herewith rupee one and request that a $\frac{\text{license}}{\text{licenses}}$ may be granted to me for the year ending 31st March.

Sex.

Age.

Breed.

Colour.

Signature and address.

LICENSING OF Kerosine ShOPS.

Clause (B) (iii) of Section 43.

[Sec. 61 (1) (b) (iii) of C. M. Act.]

(Sanctioned by Government in their Resolution No. 2445, dated the 18th April 1907, G. D.)

1. No person shall keep in his house, shop or any other place kerosine in quantities exceeding 100, but not exceeding 500 gallons without a license* from the Municipality.

2. Whoever intends to store in his house, shop or any other place kerosine in quantities referred to in bye-law No. 1, shall make an application in writing to the Municipality for a license.

3. The Municipality will then have the house or shop, or place inspected by a competent Municipal Officer and will, if satisfied that all the conditions prescribed in bye-law No. 6 are fulfilled, issue a license to the applicant.

4. There shall be a separate license for each house, shop or place.

5. Licenses will remain in force for one year ending 31st March, at the end of which they shall be renewed.

6. No license shall be issued for the storage of kerosine in quantities exceeding 100 (but not exceeding 500 gallons) in a house or shop or other place unless—

- (a) the house, shop or place in which kerosine is to be kept—
 - (1) is built in masonry and the floor paved with stones,
 - (2) has a corrugated iron-roof over it,
 - (3) is properly ventilated, and
 - (4) is free from any other combustible materials,
- (b) there is an open space, not less than 20 feet all round the house, shop or other place, provided that the conditions mentioned in clause (a) shall not be applicable to a storage made in a place which is 200 feet open on all sides,
- (c) the house, shop or place, is approved by the Municipality as regards its locality and dimensions with a view to the quantity to be stored therein,
- (d) kerosine is kept therein in vessels sufficiently strong and tightly closed or such other receptacles as are approved by the Municipality.

* Licenses should not be granted by Municipalities for the storage of petroleum in tins, drums and cases in an installation which has been licensed by the Local Government for storage in bulk (*Vide* Government Resolution No. 1355, dated 27th February 1907, General Department).

7. The Municipality shall have power to cancel a license for the breach of all or any of the provisions of these bye-laws.

8. No open lamp shall be used in such places or in their neighbourhood at any time during day or night.

9. No fire shall be used in such house, shop or other place to open any vessel filled with kerosine.

10. Every such house, shop or place shall be open to inspection by the Chief Officer or any other Municipal Officer to be authorised in this behalf by the Municipality. Places used for the sale of kerosine shall be also subject to periodical inspection by the above mentioned officers.

11. Vessels containing kerosine, if found to leak, shall be immediately emptied and substituted by other good vessels.

12. No sale of kerosine will be allowed in a place where gun-powder, nitro-glycerine, dynamite, gun-cotton, blasting powder, fulminate of mercury, fireworks, turpentine and other explosive substances are kept.

RULES

Under clause (i) of section 46 of the District Municipal Act, III of 1901. [Sec. 58 (j) of C. M. Act.]

1. The Municipality will charge a fee of Rs. 5 for each license issued by it for the storage of kerosine within the Municipal limits.

2. The fee must be paid annually in advance on or before the 1st of April, when the license is to be renewed.

RULE

Under section 46 (b) (ii) of the District Municipal Act, III of 1901. [Sec. 58 (a) of the C. M. Act.]

* 1. The Municipality shall have power to delegate all or any of its powers under the bye-laws framed by it under clause (b) (iii) of section 48 of the Bombay District Municipal Act III of 1901 to the Chief Officer or any other officer of the Municipality.

* These powers were delegated to the Chief Officer by the Municipality in their resolution dated 19th May 1907.

The Chief Officer is authorised to institute prosecutions under the Rules and the Municipal Act. *Vide* General Committee's Resolution No. 142 dated 18th March 1910 [*Vide* Sec. 200 of the C. M. Act.]

(261)

LICENSED SURVEYORS.

Bye-laws framed under sec. 48 (Q) by the Poona City Municipality for the licensing of surveyors.

[Sec. 61 (1) (w) of the C. M. Act.]

1. No plan shall be furnished under section 123, unless it has been prepared by a licensed surveyor and bears his signature in token of his having so prepared it.

I-A. No license shall be granted to any person to act as a licensed surveyor unless he—

(1) holds a L. C. E. or B. E. degree of any university recognized by the Municipality in this behalf or has passed some test of professional qualifications recognized by the Municipality in this behalf as equivalent to the test for either of the said degrees, or

(2) holds a certificate of qualified Overseer from the College of Engineering, Poona or from any other institution recognized by Government, or

(3) holds a certificate of having served satisfactorily as a Surveyor or Draftsman under any Civil Engineer for a minimum period of two years, or

(4) holds a license from any other Municipality in the Presidency to act as a Surveyor.

[Sanctioned under G. R., G. D. No. S. 91 (64), dated 18th March 1938.]

II. To every person who applies for the Municipality's license to serve as a licensed surveyor and is duly qualified in accordance with bye-law 1, the Chairman, Public Works Committee, shall issue such license for the Municipal year on prepayment of Rs. 10 per license.

Provided that such license may be refused or at any time revoked by the Chairman, with the approval of the Public Works Committee, on their being satisfied that the applicant is unfit through incompetence, misconduct or other grave reasons to hold the license.

III. Every such license shall be for the Municipal year only, but shall be renewable from year to year on prepayment of the annual fee of Rs. 10.

IV. The following conditions shall be attached to every such license :—

- (i) That the license shall limit the charge for his work to the maximum from time to time prescribed by the Managing Committee in regulations endorsed on the license.
- (ii) That the licensee shall at all times comply with regulations endorsed on his license with the approval of the Municipal Engineer as to the way in which he shall execute his work and with, rules and bye-laws in force under the Act.

V. No change in the terms of the license shall be made during its' currency, except on its restoration after temporary revocal or on its renewal ; provided that regulations referred to in the conditions (i) and (ii) may at any time be changed, but shall always be the same for all the licenses.

Sanctioned under Government Order, General Department, No. 1806 dated the 8th February 1921.

LICENSED PLUMBERS.

*Bye-laws sanctioned under G. R., G. D. 7188
dated 14-6-21.*

By-laws for Licensed Plumbers in the limits of the Poona City Municipality under section 48 (q) of the District Municipal Act No. III of 1901. [i. e. sec. 61 (1) (w) of the C. M. Act]

1. In the following bye-laws the word 'Plumber,' when necessary, will include his authorised agent.

2. Every person wishing to have a license for Plumber's work, shall have the following qualifications:—

- (a) Practical knowledge of plumbing including the arrangements, cause and prevention of boiler following:—

1. Cold water supply:—Methods of fixing pipes: house cisterns; their construction and fitting; valves; taps; water waste prevention: flushing tanks; stop and drain cocks, air traps; warming pipes; tracing leakage.
 2. Hot water supply:—Systems of supply, storage and arrangements for best result; safety arrangements; cause and prevention of boiler explosion.
 3. Pipe fittings:—The cutting, bending, screwing and jointing and fixing of iron, copper and other metal pipes used for hot and cold water supplies; waste pipes etc. and the bending and wiping of joints on lead pipes up to 4" diameter.
 4. Sanitary appliances in common use and the principles of their action:—Forms and materials for baths, lavatories, sinks, urinals, water closets and their fittings and methods of fixing; forms and principles of the various traps used in plumber's work and their relative advantages.
- (b) Practical knowledge of trenching and its safety:—Masonry work of all sorts, jointing of stoneware pipes and proper connection for bricks and pipes, drain sewers and restoring of road surface.
- (c) He should possess a certificate from a competent authority showing that he himself has the necessary qualifications for Plumber's work or that he has an assistant who has got such qualifications and he should possess also a complete set of all tools and plant required for Plumber's work and should have a place of business and a well-bound pocket-book for noting down instructions.

3. Every person wishing to have a license for Plumber's work shall submit to the Chief Officer of the Municipality an application accompanied by a certificate as noted in para No. 2 and a fee of Rs. 10 and two slips of his address of the place of business.

4. The Chief Officer shall forward within three days after its receipt the application with his opinion and its accompanying

certificate and one slip of address to the Engineer of the Municipality for disposal by the P. W. Committee. [in the absence of the P. W. Committee, by the Standing Committee].

5. The Municipal Engineer shall examine the papers and place them with his report before the first meeting of the P. W. Committee for consideration.

6. The P. W. Committee shall decide whether the license should be issued to the applicant and if the decision be in the affirmative, shall ask the Engineer of the Municipality to prepare the same on the prescribed form within two days after the date of the meeting.

7. The Engineer shall at the same time inform the applicant in writing to send him a sum of Rs. 50 as a deposit for Plumber's work and issue the license to the applicant immediately after the receipt of the deposit.

8. The term of every license shall terminate at the end of every official year when it shall have to be renewed.

9. Every Plumber shall be bound to carry out the lawful orders of the Chief Officer and the Municipal Engineer and shall comply with all the bye-laws in force, especially those in connection with the water supply and drainage of the city.

10. Every applicant for a water pipe or drainage connection or repairs or alterations to the same shall arrange in the usual way to obtain permission from the Municipality before he engages a plumber for doing that work.

11. The applicant referred to in para 10 shall supply the plumber he engages the copies of the papers he gets from the Municipality to show that he has got permission for getting either a water pipe or Drainage connection or for repair or alteration to the same and give written order defining exactly what work the Plumber has to do.

12. Every Plumber shall do the work entrusted to him diligently and in a workmanlike manner and complete the same without unnecessary delay and to the entire satisfaction of the

Municipal Engineer or his agent and shall see during the execution of the work that no obstruction is made to the traffic.

13. As a rule, the connecting pipe or drain shall be laid not less than 18" below the road surface.

14. Every Plumber shall after the receipt of an order from a house owner for making a new connection or repairs alterations to the old one, as sanctioned by the Municipality, report on the prescribed form to the Municipal Engineer the fact of his having agreed to do the work and also the date of commencement of the work and fix a date an interval of 2 clear days and the hour when the work will be ready for inspection of the Municipal Engineer or his authorised agent. This date shall not be a Sunday or a public holiday and the hour not later than 2 P. M.

15. It shall be the duty of the Plumber to keep open the Municipal pipe or drain for making the necessary connection and also all the articles required for the same at the hour proposed for inspection. The Plumber shall open for inspection at his own cost, any joint or pipe when called upon to do so by the Inspecting Officer and give every facility to that officer to do his work of inspection.

16. The Engineer shall cause the work to be inspected before 4 P. M. of the same date and issue orders to his staff to complete the work by making the necessary connection to the Municipal pipe or drain and permit the Plumber to restore the entire road surface to its original condition before sun-set after he is satisfied that the work has been completed properly.

17. The inspecting officer at the same time should complete the form referred to in bye-law No. 14 and note on the date of completion of work, from which date the Plumber's period of one month referred to in bye-law No. 19 for keeping the road in order will be counted. The form should be recorded in the Engineer's office after this period of one month is over.

18. If for any unavoidable circumstances, the Engineer allows the Plumber to complete the repairs after sunset, it shall be the duty of the Plumber to provide the trench with a sufficient number of danger signals to prevent accidents to traffic,

and if any accident happens for want of or defect in the signals, the Plumber shall be held responsible for the damages caused by the accident.

19. If the Plumber fails to take the necessary precautions as detailed in rule No. 18 or to restore the road surface to its original condition and thereby shrinkage of road surface occurs within a period of one month, the Municipality will do the needful and shall recover the cost of such work from the Plumber out of his deposit.

20. Every Licensed Plumber shall limit the charges both for material and labour for the work entrusted to him to the scheduled rates fixed by the P. W. Committee and noted on the back of his License.

21. Every Licensed Plumber shall accept the materials supplied by the person for whom the work is to be done, if they are not bad.

22. Every Licensed Plumber shall previously settle the terms on which he agrees to the work with the person concerned and the Municipality shall not be responsible for any payments due to the Plumber from the applicant.

23. It shall be lawful for the P. W. Committee on the recommendation of the Engineer to inflict a penalty and recover the same from the deposit of every Plumber for not complying with any of the above bye-laws.

24. The penalty shall be a fine not exceeding Rs. 5 for the first offence and temporary suspension of the License for the subsequent offences and final forfeiture of the License in case of repeated neglect or incompetency.

25. Every person, except the authorised servant of the Municipality, doing the work of a Plumber, without having a License, in connection with the Municipal water supply or drainage pipe or within the limit of a private person, shall be liable to a fine not exceeding Rs. 25.

APPENDIX D.

(Vide Rule 38)

Scale of fees for Licenses to do certain things otherwise prohibited.

1. A fee of 2 annas per diem to be levied on bands of music of every description whilst played through the streets. (Superseded by new rules printed on page Nos. hence delited.)

2. A fee of one Rupee per diem upon all caste dinners held upon the public thoroughfares, lanes, or streets to be levied from the dinner-givers.

3. Whenever permission is given to occupy land under sections 122, 123, or 125, [152, 153 or 155 of C. M. Act.] a license fee of pies six per square yard or a fraction of a square yard per diem shall be levied from the person to whom such permission may be given, if the land permitted to be so occupied is a public street or a lane, over which the public have a right of way ; while for a similar license under section 122 [152] a fee of three pies per square yard per diem shall be levied from the person to whom such permission is given if the land permitted to be so occupied is only a public open space other than a street.

(1) Provided that when a street or other open space vested in the Municipality is required to be occupied under section 122 (4) [152 (4)] for a public religious ceremonial, the Municipality shall remit the whole of the license-fee leviable under this rule and that when the same is required to be occupied for any other public ceremonial, the municipality may remit the whole or a part of the said license fee ;

(2) Provided further that in lanes in which no wheel traffic is possible, permission may be granted for the erection of Pandals on the whole width, and on all other roads not more than one half of the total width of a road between two opposite houses may be allowed to be occupied on condition that no obstruction to traffic is caused in consequence.

[Proviso 2 sanctioned under G. R. G. D. No. S-91 (64) dated 10th February 1932].

(3) Provided further, that when on receipt of previous application, permission is granted under section 125 [155] for a period of one month or more, a license fee, varying from Rs. 2 to Rs. 4 per 100 square feet per month or part thereof according to the importance of the street, may be charged by the Managing Committee as per schedules of streets and when no previous application is received, fee at double the above rates shall be charged.

(4) Provided further, that if a two feet strip of land on any or all sides of a place of worship such as a temple, a mosque, etc. is required for storing building material, to be used for the purpose of repairing or reconstructing the said place of worship, permission shall be granted to occupy such land for a period not exceeding one month without charging any fees. [Proviso 4 sanctioned under G. R. G. D. No. S-91 (64) dated 23-7-1934.]

(Above rule Nos. 2 & 3, from Miscellaneous Rules on pages 94 to 107 from the edition of 1935 are detached and appended herewith).

SCHEDULE A.

(Vide Rule 3 on page 106)

Statement showing roads which are to be charged at Rs. 4 per month per 100 square feet, when road area is required for one month or more, under sec. 155 of the C. M. Act.

No.	Peth.	Names of Roads.	North-South or East-West.
1	Nihal	Daruwala Bridge to Raste Wada. ...	E. W.
2	Somwar	Raste Wada to Narpatgir Gate. ...	N. S.
3	"	Narpatgir Gate to Bolai. ...	E. W.
4	"	Narpatgir Gate to Goods yard. ...	N. S.
5	"	Narpatgir Gate to Bhattigate. ...	"
6	Mangalwar	Jakatpool to Bhangi pool. ...	"
7	"	Bhangi pool to Gadi Tal. ...	"
8	Bhawani	Ramoshi Gate to Sapika. ...	E. W.
9	"	Sapika Chowk to Padamji Cross Road. ...	"
10	"	Padmji Cross Road to Cantonment limits... ..	"
11	"	Ramoshi Gate to Palkhi Vithoba Chowk ...	"
12	"	Burdi Pool to Palkhi Vithoba Chowk. ...	"
13	Ganesh	Ganesh Peth Gate to Ganesh Peth Bridge... ..	E. W.
14	Vetal	Phulwala Chowk to Subhanshah Bungalow	N. S.
15	Nana	Sacha Pir to Quarter Gate. ...	E. W.
16	"	Kabir Panth Math to Quarter Gate. ...	"
17	"	Kabir Panth Math to Aid-De-Camp Chowk. ...	N. S.
18	"	Kabir Panth Math to Nana Chawadi. ...	E. W.
19	"	Nana Chawadi to Ghode Pir, ...	"
20	"	Ghode Pir to Ganesh Peth Pool. ...	"
21	"	Nana Peth Dane Ali Road. ...	N. S.
22	Narayan	Gayakwad Wada to Lakdi Pool. ...	E. W.
23	Budhwar	Nana wada to Budhwar Chowk. ...	N. S.
24	"	Budhwar Chowk to Kotwal Chawadi. ...	"
25	"	Kotwal Chawadi to Datta Mandir. ...	"
26	"	Datta Mandir to old Post Office. ...	E. W.
27	"	Appa Balwant Chowk to Moti Chowk. ...	"
28	"	Laxmi Road. ...	"
29	Shanwar	Appa Balwant Chowk to Phutka Buruj ...	N. S.
30	"	Bawadekar Wada to Phutka Buruj. ...	"
31	"	Shanwar Wada to Onkareshwar, and Mehendale Maruti. ...	E. W.
32	"	Appa Balwant Chowk to Gayakwad Wada. ...	"
33	"	Appa Balwant Chowk to Shanipar. ...	N. S.
34	Raste	Daruwala Bridge to Bhatti Gate. ...	E. W.
35	"	Bhatti gate to Khatic Howd. ...	N. S.
36	"	Bhatti gate to Synagogue Road. ...	E. W.
37	Shukrawar	Swar gate to Ganjigutta Road. ...	N. S.
38	"	Ganji Gutta to Kamath Kundi. ...	"
39	"	Kamath Kundi to Phah gate. ...	"
40	"	Phad gate to Pestonji Dispensary. ...	"

No.	Peth.	Names of Roads.	North-South or East-West.
41	"	Pestonji Dispensary to Market road. ...	"
42	"	Market Road to Rameshwar. ...	N. S.
43	"	Rameshwar to Datta Mandir. ...	"
44	"	Shanipar to Rameshwar. ...	E. W.
45	"	Reay Market to Kotwal Chawadi. ...	N. S.
46	Sadashiv	Vishrambag to Lakadi Pool, ...	E. W.
47	"	Shanipar to Nagnath Par to wadekar Chawl ...	"
48	Kasba	Kasar Vihir to Dagdi Pool. ...	N. S.
49	Shukrawar	Datta Mandir to Dane Ali. ...	E. W.
50	"	Dane Ali to Aphuwala Chowk. ...	"
51	"	Laxmi (Globe) Cinema to Someshwar Temple. ...	"
52	Rawiwar	Moti Chowk to Fadke Gate gate to Daruwala Bridge. ...	N. S. & E. W.

SCHEDULE B.

Statement showing roads to be charged at Rs. 3 per month per 100 square feet.

No.	Peth.	Names of Roads.	North-South or East-West.
1	Raste	Kabir Panthi Math to Bhatti Gate. ...	N. S.
2	Kasba	Shanwar Wada to Kasba Ganpati. ...	E. W.
3	Mangalwar	Jakati Gate to-Chiplunkar's Wada. ...	"
4	Shukrawar } Vetal } Ganj } Bhawani }	Gadikhana to Parasnath temple to Mith-ganj to Ghaseti Bridge to Ramoshi Gate.	"
5	Bhawani	Ramoshi Gate to Aid-De-Camp Chowk to Nana Peth Adate Ali Chowk. ...	N. S.
6	Rawiwar	Aphuwala Chowk to Moti Chowk. ...	"
7	Kasba	Purandare Wada to Dagdi Pool Chowk. ...	E. W.
8	Shukrawar	Shukrawar gate to Gadikhana Chowk. ...	N. S.
9	Sadashiv	Sadashiv Peth llowd to Umbrya Ganapati	"
10	Budhwar	Vishrambag to Kotwal Chawadi. ...	E. W.
11	"	Jogeshwari Temple to Tulsibag. ...	N. S.
12	"	Pasolya Vithoba to Shukrawar Gate. ...	"
13.	Rawiwar and Nana	Parsi Bridge Road and Agyari Road. ...	E. W.
14	Nana & Raste	Ganesh Peth Bridge to Raste Wada. ...	N. S.
15	Ganj and } Rawiwar }	Ghaseti Bridge-Halwai Chowk, Ganesh Peth Gate to Daruwala Bridge. ...	"
16	Somwar	Nagoba Road to Jakati Pool. ...	"
17	Nana	Nana Chawadi to Agyari Road. ...	N. S.
18	Bhawani	Ghaseti Bridge, Adate Ali, Palkhi Vithoba, Aid-De-Camp Chowk to Mendhre Ali.	E. W.
19	Rawiwar	Someshwar temple to Someshwar Gate. ...	"
20	Shukrawar	Fad Gate to East Corner of Police Lines. ...	E. W.

No.	Peth.	Names of Roads.	North-South or East-West.
21	..	Panchmukhi Maruti to Gadikhana Chowk. ...	W. E.
22	..	Panchmukhi Maruti to Corner of Police Lines. ...	N. S.
23	Rawiwar	Parasnath Chowk to Subhanshah Bungalow to Tambaku Ali Chowk to Dane Ali Chowk. } ...	N. S.
24	..	Subhanshah Bungalow to Jamatkhana and Bhatar Gali. ...	W. E.
25	..	Motichowk to Bhaji Ali-Lonar Ali to Ganesh Peth Musjid. } ...	E. W. & N.S.
26	..	Kapad Ali Corner to Ganesh Peth Musjid. ...	S. N.
27	Somwar	Narpatgir Chowk to Collector Office. ...	E. W.
28	Kasba	Juna Kot Chowk to Dagadi Pool. ...	S. N.
29	Nana	Burdi Pool-Dakay Talim to Ghode Pir Road. ...	S. N.
30	Shukrawar	Panchmukhi Maruti to Parasanath Chowk. ...	N. S.
31	..	Ambrai Naka Road. ...	E. W.
32	..	Mamlatdar Office Road Panch Howd. Mission Road to Police Lines. } ...	S. N.
33	..	Dandekar Buildings to Nandurki. ...	E. W.
34	..	Road to the South East of Reay Market... ..	"
35	..	Pestonji Dispensary to Gadikhana. ...	"
36	Nana	Nana Chawadi to Arse Masid. ...	N. S.
37	Kasba	Old Mandai-Tambat Howd-Juna Kot Chowk Sat Toti to Jakati Pool. ...	E. W.
38	..	Vyawahar Ali. ...	N. S.
39	Sadashiv	Gaya Ali Corner to Kunte House to Dolkar Ali Corner. ...	S. N.
40	Rawiwar	Lonar Ali to Daruwala Bridge Road. ...	"
41	Narayan	Back side of Female High School to pat- ray Maruti to Modi Ganpati to Par. ...	E. W.
42	Sadashiv	Backside of Fadtare Wada to Johare Mahadeo fo Gondhle Ali. ...	"
43	..	Navi Peth Road to Ambil-Odha Road. ...	N. S.
44	..	Ambil-Odha Road to Navi Peth Vithoba to Training College Corner. ...	S. N.
45	Narayan and Shaniwar	Narayan Peth Gate-to Mehendale Maruti to Onkareshwar to Shaniwar Maruti (Semi-circular.) ...	"
46	Shaniwar	Mehendale wada to Khabutarkhana to Shanwar Maruti ...	W. E.
47	Narayan	Mati Ganpati to Narayan Peth Gate. ...	"
48	..	Ashtabhuj Devi Road. ...	E. W.
49	Shanwar	Wartak Howd Road. ...	N. S.
50	..	Natu wada to Gadre wada. ...	S. N.
51	Sadashiv	Batata shed in the Rey Market to Peru Gate to Navi Peth Road. ...	E. W.
52	Shaniwar	Mehunpura Road. ...	"
53	Sadashiv	Upashi Vithoba Road. ...	"

No.	Peth,	Names of Roads.	North-South or East-West.
54	Shukrawar	Dane Ali Road from Joshi Hall to Saraf Ali corner. ...	W. E.
55	Budhwar	Kakirde lane, from Jogeshwari to Kashikar temple. ...	S. N.
56	Sadashiv	Peru Gate to Limaye Wadi. ...	N. S.
57	"	Peru Gate to Modi Ganpati. ...	S. N.
58	"	Upashi Vithoba Road corner to Kala Howd Road. ...	W. E.
59	"	Chimnya Ganpati to Bhikardas Gate. ...	N. S.
60	"	Gaya Ali Road (near Nagnath Par) to Khunya Murlidhar to Narsoba to Khajina Vihir Road. ...	"
61	"	Khajina Vihir to Bhikardas Gate. ...	W. E.
62	"	Shanipar to Nawa Vishnu Corner. ...	N. S.
63	Bhavani	Mendhare Ali. ...	"
64	"	Padamji Road. ...	"
65	"	Bhagwandas Chawl Road. ...	"
66	"	Old Modikhana Road. ...	"
67	"	Lalbag Road to Bhangi Hatti. ...	S. N.
68	Vetal	Jingar Ali. ...	N. S.
69	Shaniwar	Anandashram Road. ...	E. W.
70	Kasba	Tambat Ali House No. 117 to 261. ...	"
71	Somwar	Nageshwar Road from Jakati pool to Vishnu Mandir. ...	"
72	Nana and Raste	Niwadungya Vithoba to Lakerya Maruti to Laxmeeshwar Mahadeo. ...	N. S.
73	Raste	Taboot Road. ...	E. W.
74	"	Warad Ali. ...	"
75	"	Lakerya Maruti Road. ...	"
76	"	West corner of Laxmeeshwar Mahadeo to Warad Ali. ...	N. S.
77	"	Untawade Maruti to Lakerya Maruti ...	"
78	"	Lakerya Maruti to Quarter Gate. ...	E. W.
79	Nana	Road joining Agyari Road and Nana Chawadi Road going by the West of Mutton Market. ...	N. S.
80	"	Road to the south of Mendhre Bazar. ...	E. W.
81	Bhavani	Palkhi Road (No. 1120) to kabir Panth Math Road (No. 1237). ...	"
82	Ganj	Road from Ghaseti Pool Howd to Lingayat Ali and Mochi Ali. ...	S. N.
83	Ganj	Lingayat Ali. ...	E. W.
84	Bhawani	Dal Ali. ...	"
85	Vetal and Ganj	Road from the Eastern corner of Police Lines to Nagzari Road. ...	"
86	Shukrawar	Panchmukhi Maruti to Shitala Devi. ...	N. S.
87	Vetal	Shikalkar Ali. ...	"
88	"	Raja Bazar Road. ...	"
89	Ganj	Mithganj Road. ...	"
90	Rawiwar	Gujari Bazar-Jamat-Khana Road. ...	"

No.	Peth.	Names of Roads.	North-South or East-West.
91	Vetal and Rawiwar	Reshim Ali and Kachi Ali.	N. S.
92	Rawiwar	Tawe Ali.	E. W.
93	Shukrawar & Rawiwar	Dane Ali Road joining Saraf Ali to Badhai Ali.	"
94	Bhawani	Padamji Road.	N. S.
95	Nana	Bhokarwadi Road.	E. W.
96	Nana	Road joining Kabir Panthi Math Road to Dane Ali Road.	"
97	Budhwar	Shalukar's lane.	"
98	Shaniwar	Nana Wada North East corner to Shalu- kar's Lane.	E. W.
99	"	Lokhande Talim to Natu Wada chowk.	N. S.
100	Kasba	Dagdi Pool Police Gate to No. 954 Kasba Peth.	E. W.
101	Ganesh	Pangul Ali Road.	N. S.
102	"	Ganesh Peth No. 19 to 168.	"
103	"	Ganesh Peth No. 3 to 194.	"
104	Nana	Abin Pir Road.	E. W.
105	"	Adate Ali Road.	"
106	Bhawani	Hamal Ali.	"
107	Narayan	Umbraya Ganpati to Mankeshwar Vishnu Road.	N. S.
108	Narayan	Mendhre Ali.	E. W.
109	"	Training College West Corner to River... ..	N. S.
110	Sadashive	Nawi Peth Vithoba to Nawi Peth Gate to River.	E. W.
111	"	Nawi Peth Mang Ali.	"
112	"	Nawi Peth Jakat Naka to Lakdi Pool	N. S.
113	"	Peru Gate to Dolkar Ali.	"
114	"	Kala Howd Road from Chinch Talim to old Jai Gate.	"
115	"	Khajina Vibir to Vithal Wadi Road.	"
116	"	Nawi Peth Jakat Naka to Vithal Wadi Road.	"
117	Shukrawar	Chapparband Road.	E. W.
118	Sadashiv	Bhikardas Gate to Ambarai Naka.	N. S.
119	"	Ambarai Naka to Parwati Tank to Vithal Wadi Road.	"
120	Shukrawar	Hirabag Road.	N. S. & E. W.
121	Ghorpade	Kaikad Ali to Kumbhar Ali.	N. S.
122	Vetal	Kumbhar Ali to Krishna Hatti Chowk.	N. S.
123	Shukrawar	Shitala Devi Road.	"
124	Ghorphade	Mission Road to Panand,	E. W.
125	"	House No. 238 to Shankarshet Road.	"
126	"	Ghorpade No. 16 to 22.	N. S.
127	Shukrawar	Panch Howd Road from Khadak Gate to Kaikad Ali.	E. W.
128	"	Kaikad Ali to Shankarshet Road.	N. S.
129	Ganj	Sajan Road from Ganj No 786 to Ghaseti Pool Road.	"
130	"	Momin Ali.	"

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No.	Peth.	Names of Roads.	North-South or East-West.
131	Bhawani	Bhawani Temple to Lalbag Road.	N. S.
132	Sadashiv	Pushkarni Howd to Gaya Ali.	"
133	"	Chimnya Ganpati to Gaya Ali.	"
134	Budhwar	Dhamdhare Lane to Kali Jogeshwari.	"
135	Shukrawar	Sachive Picchadi to Old Jai Gate.	"
136	"	Badami Howd Road.	E. W.
137	"	Pant Sachive Picchadi to Rameshwar Road.	N. S.
138	"	Panse Road (from Kala Howd to Pant Sachive Picchadi Road).	"
139	Ganj	Mithganj Road No. 812 to 845.	E. W. & N. S.

**Revised bye-laws framed by the Poona City
Municipality for the levy of charges for
drawing plans of buildings. etc.**

1. When permission is granted by the Municipality to commence the construction of a building, the person to whom permission is granted shall, on application in writing to the Chief Officer, be furnished with copies of the following documents, or of one or more of such documents:—

- (i) Copies of plans of—
 - (a) the building
 - (b) the site thereof and
 - (c) any temporary structure, privy, bath room, etc., connected therewith.
- (ii) Relevant extracts from the field book of the 1872 survey and city survey sheets of 1872 and 1915.

2. Charges shall be made for the documents mentioned above at the following rates:—

I. PLANS OF BUILDING.

- (a) For a single storeyed building—
 - (i) Charge for drawing plans ... Rs. 2—0—0
 - (ii) Charge for copying plans
(for each copy supplied) ... Rs. 1—4—0
- (b) For a two storeyed building—
 - (i) Charge for drawing plans ... Rs. 3—8—0
 - (ii) Charge for copying plans
(for each copy supplied) ... Rs. 1—12—0
- (c) For a building with more than two storeys, the charge mentioned in item (b) above, and in addition, for each additional storey—
 - (i) additional charge for drawing plans ... Rs. 1—0—0
 - (ii) additional charge for copying plans (for each copy supplied) ... Rs. 0—4—0

II. EXTRACT FROM FIELD BOOK OF 1872 AND CITY
SURVEY SHEETS OF 1872 AND 1915.

For each house with a separate
number. Rs. 2—0—0

III. SITE PLAN AND PLAN OF A TEMPORARY SHED,
PRIVY, BATH ROOM, ETC.

(a) For site plan (for each copy) ... Re. 1—0—0

(b) For plan of shed, privy, bath-
room etc. (for each copy) ... Rs. 1—8—0

3. The charges mentioned in the above bye-law shall be payable in advance when the application for copies is made.

4. Refunds of amounts paid in advance shall be allowed if the copies applied for are not required, provided that an application for a refund is received within three days of payment and the preparation of the documents asked for has not already been undertaken.

[Sanctioned under G. R. G. D. No. S-91 (64) dated 30-5-38.]

Bye-laws under Section 48 clause (1) sub-clause (n)

BALCONIES OVER PUBLIC STREETS.

[Sec. 61 (i) (s) of the C. M. Act.]

1. No balcony shall be allowed to be constructed or attached to any house in the Municipal District unless—

- (a) the lower surface of the beams or other material supporting the balcony is not less than 11 feet high from the surface of the centre of the street in front of the house, to which the balcony is attached;
- (b) the eaves of the roof on the balcony are not within 10 feet of the centre of the street in front of the house, to which the balcony is attached;
- (c) the balcony does not extend more than three feet in width beyond the line of the plinth or basement of the wall of the building, provided that a balcony may

extend up to four feet in width beyond the line of the plinth or basement in the case of houses abutting on road having footpaths and measuring 50 feet or more in width;

- (d) The owner of the house applying for permission to build a balcony pays to the Municipality the fees prescribed in the rule framed under Section 58 (j) of the Act. ”

(Sanctioned under G. R. G. D. No. S. 91 (64) dated 5th May 1939)

Provided that the Chief Officer, if he deems it advisable, may waive with the previous approval of the Standing Committee, the limits laid down in clauses (a) and (b) of this bye-law in specific cases where such deviation in his opinion will not materially affect sanitation and traffic facilities of the place.

[Revised bye-law No. 1 was sanctioned under G. R. G. D. No. 91 (64) dated 15th March 1932.]

2. The Municipality shall have power to cause the Sajja to removed whenever it is deemed necessary to do so on public grounds without payment of compensation for such removal or for any damage caused to the building by such removal.

(Rule 2 sanctioned under G. R. G. D. No. 4052 dated 25-7-1905).

“ The Municipality shall levy rent for balconies at the same rate at which open spaces along the road-side are rented. ”

(Sanctioned under G. R. G. D. No. S. 91 (64) dated 5th May 1939).

BALCONY TO A HOUSE.

[Under sections 70 and 113 of the D. M. Act.]

(Sec. 90 and 143 of the C. M. Act.)

Sanctioned by Government under G. O. No. 8470, dated 9th August 1920.

The Municipality may permit a Sajja or balcony to be attached to a house on conditions specified in the Bye-laws made in this behalf, and on payment of a half-yearly rent at rates specified below.

The Municipality shall have the power to cause the Sajja to be removed whenever they deem it necessary to do so on public grounds ; and the owner of the Sajja shall not claim or receive any compensation for such removal, or for any unavoidable damage caused to the building by such removal.

The rent shall be payable in two half-yearly instalments, the first instalment falling due on the 1st of April and the second on the 1st of October each year.

The rent shall be recovered from the owner, tenant, or occupier of the house to which the Sajja is attached, and shall be demanded, collected or recovered in the same manner as the house tax.

[The old scale of rents are superseded by new rule for the levy of fees as Sanctioned by Govt. and G. R. G. D. No. S-91 (64) dated 5th May 1939].

PROJECTIONS OVER PUBLIC STREETS.

Bye-laws under clause (n) of section 48.

[Vide Sec. 61 (s) of the C. M. Act.]

(Sanctioned by Government in their resolution No. 4976 G. D.
dated 5th August 1908).

I

WEATHER-BOARDS AND EAVES.

1. No house-owner shall be allowed to put up any weather-board attached to his house, so as to project over a public street, which shall be less than 10 feet in height at its lower extremity from the surface of the gutter or from the line of the road in front of the house or shall be beyond the roadside line of the gutter ;

Provided that no weather-board shall project more than 3 feet from the wall or post of the house to which it may be attached.

2. Subject to bye-law No. 1, in no case shall a weather-board be allowed to be put up, unless the house-owner makes due provision against rain-water from over the weather-board falling on any part of the road except the open gutter.

3. The weather-boards shall be either of timber, metal sheet or any other material to be approved by the Managing [Standing] Committee in each case.

4. The above bye-laws shall apply *mutandis* to eaves also.

FOOT-BOARDS.

5. No foot-board projecting over a public street shall be more than one foot in width or shall extend more than one foot from the line of the plinth of the house or shop to which it is attached. A foot-board not exceeding one foot in width may be allowed to be put up by a house-owner or a shop-keeper where the house or shop faces a foot-path distinct from and higher in level than a street or a road. [Superseded by bye-laws 1 and 2 on pages 230 & 231 below].

OPEN SPACES.

6. Open road-side spaces beyond open gutters or beyond the line of the road where no open gutter exists which vest in the Municipality, may, subject to the provisions of section 40 (2) of the Act, [Sec. 48 (2) of the C. M. Act] be let to house-owners for keeping them open or for making a temporary garden but not for building.

Provided that masonry steps may be allowed on a road-side Municipal space beyond the gutter and on payment of a fixed rent (vide rule 4 below) and provided that the owner agrees to remove the same within a week of the receipt of the notice from the Municipality to that effect without claiming any compensation for damages resulting from such a procedure and provided that the General Body may in special cases allow such steps on payment of a special rent on the above condition.

6-A: The P. W. Committee may at any time direct the removal of steps, if any, and if within the time stated, the owner

or occupier fails to remove them, the P. W. Committee may remove them and recover the expenses from the owner or occupant.

GENERAL

7. Weather-boards and foot-boards must be removed within a specified time when their removal is required for Municipal purposes. Open Municipal spaces rented will also be resumable by the Municipality within a stated time when required for Municipal purposes.

II

Rules framed under clause (i) of section 46 of the Bombay District Municipal Act III of 1901. [i. e. Sec. 58 (j) of the C. M. Act.]

1. No rent shall be charged for any weather board allowed to be put up by the Municipality under the conditions specified in the bye-laws framed in that behalf.

2. For every six running feet of a foot-board or a fraction thereof, allowed to be put up by the Municipality under the bye-laws framed in that behalf, rent at the rate of one rupee (Re. 1) per year shall be charged to the house-owner or shop-keeper and shall be recovered in advance by half yearly instalments. (superseded by rule 3 on page 229).

3. The Municipality will charge an annual rent of annas 8 per 100 square feet or a fraction thereof for open road-side spaces let to house-owners under the conditions specified in the bye-laws framed in that behalf. The rent shall be recovered in advance by six-monthly instalments. [Superseded by Rule 3 on page 231].

4. The Municipality shall levy the following annual rent on steps constructed on open road-side Municipal spaces with the permission of the Municipality.

Dimensions of masonry		Rent to be recovered	
steps.			p. a.
3' x 9" x 6"	Ans. 8 per step.
4' x 9" x 6"	Ans. 12 ,, ,,
Larger size	Re. 1

[Proviso to bye-law 6, bye-law 6-A and Rule 4
Sanctioned under G. R. No. 5573 dated 3-3-1919].

FEES FOR FOOT-BOARDS.

(Sanctioned by Government under G. O. No. 1516,
dated 7th February 1929 G. D.)

(Under section 70 and 113.)

[Vide Sec. 90 and 143 of the C. M. Act.]

1. For every Foot-board attached to a house or shop, the Municipality may charge fees or rent at rates stated herein below.

2. The rent or fee shall be payable by the house owner, a joint house owner, or occupier or a shop-keeper, as the case may be, and shall be demanded, collected or received in advance by two half-yearly instalments in the month of April and October each year.

3. The demand and recovery of the fee or rent shall be made in the same manner as the house-tax.

Rates of fee or rent.

For every 6 running feet of a foot-board or a portion thereof in Somwar, Ganesh, Shukrawar, Sadashiv and Narayan Peths	Rs. 2 per annum.
Do. in Budhwar, Raviwar and Veital Peths ...	Rs. 3 ,,
Do. in other Peths ...	Re. 1 ,,

**RULES FOR RENTING OPEN SPACES ALONG
THE ROAD-SIDES.**

(Under Section 70)

[Sec. 90 of the C. M. Act.]

1. For occupying or temporarily building upon spaces situate along the road-side beyond the regular line of a public street and vested in the Municipality, the Municipality may charge rent at rates given herein below.

2. The rent shall be payable by the builder or occupier and shall be collected or recovered in advance in two half-yearly instalments falling due on 1st of April and 1st of October each year respectively.

3. The rent shall be demanded and recovered in the same manner as the House-tax.

Rates of rent.

For every 100 sq. ft. of space or fraction thereof by the side of a road which is 20 ft. or less in width:—

Rs. 2 per annum.

For every 100 sq. ft. or a fraction thereof in case of roads more than 20 feet in width:—

Rs. 3 per annum,

[Rates sanctioned under G. R. G. D. No. S. 91 (64) dated 5-11-1932].

4. Open spaces rented by the Municipality are liable to be resumed on the expiry of the period of lease or even before the expiry of such period at the discretion of the Municipality. In the latter case, however, a proportionate refund of rent will be made.

BYE-LAWS FOR OCCUPYING ROAD-SIDE OPEN SPACES AND FOR ATTACHING FOOT-BOARDS.

[*Under Section 48 (u) and Section 112.)*]

[*Vide secs. 61 (b b) and 143 of the C. M. Act.]*

1. No foot-board projecting upon a public street shall be more than one foot in width or shall extend more than one foot beyond the line of plinth of the house or shop to which such foot-board is attached.

2. A foot board not exceeding $1\frac{1}{2}$ feet in width may, however, project on a foot-path which is distinct from and higher in level than the street or road.

3. A foot-board must be removed within three days from the date of the service of the notice by the Municipality.

4. A foot-board put up in contravention of the aforesaid Bye-laws shall be removed by the Municipality.

5. A person who retains a foot-board removed or ordered to be removed by the Chief Officer, shall on conviction be punished with fine which may extend to Rs. 25.

Occupation of road-side open-spaces.

6. No person shall without the written permission of the Chief Officer occupy or build upon any of the road-side spaces vested in the Municipality and situated beyond the regular line of a public street.

7. He shall within a reasonable time from the receipt of a written notice from the Chief Officer vacate and hand over to the Municipality the space occupied or built upon by him.

8. If such person fails to hand over the possession of the open space as aforesaid, the Municipality may clear the land, take possession of it and recover the expenses from the person occupying the same.

9. A person who breaks any of the Bye-laws Nos. 6 and 7 shall be punished with fine which may extend to Rs. 50.

Building Bye-Laws

Under Section 48 (1) (n) [Sec. 61 (1) (t) of the C. M. Act.]

(Commissioner C. D's. No. Poona 5-15 dated 23-3-1922.)

1. No person shall erect or re-erect a building having walls or roofs of inflammable materials (as defined in section 94 (1) of the District Municipal Act) such as grass, within a distance of 100 ft. from any permanent building.

2. No person shall erect a building on any foundation other than hard murum or rock without the written consent of the Municipal Engineer. Such consent shall not be given unless the Municipal Engineer is satisfied that the foundation and its footings are good enough to insure the stability of the building to be superimposed.

3. Every person erecting a building intended for human habitation shall construct a plinth for the same upto a level at least $1\frac{1}{2}$ ft. above that of the highest point in all ground within 10 ft. thereof (i. e. plinth).

4. Every person erecting a new building shall have the width of its foundations at least 9" greater than the thickness of the plinth above.

5. Every person erecting a new building shall have the plinth at least 6" wider than the superimposed wall.

6. Every person erecting a new building shall have the top layer of every floor of his building, which floor is not of stone or planks, of at least 9" depth of material free from salt.

(a) Every person erecting a new building shall construct the walls of his building of such width as the Committee or the officer appointed for the purpose for the time being shall approve. The said Committee or the officer shall, in fixing such widths, have regard for the height and nature of the materials used for such walls and shall keep a schedule of these widths in the municipal office for the guidance of the persons concerned,

7. Every person erecting a chimney shall so construct it that the upper outlet shall be at least 2 feet above that of the highest dwelling-house if situated within 20 feet from the chimney or else the upper outlet will be 2 ft. above the point of junction of the chimney with its adjoining parts.

8. For the purpose of the section 96 (6) [123 (8)] and bye-laws 9 to 13, the following shall be the recognised stages in the erection of a building :—

1. Digging for foundations.
2. Filling in foundations.
3. Construction of plinth.
4. { Erection of walls or wood work.
Construction of roof.
5. All subsequent work.

9. The person who has given notice to the Municipality under section 96 [sec. 123], in respect of any building shall, for each or all stages, if not in charge of the work himself, appoint a person to be in charge on his behalf.

10. Every person in charge of any stage shall give the Municipal Engineer at least 24 hours' notice of a date and hour at which the whole or part of the work will be ready for inspection upto the end of that stage.

11. No person in charge of the 2nd or any subsequent stage shall, except with the written permission of the Municipal Engineer or his authorised representative, start his work before the date and hour notified under bye-law 10 in respect of the last previous stage.

12. No person in charge of any stage shall, except with the written permission of the Municipal Engineer or his authorised representative, continue his work after the issue of any requisition under section 96 (6) in respect of that or any previous stage unless the requisition has been fully complied with and the fact duly reported to the Municipal Engineer.

13. All notices, requisitions, permits and reports under bye-laws 10 to 12 or section 96 (6) [i. e. Sec. 123 (8) of C. M. Act] shall be invalid unless written in Form A, which shall be suppli-

ed by the Chief Officer, with Parts I and II duly filled in to the person giving notice under section 96, and a separate form for each separate building.

Explanation :—Notice under bye-law 10 shall be deemed to have been duly given when the person giving notice has made the proper entries in column 2 of part IV and column 3 of part V and the rest by the Chief Officer, Chairman Managing Committee, or any Karkun or Inspector under the Public Works Committee, or any other committee executing the work of that committee.

14. The Chief Officer shall supply Form A, duly filled in, so far as may be upto date, to the person who has given notice under section 96, as soon as the Municipality's final orders are passed, and such person, shall arrange for the Form to be kept (except when taken to the Municipal Office to be filled in) on the work by the person in charge, who shall produce it for inspection; whenever required to do so by any Municipal Officer.

Under section 48 (D) [Sec. (u) of C. M. Act.]

1. The Public Works Committee [at present, the Standing Committee] shall, as soon as possible, prepare a scheme for the classification of public streets for the purpose of realizing permit fees, and also for the extension of public streets to areas not sufficiently served by existing streets or to areas in which extension of buildings is desirable. They shall give public notice of the scheme and keep its complete plan in the Municipal Office for inspection.

2. No person shall, except with the permission of the Committee appointed for the purpose for the time being, erect or re-erect any building upon or within 5 feet of any land which is required for a street according to any street laying scheme approved by the Municipality. Such permission shall not be given unless the side Committee can and do so modify the original scheme as to secure, without prohibiting the proposed erection, provisions for streets no less adequate and at no greater cost than that involved in the original scheme and without making streets unduly tortuous or

appreciably reducing the facilities secured for occupiers of other houses by the original scheme.

Explanation.—The Committee or its authorised representative may, however, grant permission for building steps, Ota, or a temporary compound on the said area as long as it is not acquired.

Exception.—This bye-law may not be applicable to buildings along-side streets which are mainly used as shops or which are to be built along a street, the width of which is not less than 40 feet according to the regular scheme of road widening.

3. No person shall commence to erect any house, shop, stable, godown or out-house until—

(1) he has obtained from the said Committee referred to in bye-law 2, a certificate showing that the sanitary convenience of the building can at all times be conveniently reached from a public street by a Municipal scavenger or a cart and that the erection of the building will not seriously interfere with facilities for the scavenging of any existing building; and

(2) he has constructed a passable street within his limits for the speedy removal of insanitary substances by the Municipality to the satisfaction of the Municipal Engineer or his representative.

Provided that the certificate under clause 1 shall not be required if the Committee omit to furnish the same within one month of receiving an application for it.

VENTILATION

Under Section 48 (P). [i. e. sec. 61 (v) of C. M. Act.]

(Sanctioned under G. O. G. D. No. 7566 of 30-10-1918)

1. No person erecting a new building shall, without the written permission of the Committee appointed for the purpose for the time-being, fail to provide contiguous to the ground covered by the building and its projections an open space exclusively

belonging to such building and of an aggregate extent not less than half of that of the said ground and free from any erection thereon above ground level.

2. No person erecting a new building which abuts on a street shall, without the written permission of the Committee appointed for the purpose for the time-being, so construct the same that any point of it is at a greater height than the horizontal distance of the point vertically below the aforesaid point from the farther edge of such street.

In granting permission to erect buildings of greater height than that laid down in the preceding clause, regard shall be had to the height of the generality of houses in a particular street, and also to the widths of two streets when a building abuts on the corner of two streets, which corner shall, when found desirable by the said Committee, be rounded off to the satisfaction of that Committee.

Provided that nothing in the bye-law shall debar any person from reconstructing any building which has stood within two years on the same site on the model of, and with the same dimensions as, the original building. (bye-law No. 2 will not operate on houses constructed by the side of streets having a width of more than 20 feet.)

3. Every person who erects a new dwelling-house shall so construct such dwelling house that the whole of at least one side of every room thereof intended to be inhabited shall either be an external wall abutting on the open air or abut on an interior open space having an area equal to not less than one fourth of the aggregate floor area of all the rooms abutting thereon, and being not less in any direction than six feet across.

Provided that any room intended as a store or lumber room may be added to such room except on the side abutting on the open air.

4. He shall provide between at least two of the external walls and the boundary line of the owner's premises, except where either of such walls faces a street of not less than ten feet width, an open space extending throughout the entire length

of such wall, at least two feet wide. He shall cause every interior open space required by this bye law to be kept free from any erection thereon and open to the sky and no cornice or roof shall project or overhang the said open space more than twelve inches on any side thereof ; provided that such connecting passages and weather shades may be allowed as to the Municipal Engineer shall seem necessary, such passages being open on one or both sides.

5. He shall construct every room intended to be inhabited in such building, except a room immediately below the roof thereof, so that the same shall be in every part at least eight feet in height from the floor to the ceiling.

6. He shall so construct every such room immediately below the roof of such building that the same shall have an average height of at least seven feet from the floor to the ceiling.

7. He shall so construct every such room that the same shall have a clear superficial area of not less than eighty square feet.

8. He shall so construct every such room that the same shall be provided with ventilation by means of doors and windows, which open directly on to external air-spaces, not less than two and a half feet in width and which have an aggregate area of openings not less than one-tenth to one-fifth of the superficial area of that side of the room, which faces an open space.

He shall also endeavour to provide openings in his room so as to provide a current of air whenever desirable, and see that an opening for foul air is always kept near the top of the room.

9. A building used or intended to be used or leased for purposes from which nuisance of any kind is likely to be caused to the inhabitants of the neighbouring house or houses, shall not be allowed within 100 feet from any neighbouring inhabited building unless it is so constructed that it will cause no nuisance to the neighbouring inhabitants.

FORM-A.

No.

[Vide bye-laws 13 and 14 under section 48 (1) (n)].

BUILDING PROGRESS REPORT.

I. Notice dated _____ received from _____ on _____
in respect of building at _____

II. Nature of work contemplated.

III. Number, date and substance of Municipality's final orders under section 96 [123].

IV.—

Stage.	Date and hour notified under bye-law 10 and signature of person giving notice.	Signature of person receiving notice with date.	Date and hour of inspection by Engineer or Deputy with signature	Substance of orders passed on inspection with date of delivery.
1. Digging for foundations.				Here should be entered "work may proceed" or "requisition No. 1 issued" (Vide part V) or as the case may be.
2. Filling in foundations.				
3. Construction of Plinth.				
{ Erection of walls.				
{ Construction of roof.				
5. All subsequent work.				

V.—

Serial No. of requisition.	Requisition issued under sec. 96 (6) [i. e. 123 (8)].	Report of compliance under bye-law 12 with date.	Engineer's orders or report of compliance.
No. 1.			

Column 2 of Part IV and Column 3 of Part V are to be filled in by the person concerned. All the rest will be filled in by the Municipality.

SPECIAL BUILDING REGULATIONS FOR
STRUCTURES IN AGRICULTURAL LANDS.

(As made applicable to **Tilak Road** under Collector's No. S. R. 15/330 dated 2-8-1930.)

I. The minimum area of a building plot shall be 300 square yards i. e. $2\frac{1}{2}$ gunthas.

II. Within the compound of a single plot less than 20 gunthas in extent there shall not be more than *one* dwelling house.

III. Open space equal to $\frac{1}{2}$ of the total area must be left free from any erection thereon above the ground level.

IV. Where more than one dwelling house is erected $\frac{3}{4}$ th of the total area shall be so kept open.

Note :—A dwelling house does not include out-houses used for kitchens, stores etc. etc.

V. No building shall be erected within 10 feet of any existing or proposed road.

VI. The plinth of the main-buildings shall not be less than 2 feet in height.

VII. Every dwelling room on the ground floor shall be 9' in height from the floor to ceiling and 8' on any floors above.

A ground floor structure may be erected with 6' height in front and rear and 10' in middle.

VIII. No structure shall be erected within $7\frac{1}{2}$ feet from the out boundary of a plot on any of its two sides, provided that special permission may be granted for the erection of coach houses, stables, privies and other non-residential buildings in accordance with the circumstances of each case. 15' open space is necessary in the rear. There should be no other construction except flushing privies in the 15' open space in the rear provided that the privies are constructed back to back by the adjoining owners.

IX. Suitable access to each plot must be secured ; the minimum width of road giving access will be determined in each case by the Collector.

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Add the following rules after the rule IX :—

- X. The outhouses, privies, cow houses and stables, etc. shall be in the rear portion of the plot i. e. away from the most important road.
- XI. Open space between detached dwelling houses shall not be less than 10 feet.
- XII. All buildings shall be built in accordance with the rules prescribed by the Municipality in this behalf; moreover, the collector will in all cases require due provision to be made to secure sufficient light and ventilation for all parts of any building.
- XIII. Applicants, for permission to build, shall attach to their applications a site plan prepared in accordance with these regulations. Full explanation should be given showing how compliance with the regulations is obtained.

GENERAL BUILDING REGULATIONS FOR
BUILDINGS IN AGRICULTURAL LANDS.

(Made by the Collector of Poona for Poona City
Municipal Limits).

I. The minimum area of a building plot shall be 300 square yards i. e. $2\frac{1}{2}$ gunthas.

II. Within the compound of a single plot less than 20 gunthas in extent there shall not be more than *one* dwelling house.

III. Open space equal to $\frac{2}{3}$ rd of the total area must be left free from any erection thereon above the ground level.

IV. Where more than one dwelling house is erected $\frac{3}{4}$ th of the total area shall be so kept open.

Note.—A dwelling house does not include out-houses used for kitchens, stores etc. etc.

V. No building shall be erected within 15 feet of any existing or proposed important road and 10 feet of any other road.

VI. The plinth of the main-buildings shall not be less than 2 feet in height.

VII. Every dwelling room on the ground floor shall be 9' in height from the floor to ceiling and 8' on any floors above.

A ground floor structure may be erected with 6' height in front and rear and 10' in middle.

VIII. No structure shall be erected within 15 feet from the outboundary of a plot on any side of it provided that special permission may be granted for the erection of coach houses, stables, privies and other non-residential buildings in accordance with the circumstances of each case.

IX. Suitable access to each plot must be secured : the minimum width of road giving access will be determined in each case by the Collector.

X. The outhouses, privies, cow-houses and stables etc. shall be in the rear portion of the plot i. e. away from the most important road.

XI. Open space between detached dwelling houses shall *not* be less than 10 feet.

XII. All buildings shall be built in accordance with the rules prescribed by the Municipality in this behalf ; moreover the Collector will in all cases require due provision to be made to secure sufficient light and ventilation for all parts of any building.

XIII. Applicants for permission to build shall attach to their applications a site plan prepared in accordance with these regulations. Full explanation should be given showing how compliance with the regulations is obtained.

**Information regarding building permissions in plots
along the Lakshmi Road near Lakdi Bridge, Poona.**

1. Five feet open space must be left vacant inside the boundary on all sides in the case of plots in the shopping area in this locality (i. e. all plots except 18, 19, 20 and 24). This rule applies to all plots in the shopping area in Gaothan as well as agricultural land.

2. Only half the area of plots in the shopping area (all plots except 18, 19, 20 and 24) can be built over.

3. 10 feet open space must be left vacant on all sides along the boundary in the case of residential plots (18, 19, 20 and 24).

4. Only one-third area of plots in the residential area (Nos. 18, 19, 20 and 24) can be built over. All building regulations applicable to agricultural lands must be observed in the case of these four plots.

5. Balconies cannot be allowed to overhang the open space required to be kept vacant between a building and the boundary line of a plot.

6. Porticos in front of buildings cannot be allowed to project beyond the building line.

7. The building bye-laws of this Municipality shall be applicable to all plots and those framed by the Collector shall also be applicable to plots in agricultural land (all plots except 4, 8, 9, to 14).

8. Non-agricultural assessment shall be payable to Govt. in respect of buildings in plots in agricultural land (i. e. all except 4,8,9 to 14).

GENERAL BUILDING REGULATIONS FOR STRUCTURES IN MADIWALE LAND.

Government in their memorandum No. 123-B/24 dated 27-1-38 have been pleased to sanction as a special case the following concessions in the General Building Regulations as regards buildings in Mr. Madiwale's land in S. No. 26 of Poona City :—

- (1) The minimum area of a building plot shall be 2000 sq. ft.
- (2) Open space equal to 1/2 of the total area must be left free from any erection thereon above the ground level.
- (3) This regulation will apply only to plots exceeding 4000 sq. ft. in area.
- (4) No building shall be erected within 10 feet of any existing or proposed important road and 5 feet of any other road provided the building does not exceed one-half of the total area of the plot.

Except for the above concessions the General Building Regulations framed by the Collector shall apply to this area.

The Collector is pleased to permit shops to be constructed in the plots in S. No. 26 of Poona City owned by Mr. Madiwale which have a frontage on Tilak Road.

2. In amplification of the Collectors' order dated 10-2-1938 Regulation 8 of the General Building Regulations is modified to this extent that no structures shall be erected within five feet of those boundaries of a plot not abutting on a road. The proviso to Regulation 8 does not apply to plots in this Survey Number.

No 15/158 dated 3-3-1938.

Poona 27-2-1938.

Note :—Under No. S. R. 15/158 dated 9th March 1938, above clauses 1, 3, 4, & 5 mentioned therein take the place of the respec.

tive clauses contained in the General Building Regulations which are applicable to this area subject to the amendments mentioned in this office no S. R. 15/158 dated 3-3-1938.

TOWN PLANNING SCHEME, POONA No. 1.

Regulations controlling the development of the are under the Scheme.

In addition to the existing bye-laws as may be amended from time to time by the Local Authority, the following special regulations shall hold good within the area of the scheme provided that, in any case in which any of the undermentioned regulations is in conflict with any regulation, law or bye-law by any authority made, excepting an Act of Parliament or an Act of the Government of India, the provision of the undermentioned regulations shall prevail :—

1. In the regulations hereinafter contained, the following words and expressions shall have the meanings hereinafter respectively assigned thereto, unless such meanings be repugnant to, or inconsistent with, the context or subject matter in which they occur :—

- (a) "The Municipality" means, the Poona City Municipality or any other Local Authority thereafter constituted to control the area covered by the scheme.
- (b) "The Act" means, the Town Planning Act Bombay No. 1 of 1915.
- (c) "The Bye-laws" means, any bye-law or bye-laws made by the Municipality with reference to any matter in the area under their jurisdiction and for the time being in force within the Municipal limits.
- (d) "Land" includes any interest in land.
- (e) "Laying out a new street" includes the provision of land for, and the formation, levelling, metalling or paving of a road and footpaths.
- (f) "Chawl" means a building consisting of a block of 10 or more tenements each consisting of two rooms, constructed so as to be let as a separate tenement.

- (g) "Dwelling House" means a house other than a chawl, erected for residential occupation by not more than two families or 12 persons together with such outhouses as are reasonably required for the *bonafide* use and enjoyment by the occupants of the main building.
- (h) "Tenement House" or "Block of flats" is a building intended to be used as a residence or residences which is divided into separate tenements (each self-contained and consisting of more than two rooms) for the purpose of letting separately (and containing accommodation for more than two families or 12 persons).

2. A road shall be deemed to be constructed when so much of it shall have been completed as appears in the *Primary Section* for the particular class of road shown on Plan No. 5. Any such road may be constructed to its *ultimate section*, when in the opinion of the Municipality it is necessary or desirable to do so.

3. Roads shall be constructed within the periods and in the manner specified in detail, under "*Works to be constructed under the scheme.*"

4. Any road, *land for which is reserved under the scheme*, shall be constructed by the Municipality within a year of requisition from the owners of not less than two-thirds of the total frontages on the road.

5. Provided that, the owners of the frontages on to the proposed road agree to contribute the cost of the construction of the said road, including the compensation for land required for the road, at a rate per foot of frontage of the plot to be decided upon by the Municipality.

6. Lands allotted for open spaces and defined in the statement of *allotments and reservations* shall be laid out or used, as public gardens, recreation grounds, etc., according to the purpose for which such open spaces are allotted or reserved.

7. Any person or persons proposing to construct a building or to layout any land for building purposes or to layout or con.

struct any private street or way shall first apply to, and obtain the approval of, the Municipality to the siting of such building or to the layout of such land and alignment of such street or way. If in the opinion of the Municipality the layout of the land or alignment of a street or way is not adapted to or would detrimentally affect the layout or development of adjoining lands, they shall require the applicant to alter the layout or alignment accordingly but as may be without detriment to the layout of the applicant's own lands.

8. The Municipality shall forthwith lay down a "building line" for every street or way and no building or erection excepting compound walls, gates or fences, shall be constructed or added to in such a manner as to bring it nearer to the road than such building line.

9. On the approval of the Municipality or its delegated authority being given to the layout of any land or alignment of a street or way under clause 5 they shall forthwith lay down "building lines" for such streets or ways as are approved.

10. Building lines shall in the case of the plots fronting on to the Ganeshkhind Road be set back 40 feet from the road boundary; in the case of the Shivaji Road, the 80 feet road from the Lakdi Bridge to Pataleshwar temple and the Fergusson College Road, 20 feet; and in the case of other roads 15 feet, with the following exceptions :—

- (a) The set back of buildings on any road less than 45 feet in width within the areas shown verged in blue and purple on Plan No. 5, shall not be less than 10 feet.
- (b) Shops or business premises built in the areas reserved for the purpose and shown coloured blue and yellow on Plan No. 4, shall be set back at least 10 feet from any road boundary.
- (c) Buildings in plots, access to which is from streets round a permanently kept open space, may be set back 5 feet, provided the open space in front is at least 60 feet in width.

- (d) Porticos in front of buildings, having no structure above except an open terrace or steps, may project beyond the building line up to a maximum of 4 feet.

11. A chowki not larger than 12' × 12' or other similar building appurtenant to a dwelling house may be built in advance of a building line, subject to the following conditions :—

- (a) Such chowki or similar building shall be a ground floor structure only.
- (b) Such chowki or similar building shall not be nearer than 5 feet from the boundary of the street.
- (c) Such chowki or similar building shall be of good appearance to the satisfaction of the Municipality.
- (d) Such building shall be appurtenant to a dwelling house the curtilage of which shall not be less than 1 acre in extent.

12. The shutters of shops or business premises may project 3 feet in advance of the shop or building.

13. No building (not being a public building) shall be erected to, or subsequently increased to, a greater height than 40 feet exclusive of chimneys, ornamental towers, or other architectural features.

Subject to above, no building will be erected to, or be subsequently increased to a greater height measured from the level of the street in front thereof to the eaves or parapet or to half the height of the gable whichever is the higher than the distance from the main front wall of such building to the opposite boundary of such street.

CHARACTER OF BUILDINGS.

14. The area included within the scheme, is intended mainly for residential purposes only, and excepting in the area hereinafter named no building excepting dwelling houses with the out-houses, stables and garages necessary for the reasonable convenience of the main building, shall be erected and no building shall be otherwise used within the area of the scheme, excepting only that the Municipality may permit the erection of a shop or shops,

where they consider it desirable for the convenience of the public and provided that in their opinion the erection of such shop or shops will not detrimentally affect adjoining property. No shop shall however be erected on lands fronting Ganeshkhind Road. Areas excepted from the clause:—

- (a) Those areas in which godowns, workshops, flour mills or presses are permitted which are shown in orange wash on Plan No. 5.
- (b) Those areas in which shops or business premises are permitted which are shown in blue wash on Plan No. 5.
- (c) Those areas in which any class of building which does not contravene the regulations in this scheme may be erected which are shown in vermilion pale wash on Plan No. 5.
- (d) Those areas in which flats and offices are permitted which are shown in yellow wash on Plan.
- (e) Those lands which are allotted for a public or quasipublic purpose and lands which are used or may be acquired or allotted for the purposes of religion, education or philanthropy on which no trade, manufacture or daily display of goods for sale is allowed and lands which are used, acquired or allotted for business of Government or the convenience of the public services.

15. In no circumstances shall a one-roomed hut or tenement be allowed to be constructed or used as a residence for a family and no buiding shall be altered or converted for use as a one roomed tenement as aforesaid, in any area of the scheme.

16. The Municipality may on the application of the owner, consent to the occupier of a dwelling house and the members of his family carrying on a handicraft therein, and selling thereon the products of such handicraft; but on such products or materials used in connection with the handicraft shall be exposed in the windows of such dwelling house nor shall there be any show of any trade or business being carried on in any dwelling house or any notice-board or advertisement affixed to such dwelling house,

except that a name plate indicating the nature of the trade, business or handicraft carried on may be affixed to the door of the dwelling house.

Provided also that if in the opinion of the Municipality the handicraft is found to be a nuisance, they shall have power to cancel the permission after giving three months' previous notice to the person concerned.

Provided also that the Municipality may within their discretion sanction or license the erection of any building other than a dwelling house, if they are satisfied after necessary enquiry in the locality, that the erection and user of such building would not adversely affect the amenities of the adjoining lands and provided that this does not apply to lands fronting Ganeshkhind Road.

Provided further, that no such sanction shall be given if three-fourths of the residents and land owners within a radius of 100 yards from the place, where proposed erection would be built, object to its erection.

Note.—Nothing in the above clause shall prevent the owner of any plot with the consent of the Municipality from erecting a structure to be used solely for agricultural purposes provided that the owner undertakes to remove the same if the Municipality require him to do so at his own cost when the land shall be developed for residential purposes.

17. No building or any part thereof, within the area of the scheme shall be used or allowed to be used, let or leased or allowed to be let or leased for a brothel or any other immoral purpose and the Municipality shall have absolute power to order the closure of any places within the area of the scheme, if used for immoral purposes.

Sizes of plots and building density.

18. The minimum area of a building plot within the area of the scheme, except in the Bhamburda gaathan and the area on the Poona City-side of the River Mutha, shall be as under :—

Locality.	Area.
Verged Red on Plan No. 5—1 acre.	
Yellow „ „	$\frac{1}{4}$ acre or 1,210 square yards.
Green „ „	$\frac{1}{7}$ „ or 807 „ „
Blue „ „	$\frac{1}{8}$ „ or 605 „ „
Purple „ „	$\frac{1}{12}$ „ or 403 „ „

Provided that, any plot in the aforesaid localities, the area of which is at present (as allotted in the scheme) less than the prescribed minimum for such locality, shall be exempt from the operation of this clause.

19. Not more than one-fourth of the total area of any building plot or any subsequent sub-divisions of a plot, within the area of the scheme, except in the Bhamburda gaathan and the area on the Poona City-side of the River Mutha shall be built upon, with the following exceptions :—

- (a) The area covered by the Deccan Gymkhana and P. Y. C. Gymkhana Housing colonies, in which owing to the large areas of sporting grounds kept open in the vicinity, the area to be built upon in a building plot shall not exceed one-third of the total area of the plot.
- (b) In the areas reserved for shops, business premises, godowns, workshops, mills, presses, etc., the proportionate area which may be built over in any building plot shall be one-third of the total area of the plot.
- (c) Only in special cases shall the area of the compound boundary walls, steps and otas be exempted in calculating the area occupied by buildings.

20. Only one building, dwelling or tenement house with the outhouses necessary for the reasonable convenience of the same, shall be built on any building plot :

Provided that this restriction shall not prevent the erection of two or more buildings on the same plot, if the plot admeasures at least twice or thrice as the case may be (according to the number of buildings) the minimum size laid down in the scheme for plots in the zone which the plot is situate.

Provided that no building shall exceed 100 feet in length in any direction.

21. Every new building whether erected on old foundations above the ground level or not, used or intended to be used for

human habitation, shall have a plinth of not less than 18 inches excepting outhouses which shall not be less than 12 inches above the level of the centre of the nearest road, except where owing to the low level of the site in the opinion of the Municipality the site in such as to require a greater height, it shall be of such height as may be fixed by the Municipality :

22. Between any building and the boundary of the plot at its sides other than the front and rear thereof, an open space of not less than 10 feet shall be left, provided however that this regulation shall not apply to areas in which shops or offices may be erected.

Provided that in a plot the area of which is less than 600 square yards the open space as above, may be reduced to five feet.

Provided also, that when semi-detached buildings are erected on two adjoining plots the area of each of which plot exceeds 600 square yards, the said open space at the sides of the plots shall be at least 15 feet and where the area of each such plot is 600 square yards or less, it shall be at least 10 feet.

23. Every dwelling house shall have at the rear thereof an open space exclusively belonging thereto, and free from any erection thereon except a well, privy or bathroom not exceeding 12 feet in height. Such open space shall extend to the full width of such building and the distance from the back of such building at any point to the rear boundary of the plot, shall be not less than 20 feet.

24. Where separate buildings for kitchens or outhouses are provided, they shall be built on that portion of a plot which is most remote from the road, and in the case of corner plots, they shall not be within 30 feet of any road.

25. Privies shall, as far as possible, be on that part of the plot which is most remote from any road.

26. One side of every room of a dwelling house shall be either an external wall or shall abut on an interior open space having an area equal to not less one-fourth the aggregate floor area of all the rooms and verandahs abutting thereon and such

interior space shall not be less than 300 square feet in area and not less than 15 feet in any direction.

27. Every dwelling room shall have a window or windows or other apertures for the admission of light and air opening directly into the external air or into an open verandah; the area of such openings exclusive of frames shall aggregate to not less than one-seventh of the floor area and such openings shall be so constructed that at least half the area thereof is open or can be opened so that the opening may extend in every case to the top of the window.

28. The floor area of any room intended for human habitation shall be not less than 100 square feet and its width not less than 8 feet, and every such room shall measure in every part thereof at least 9 feet from floor to ceiling.

Provided that a room in an attic may have an average height of 8 feet with a minimum of 6 feet.

29. No privy shall be constructed within 10 feet of a building or of any existing or proposed street or within 30 feet of any well. (Water closets shall not be governed by this clause).

30. All open space within the curtilage of any dwelling house shall be so cleared and sloped as effectually to prevent the formation of pits or hollows in which water may stagnate.

31. In the case of sites where the sub-soil water level reaches to within 3 feet of the ground level of any plot, the Municipality may specify the provision of a damp-proof course in the plinth of a building, or of damp-proof flooring.

32. The Municipality may require any plot to be completely fenced and may make special regulations as to fences in certain roads.

33. No cactus hedges shall be allowed within 100 yards of any building used for residential purposes, within the area of the scheme.

34. All gates must be so hung that they open entirely upon the owner's own land.

35. Every person who erects a stable, a cow house or such other building shall :

- (a) provide adequate means for the drainage, ventilation and lighting of such building.
- (b) cause the floors of such building to be composed of cement concrete or other suitable material impervious to moisture to the satisfaction of the Municipality.

No living or sleeping room intended for human habitation shall be constructed over such building and no such building shall be erected in a place where in the opinion of the Municipality it may become a nuisance or annoyance to the occupants of any other building.

36. No boundary wall or fence shall be erected on the boundary next to any street of a greater height than 5 feet measured from the level of the street opposite such fence :

Provided that in the case of lands abutting on more than one street, a boundary wall or fence may be 6 feet high on the side next to any street upon which any building erected on such lands does not front.

Provided also that in case of compound walls of an ornamental design the height may be 5' 6" on the average but previous sanction of the Municipality must be obtained for the same.

37. Before the owner of any land within the area constructs a culvert or covers over any water-course thereon forming part of the natural drainage of the area involved, he shall submit for the approval of the Municipality plans, sections and specifications of such water-course and the method of constructing such culvert or covering over the same, and the Municipality may, subject as herein provided require such owners so to construct any such culvert or so to cover any such water-course as to secure the free and the uninterrupted passage of the water flowing in any such water-course, subject to a right of appeal by such owner as provided under section 43 (3) of the Town Planning Act against any refusal of the Municipality to approve the proposal of the owner

or any delay in giving such approval or any requirement of the Municipality under this clause :

Provided that no requirements of the Municipality under this clause shall operate to compel any such owner to receive upon his land or to make provision for the passage of greater quantity of water than he would have been obliged to receive or permit to pass if this clause had not been inserted in this scheme.

38. No quarrying of any sort shall be allowed in any part of the scheme area provided that the Local Authority may permit quarrying where in their opinion it will not detrimentally affect the adjoining property.

39. Any savings from the cost of the scheme or any profit derived from any scheme shall be credited to a Reserve Fund which shall only be spent for paying off any loans raised in connection with this scheme or in carrying out such works within the area of the scheme as will be decided upon by the Municipality after considering the objections (if any) from the owners within the area of the scheme.

40. No building of any sort whatever including boundary fences and entrance gates, whether temporary or permanent, shall be erected or commenced to be erected, unless the plans, sections and elevations etc., thereof in duplicate shall have been submitted to, and approved in writing by the Municipality or its delegated authority with or without amendments, but no such sanction under this or any other clause, shall be taken as allowing any breach of any of the regulations.

TOWN PLANNING SCHEME, POONA NO. II

Regulations controlling the Development of the Area under the Scheme.

These regulations apply to any building proposed to be built hereafter.

In addition to the existing bye-laws as may be amended from time to time by the Local Authority, the following special regulations shall hold good within the area of the scheme provided

that, in any case in which any of the under mentioned regulations is in conflict with any regulation, law or bye-law by any authority made, excepting an Act of Parliament or an Act of the Government of India, the provisions of the undermentioned regulations shall prevail:—

1. In the regulations hereinafter contained, the following words and expressions shall have the meanings hereinafter respectively assigned thereto, unless such meanings be repugnant to, or inconsistent with, the context or subject matter in which they occur:—

- (a) "The Municipality" means the-Poona City Municipality or any other Local Authority thereafter constituted to control the area covered by the scheme.
- (b) "The Act" means, the Bombay Town Planning 1915, Act.
- (c) "The Bye-law" means, any bye-law or bye-laws made by the Municipality with reference to any matter in the area under their jurisdiction and for the time being in force within the municipal limits.
- (d) "Land" includes any interest in land.
- (e) "Laying out a new street" includes the provision of land for and the formation, levelling, metalling or paving of a road, and footpaths.
- (f) "Chawl" means a building consisting of a block of 6 or more tenements each consisting of two rooms, constructed so as to be let as a separate tenement.
- (g) "Dwelling House" means a house other than chawl, erected for residential occupation by not more than two families or 12 persons together with such out-houses as are reasonably required for the bonafide use and enjoyment by the occupants of the main building.
- (h) "Tenement House" or "Block of Flats" is a building intended to be used as a residence or residences which is divided into separate tenements (each self-contained and consisting of more than two

rooms) for the purpose of letting separately (and containing accommodation for more than two families or 12 persons).

2. A road shall be deemed to be constructed when so much of it shall have been completed as appears in the primary section for the particular class of roads shown on plan No. 5. Any such road may be constructed to its ultimate section, when in the opinion of the Municipality it is necessary or desirable to do so.

3. Roads shall be constructed within the periods and in the manner specified in detail, under " Works to be constructed under the scheme. "

4. Lands allotted for public or municipal purposes and defined in the statement of allotments and reservations shall be used only for the purpose for which the allotment is made.

5. Any person or persons proposing to construct a building or to lay out any land for building purposes or to lay out or construct any private street or way shall first apply to and obtain the approval of the Municipality to the siting of such building or to the lay-out of such land and alignment of such street or way. If in the opinion of the Municipality the lay-out of the land or alignment of a street or way is not adapted to or would detrimentally affect the lay-out or development of adjoining lands, they shall require the applicant to alter the lay-out or alignment accordingly but as may be without detriment to the lay-out of the applicant's own lands.

6. In no case shall the owner of any private land be allowed to lay-out or construct any private street or way the width of which is less than 20 ft., the metalled width being at least 16 ft. In laying out such streets or ways, dead ends shall as far as possible be avoided.

7. The set back of buildings to be built hereafter on the Sangam Bridge road shall not be less than 20 ft. from the road boundary; and on all other roads which are not less than 30 ft. in width it shall be not less than 15 ft. and in the case of roads which are less than 30 ft. but not less than 20 ft. in width such set back line shall not be less than 10 ft. with the following exception :—

- (a) Shops or business premises built hereafter in the areas reserved for the purpose shown coloured blue on plan No. 5 shall be set back at least 10 ft. from any road boundary.
- (b) No other structure excepting open steps shall be allowed to project beyond the building line.

8. The shutters of shops or business premises may project 3 ft. in advance of the shop or building.

9. No building (not being a public building) shall be erected to, or subsequently increased to, a greater height than 40 ft. exclusive of chimneys, ornamental towers or other architectural features.

Subject to above, no building will be erected to, or be subsequently increased to a greater height measured from the level of the street in front thereof to the eaves or parapet or to half the height of the gable whichever is the higher than the distance from the main front wall of such building to the opposite boundary or such street. This height shall be measured in any part of the building.

CHARACTER OF BUILDINGS.

10. The area included within the Scheme is divided in two portions, viz., area "A" and area "B". Out of these area "A" being nearer to the Railway Station is suitable for business premises, godowns, workshops, flour mills, etc., and area "B" is suitable for residential purposes. In area "A" buildings suitable for business premises, godowns, workshops, flour mills, etc., shall be allowed to be erected provided that such erections shall be of permanent nature and will not detrimentally affect adjoining property. No such building, shop or shops shall be allowed to be erected on lands fronting Sangum-Bridge road.

The area "B" in the scheme is mainly intended for residential proposes, and no building excepting dwelling houses with the out-houses stables and garages necessary for the reasonable convenience of the main building shall be erected and no building shall be otherwise used within this area of the scheme excepting

only that the Municipality may permit the erection of a shop or shops, were they consider it desirable for the convenience of the public and provided that in their opinion the erection of such shop or shops will not detrimentally affect adjoining property.

11. In no circumstances shall a one roomed hut or a tenement be constructed or any structure of temporary nature be allowed to be used as a residence and no building shall be altered or converted for use a one roomed tenement as aforesaid, in any area of the Scheme.

12. The Municipality may on the application of the owner, consent to the occupier of a dwelling house and the members of his family carrying on a handicraft therein, and selling thereon the products of such handicraft; but no such product or materials used in connection with the handicraft shall be exposed in the windows of such dwelling house nor shall there be any show of any trade or business being carried on in any dwelling house or any notice board or advertisement affixed to such dwelling house, except that a name plate indicating the nature of the trade, business or handicraft carried on may be affixed to the door of the dwelling house.

Provided also that if in the opinion of the Municipality the handicraft is found to be a nuisance, they shall have power to cancel the permission after giving three months notice to the person concerned.

Provided also that the Municipality may within their discretion sanction or license the erection of any building other than a dwelling house, if they are satisfied after necessary inquiry in the locality that the erection and user of such building would not adversely affect the amenities of the adjoining lands and provided that this does not apply to lands fronting the Sangam Bridge road.

Provided further, that no such sanction shall be given if $\frac{3}{4}$ ths or the residents and land-owners within a radius of 100 yards from the place, where the proposed erection would be built, object to its erection.

NOTE:—Nothing in the above clause shall prevent the owner of any plot with consent of the Municipality from erecting a struc-

ture to be used solely for agricultural purposes provided that the owner undertakes to remove the same if the Municipality require him to do so at his own cost when the land shall be developed for residential purposes.

13. No building or any part thereof within the area of the scheme shall be used or allowed to be used, let or leased or allowed to be let or leased for a brothel or any other immoral purpose and the Municipality shall have absolute power to order the closure of any place within the area of the scheme if used for immoral purposes.

Sizes of Plots and Building Density.

14. The minimum area of a building plot within the area of the scheme except in Bhangi Hatti shall be 1/8th acre or 605 square yards as verged blue on plan No. 5 provided that any plot in the aforesaid localities, the area of which is at present (as allotted in the scheme) less than the prescribed minimum for such locality, shall be exempt from the operation of this clause.

15. Not more than 1/3rd of the total area of any building plot or any subsequent sub-division of a plot within the area of the scheme except in the Bhangi Hatti and F. P. Nos. 9, 10, 11, 12, 13, 14 and 15 of a area "B" shall be built upon. Only in special cases shall the area of the compound boundary walls, steps and otas be exempted in calculating the area occupied by buildings.

16. Only one building, dwelling or tenement house with the out-houses necessary for the reasonable convenience of the same shall be built on any building plot.

Provided that this restriction shall not prevent the erection of two or more buildings on the same plot, if the plot admeasure at least twice or thrice as the case may be (according to the number of buildings) the minimum size laid down in the scheme for plots in the zone in which the plot is situated.

Provided that no building shall exceed 100 feet in length any direction.

17. Every new building whether erected on old foundations above the ground level or not, used or intended to be used for

human habitation, shall have a plinth of not less than 18" excepting out-houses which shall not be less than 12" above the level of the centre of the nearest road except where owing to the low level of the site in the opinion of the Municipality the site is such as to require a greater height, it shall be of such height as may be fixed by the municipality.

18. Between any building and the boundary of the plot at its sides other than the front and the rear thereof an open space of not less than 10 feet shall not be left which may be reduced to 5 feet in the case of areas in which shops or office will be erected, except buildings in F. P. Nos. 46 to 50 of a area "A".

Provided that in a plot the area of which is less than 600 square yards the said open space as above may be reduced to 5 feet.

Provided also that when semi-detached buildings are erected on two adjoining plots the area of each of which plot exceeds 600 square yards, the said open space at the sides of the plots shall be at least 15 feet and where the area of each plot is 600 square yards or less, it shall be atleast 10 feet.

19. Every dwelling house shall have at the rear thereof an open space exclusively belonging thereto and free from any erection thereon except a well privy or bath-room not exceeding 12 feet in height. Such open space shall extend to the full width of such building at any point to the rear boundary of the plot, shall not be less than 20 feet, except buildings in F. P. Nos. 9, 10, 11, 12, 13, 14 and 15 of area "B".

20. Where separate buildings for kitchens or out-house are provided they shall be built on that portion of the plot which is most remote from the road, and in the case of corner plots, they shall not be within 30 feet of any road.

Also in the case of such buildings at least 10 feet shall be kept open between the main building and the out-house or the kitchen, as the case may be, and the distance from the back of such building at any point to rear boundary of the plot shall at least be 10 feet.

However, a well, privy or a bath-room may be built leaving 5 feet open space measured from the rear wall of such structure to any point to the rear boundary of the plot.

21. Privies shall as far as possible be on that part of the plot which is most remote from any road.

22. No privy shall be constructed within 10 feet of a building or of any existing or proposed street or within 30 feet of any well. Water closets shall however be exempted from the above clause provided that they do not come within the open spaces specified above.

23. One side of every room of a dwelling house shall be either an external wall or shall abut on an interior open space having an area equal to one-fourth aggregate floor area of all the rooms and verandahs abutting thereon and such interior open space shall not be less than 300 square feet in area and not less than 15 feet in any one direction.

24. Every dwelling room shall have a window or windows or other apertures for the admission of light and air opening directly into the external air or into an open verandah; the area of such openings exclusive of frames shall aggregate to not less than one-seventh of the floor area and such openings shall be so constructed that at least half the area thereof is open or can be opened so that the opening may extend in every case to the top of the window.

25. The floor area of any room intended for human habitation shall be not less than 100 square feet and its width not less than 8 feet and every such room shall measure in every part thereof at least 9 feet from floor to ceiling.

Provided that a room in an attic may have an average height of 8 feet with a minimum of 6 feet.

26. All open spaces, required to be kept under above clauses, within a building plot shall be kept open to the sky and free from any erection and no material shall be stacked or deposited thereon and they shall be so cleared and sloped as effectually to prevent the formation of pits or hollows in which water may stagnate.

27. In the case of sites where the sub-soil water level reaches to within 3 feet of the ground level of any plot, the Muni-

unicipality may specify the provision of a damp proof course in the plinth of a building, or of damp proof flooring.

28. The Municipality may make special regulations as to fences in certain roads and may require any plot to be completely fenced. No barbed fencing shall be allowed fronting any of the roads in the scheme.

29. No cactus hedges shall be allowed within the area of the scheme.

30. All gates must be so hung that they open entirely upon the owner's own land.

31. Every person who erects a stable, a cow-house or such other building shall :—

(a) provide adequate means for the drainage, ventilation and lighting of such building.

(b) cause the floors of such building to be composed of cement concrete or other suitable material impervious to moisture to the satisfaction of the Municipality.

No living or sleeping room intended for human habitation shall be constructed over such building and no such building shall be erected in a place where in the opinion of the Municipality it may become a nuisance or annoyance to the occupants of any other building.

32. No dairies shall be allowed within the area of the scheme.

33. No boundary wall or fence shall be erected on the boundary next to any street, of a greater height than 5 feet measured from the level of the street opposite such fence.

Provided that in the case of lands abutting on more than one street a boundary wall or fence may be 6 feet high on side next to any street upon which any building erected on such land does not front.

34. Before the owner of any land within the area constructs a culvert or covers over any water-course thereon forming part

of the natural drainage of the area involved, he shall submit for the approval of the Municipality, plans, sections and specifications of such water course and the method of constructing such culvert or covering over the same, and the Municipality may, subject as herein provided, require such owners so to construct any such culvert or so to cover any such water-course as to secure the free and uninterrupted passage of the water flowing in any such water course.

Provided that no requirements of the Municipality under this clause shall operate to compel any such owner to receive upon his land or to make provision for the passage of greater quantity of water than he would have been obliged to receive or permit to pass if this clause had not been inserted in the scheme.

35. Any saving from the cost of the scheme or any profit derived from the scheme shall be credited to a reserve fund which shall only be spent for paying off any loans raised in connection with this scheme or in carrying out such works within the area of the scheme as will be decided upon by the Municipality after considering the objections (if any) from the owners within the area of the scheme.

36. No building of any sort whatever including boundary fences, entrance gates, whether temporary or permanent shall be erected or commenced to be erected, unless the plans, elevations & sections, etc., thereof shall have been submitted to and approved in writing by the Municipality or its delegated authority with or without amendments, but no such sanction under this or any other clause, shall be taken as allowing any breach of any of the regulations.

Poona, 6th June 1938.

T. H. G. Stamper,
F. S. I.
Arbitrator.

TOWN SCHEME No. 2.

Building Regulations for Madivale Plots.

ERECTION OF PANDALS.

Under Section 31 of D. M. Act of 1873.

[*i. e. Sec. 61 (1) (s) of the C. M. Act.]*

Bye-laws for the regulation of Mandavs and other temporary erections.

1. No Mandav or any temporary erection of a similar kind shall be made within Municipal limits without the written permission of the Municipality being previously obtained.

2. Such permission shall be granted without charging any fee for the same. [At present a fee of one anna per 18 sq. ft. is charged for Pandals on Municipal roads].

3. When such permission shall have been granted, the erection of Mandavs &c. shall be regulated by the following rules :—

4. There shall be two classes of Mandavs.—The first class shall comprise an area of 1,000 square feet and upwards and shall be capable of accommodating 500 people or upwards. The second class shall comprise an area less than 1,000 square feet and shall be fit to hold less than 500 people.

5. The height of such Mandavs shall not be less than 12 feet.

6. Door-ways, 7 by 6 feet, shall be provided at intervals of not more than 20 feet apart along the sides of the Mandavs, so that no portion of a side exceeding 20 feet may be left without a door. Curtains and chicks may be employed to cover the door-ways, but nothing of a nature to bar free egress.

7. No rotten cloth shall be used in the construction of such Mandvas &c.

8. Cross beams or rafters of the roof of such Mandavs &c. shall not be tied together with rope or other combustible material

9. No kerosine-oil shall be used for the lighting of such Mandavs.

10. Globes and similar lights shall not be suspended without iron rods.

11. The iron rods shall extend not less than 4 feet from the ceiling and shall not be dressed with cloth.

12. All lights shall be at a distance of not less than two feet from the side walls of such Mandavs.

13. Persons erecting such Mandavs shall keep outside such Mandavs 8 large-sized casks filled with water for the first class and 4 large-sized casks filled with water for the second class.

14. No cooking shall be allowed within any such Mandavs etc. unless the cooking place be surrounded by a bamboo matting six feet high plastered over with a thick coating of mud.

15. Mandavs etc. for the purpose of theatrical or any other public performance shall not be erected otherwise than under the instructions and superintendence of the Secretary of the Municipality and the City Police Inspector, who shall be held responsible for want of proper precautions for the preservation of life and property.

16. Boards shall be put up at prominent places that smoking is strictly prohibited in and about the Mandavs.

17. Any person infringing any of the above rules shall, on conviction before a Magistrate, be liable to a fine not exceeding Rs. 50 in addition to the forfeiture of the permission granted.

18. *Exception.*—The above rules shall not be made applicable to Mandavs that may be used at day time only, nor to Mandavs and other temporary erections used otherwise than as theatres.

19. Notice shall be given to the Municipality and the Police of the nights on which gatherings are held in all Mandavs and Theatres.

C. O. 200-7-48

135 comp.

**Accompaniment to Government Resolution,
Health and Local Government Department,
No. S-91 (61), dated the 6th February 1948.**

New bye-law 1-A and revised bye-law No. 4 of the Poona City Municipality regarding registration of births and deaths as sanctioned by Government.

1-A. The father or guardian or in their absence the mother of every child born within municipal limits shall in writing intimate to the municipal *Registrar of Births and Deaths of the Municipality* the name of the child within one month of the child being named.

Provided that if the child has not been named within six months of its birth the father or guardian or in their absence the mother shall inform the *Municipal Registrar of Births and Deaths* accordingly before the child is six months old and shall continue to give similar information during each six months of the child's life until the child is named. Nothing in this bye-law shall apply if the child dies before it is named.

Every intimation given under this bye-law shall be acknowledged in writing by the *Municipal Registrar of Births and Deaths*.

next after such occurrence, either orally or in writing, information according to the best of his knowledge and belief, concerning such death to *the Municipal Registrar of Births and Deaths at his office situated at Vishrambag-Wala* or at such station as may be created by the Municipality for this purpose, as to the several following particulars:—

- (1) Name of Peth of the City (the House No. is also necessary.)
- (2) Name of street.
- (3) Name, father's name (or husband's name if the deceased be married female) and surname of the deceased.
- (4) Caste or race.
- (5) Occupation.
- (6) Sex.
- (7) Probable age.
- (8) Cause of death, and
- (9) Date of death.

Provided that if Cholera, Small-pox or plague is known to have been the cause of death, the information as above shall be given within 12 hours next after the death, instead of 24 hours.

Revised bye-laws of Nos 1 & 2 Sanctioned under G. R. G. D. No. S. 91 (64) dated 14th December 1938.)

3. Correction of errors in registers of Births or Deaths:—

- (1) Any clerical error which may at any time be discovered in a register of births or in a register of deaths may be corrected by the Chief Officer.
- (2) An error of fact of substance in any such register may be corrected by the Chief Officer as aforesaid by entry in the margin, without any alteration of the original entry, upon production to the Chief Officer, by the person requiring such error to be corrected of a declaration on oath setting forth the nature of the error and the true facts of the case, made before a Magistrate by two persons required by the Municipal bye-laws in this behalf to give information concerning the birth or death with refe-

PENALTY.

4. PENALTY FOR BREAKING THE BYE-LAWS :—If any person whose duty it shall be to give information required by bye-laws 1, 1-A and 2, without due cause, neglects or refuses to give such information within the period therein specified, he shall be punished, on conviction before a Magistrate, with fine not exceeding Rs. 10.

rence to which the error has been made or in default of such persons, by two credible persons having knowledge of the case, and certified by such Magistrate to have been made in his presence.

- (3) Except as aforesaid no alteration shall be made in any such register.

(Sanctioned under G. R. G. D. No. S-91 (64) dated 7th February 1941)

4. *Penalty for breaking the Bye-laws*:—If any person, whose duty it shall be to give information required by bye-laws 1 and 2 without due cause, neglects or refuses to give such information within the period therein specified, he shall be punished, on conviction before a Magistrate, with fine not exceeding Rs. 10.

Sanctioned under G. R. G. D. No. 8752 dated 17th August 1920.

CENSUS.

Sanctioned by Government under G. O. No. 8752 (G. D.) dated 17th August 1920.)

1. *Marking of buildings to be permitted* :—The owner or the occupier of any building in municipal limits shall permit any municipal servant to make on the building under the instructions of the Chief Officer such marks as may be prescribed by the Managing Committee as necessary for the purposes of any census that may, at any time, be under-taken by the Municipality or Government and shall give all municipal employees a free access to such buildings for such purpose and every facility for carrying out the work.

2. *Removing of number or mark on a building prohibited* :—No person shall remove from any building the number or other mark made thereon by the census men without the permission of the Municipality or without replacing such number or mark in such conspicuous part of the building as may be approved by the Chief Officer.

3. *Information to be given on demand* :—Whenever a Census is undertaken by the Municipality or Government, every occupi

of a building in municipal limits shall, on demand, supply to the best of his knowledge and ability to any officer authorised in this behalf by the Municipality all information appertaining to such census that such officer may require with regard to the occupier himself and all occupants of the same building, who are either members of, or servants in his family, or his visitors, or in any way under his control.

4. *Punishment for breaking Bye-laws* :—Any person who commits any breach of Bye-laws 1 to 3 shall on conviction be liable for each offence to a fine not exceeding Rs. 50.

(*Renumbering of the census Bye-laws Sanctioned under S. 91 (64) dated 7th February 1941.*)

Bye-laws regarding payment of rewards for giving information about births in the City.

(Section 61 (1) (j) of the City Municipalities Act.)

Under powers vested in this municipality under section 61 (1) (j) of the City Municipalities Act, the Poona City Municipality frames the following bye-laws for securing information necessary to make effective the registration of births in the City.

1. A reward of annas four for supplying information of the birth of a child in the city limits shall be paid to a municipal road-sweeper or to other persons who are not guardians of the newborn child and are not responsible for supplying the information under the provisions of the Act and the rules made there-under, provided that the information has not been previously received from any other source.

2. Rewards will be paid on office days between 3 and 6 p. m.

3. A receipt will have to be passed for the money paid.

4. The reward will be paid in the presence of the Medical Officer of Health.

5. A reward will be paid only if and when the information has been verified and found to be correct by the subordinate staff

of the Health Department. Consequently, the reward will be paid three days after the information is received.

6. The reward will be paid to a municipal road-sweeper on receipt of information of a birth through the peth staff. It is not necessary that the road-sweeper should come to office to give the information. The reward will be paid in such cases along with the pay of the sweeper. If the fact of the birth is true, the road-sweeper will not be bound to give all the other information required for registration of a birth.

7. Other persons must fill up all the entries in a form obtainable from the clerk of the Birth and Death Registration staff. A reward will not be paid for incomplete information in such cases.

(Bye-laws 1 to 7 were sanctioned by Government under Resolution No. S. 91 (64) General Department, dated 18th January 1929).

REGISTRATION OF BIRTHS.

Rules prescribing the duties to be performed by the Medical Officer of Health, Poona City Municipality in the capacity of the Registrar of Births.

[Framed under secs. 16 to 21 of the Bombay District Vaccination Act (No. I of 1892)]

Rules framed under Section 16 to 21 of the Bombay District Vaccination Act (No. 1 of 1892) prescribing duties of the Medical Officer of Health are rescinded under G. R. G. D. No. S-91 (64), dated 14th December 1938.

1. On the registration of the birth of any child within Poona City Municipal Limits, the Registrar shall deliver to the person giving information of such birth a printed notice in the form of schedule D or to the like effect, and such notice shall have attached thereto the several forms of certificates prescribed by the Bombay District Vaccination Act I of 1892.

2. Every public Vaccinator or medical practitioner who gives to any parent or guardian a certificate in any of the forms of schedule A, B and C shall, within twentyone days after giving

the same, transmit a duplicate thereof to the Registrar of Births of the Municipal district where the birth of the child, on whose account such certificate was given has been registered, or, if that be not known to him or the child was born out of the city of Bombay or Karachi, or his birth has not been registered in the said city, to the Registrar of the district within which the child was vaccinated or presented for vaccination.

3. The Registrar of Births shall keep a book in such form as may from time to time be prescribed by the Director of Public Health under section 30 of the Bombay District Vaccination Act I of 1892 in which he shall enter minutes of the notices of vaccination given by him as herein required, and shall also register the duplicate of certificates transmitted to him as herein provided.

4. He shall also prepare and keep a duplicate of the Register of Births required to be kept by him under the provisions of the Bombay District Vaccination Act I of 1892 or any other law for the time being in force, with such additional columns as shall from time to time be prescribed by the Director of Public Health under section 30, in which he shall record the date of every duplicate certificate in the form of schedule B or schedule C received by him concerning any child whose birth he has registered and make an entry to the effect that the child has been vaccinated or is insusceptible to vaccination as the case may be.

5. He shall also keep a register of postponed vaccinations in the form of schedule E in which he shall record the name of every child concerning whom he receives a duplicate certificate in the form of schedule A, together with the date of such duplicate certificate and of each successive duplicate certificates if he receives more than one, and shall show the number and year of the entry, if any, in the register of births in which such child's birth has been registered.

6. He shall transmit on the first of every month to the Superintendent of Vaccination a return in such form as may from time to time be prescribed by the Director of Public Health under section 30, of all cases in which duplicate certificates have not been duly received by him in pursuance of the provisions of the Bombay District Vaccination Act I of 1892, during the last preceding month.

VACCINATION.

Rules framed under section 32 (c) of the Bombay District Vaccination Act, I of 1892, for being applied to Poona City Municipal Area.

1. The period of notice to be given by the Superintendent of Vaccination to a parent or guardian under section 23 of the Vaccination Act should not be less than seven days. These seven days to be calculated from the date of service of notice.

2. The Public Vaccinator shall not enter houses for the purpose of Vaccination unless requested to do so.

3. Any person calling the Vaccinator to his own house at his own time or his own convenience must pay the following fees:-

- (a) For the first vaccination—Rupee 1.
- (b) For the second and each subsequent vaccination—Annas 8 only, up to a maximum to Rs. 2/- for operations performed on bonafide members of one family.
- (c) The Municipality may, with the concurrence of the Public Health Department, forego the levy of fees for vaccinations performed at private houses when, for the better protection of the public, it appears desirable to afford facilities for vaccination.
- (d) Where a parent or guardian so desires, the Municipality shall obtain a special supply of lymph from Belgaum at annas 2 per dose, the minimum amount being Rupee 1 and recover cost from the parents or guardians concerned.
- (e) No fees shall be charged in case of vaccination performed in Schools, Colleges, Poor Houses, Public Institutions, Mills, Public Stations, Outposts, etc.

4. The vaccinator shall supply lymph from his weekly stock free of cost to Government Medical Officers whenever required and to Local Medical Practitioners during an epidemic of small-pox provided vaccination is performed by them free of charge.

(Sanctioned by G. R. G. D. No. 578 dated 4-8-32).

5. Public vaccinators shall also search out unprotected persons within their districts and should any person under the age of 14 years be found to be unprotected the same shall be brought to the notice of the Superintendent of Vaccination, who shall give the usual notice of vaccination to the parents or guardians of such persons as required by section 23 of the Act.

[Sanctioned by the Director of Public Health under his No. 36-A, dated 29th January 1938.]

By-laws under Section 40 (h).

[Sec. 61 (1) (1) of C. M. Act].

**ENFORCING INFORMATION AS REGARDS
" DANGEROUS DISEASES: "**

1. (i) *Medical Practitioners bound to give information of dangerous diseases:*—Every Medical Practitioner who becomes aware of, or has reason to suspect the occurrence of any case of Cholera, Plague, Small-pox, Tuberculosis, Diphtheria, Cerebro-spinal fever, Leprosy and Typhoid in any place within municipal limits, shall, unless prevented by reasonable cause, forthwith report the fact to the Chief Officer of the Municipality and shall, on the requisition of the said officer, furnish such further particulars as may be required, and as may have come to his knowledge in the performance of his professional duty.

(ii) *Private persons also bound to give information of dangerous diseases:*—Every adult who becomes aware of, or has reason to suspect the occurrence of any case of Cholera, Plague, Small-pox, Tuberculosis, Diphtheria, Cerebro-spinal fever, Leprosy and Typhoid in the house in which he resides or in the family to which he belongs, shall unless prevented by reasonable cause, forthwith report the fact to the Chief Officer, of the Municipality, and shall, on the requisition of the said officer, supply such further particulars as may be required, and as may have come to his knowledge.

(1 and 2 Sanctioned under G. R. G. D. No. S 91 (64), dated 17th March 1938.)

2. *Examination of patients to be permitted* :—Every person in charge of, or in attendance on, any patient who is reasonably suspected by the Chief Officer of the Municipality to be suffering from Cholera, Plague, or Small-pox, and every owner and occupier of the house, or place, in which such patient is for the time being residing, shall give the Chief Officer, or any other officer, or Medical Practitioner deputed by him for this purpose, all reasonable facilities for examining the patient to verify his suspicions.

3. *Disinfection of clothes &c.*—No person shall disinfect, or wash bedding, clothes, or other articles which have been exposed to infection from any dangerous disease in any place other than those prescribed by the Municipality for such purposes.

4. *Penalty for breaking Bye-laws* :—Every person who commits any breach of any of the above Bye-laws [1-3] shall for each such offence be liable on conviction to a fine not exceeding Rs. 50.

(Nos. 2, 3 & 4 Sanctioned by Government under G. O. G. D. No. 5618, dated 13th August 1917).

DISPOSAL OF THE DEAD

By-laws under Section 48 (g).

[Sec. 61 (i) (k) of C. M. Act.]

(Sanctioned under G. O. G. D. No. 5618, dated 13th August 1917.)

1. *Responsibility for the disposal of Corpses* :—When a person has died in any place within Municipal limits, the owner, or in his absence, the occupier of such place shall, to the best of his ability, arrange through the deceased's relatives or caste-fellows for the corpse to be buried, burnt, or otherwise disposed of according to the customs of the deceased's caste within 24 hours of death, or, if he is unable to make such arrangements, shall report the fact to the Chief Officer of the Municipality.

Exception :—This Bye-law will not apply to a case in which it is necessary for the purposes of a judicial enquiry to keep a corpse undisposed of for over 24 hours.

2. *Information about a corpse uncared for to be given :—* Every person who becomes aware that a corpse is lying in any place uncared for within Municipal limits, shall forth-with report the fact to the Chief Officer of the Municipality.

3. *No dead body to be disposed of without obtaining a pass from the Municipality :—*No dead body of any person shall be disposed of without first obtaining from the Municipality a pass which shall be given free of any charge.

4. *Information about places used for the disposal of the dead to be given by owner to the Chief Officer :—*The owner or caretaker of every place within Municipal limits, which, at the date on which these Bye-laws come into force, is in use for the disposal of the dead shall, within one month from such date, supply the Chief Officer of the Municipality with detailed written information so far as the same is within his knowledge, on the following points :—

- (1) Name, situation, and area of the place.
- (2) Date from which it has been used for the disposal of the dead.
- (3) Class of persons by whom it is used.
- (4) System of management.
- (5) Names and addresses of the owners and care-takers, and such further information about the place as may, in each case, be demanded by the Chief Officer.

If the place is a burial ground, the owner or care-taker shall, at the same time, report how many corpses can still be buried in the place, having regard to the provisions of Bye-laws 10 to 14.

5. *Conditions necessary to the opening of a new place for the disposal of the dead :—*No person shall use for the disposal of the dead any place that is not so used at the date on which these Bye-laws come into force, unless such place has been previously approved by the Municipality.

6. *Numbering of Graves :—*Every owner or caretaker of a burial ground shall provide or cause to be provided each grave therein, with a board or stone with the serial number of the grave,

and the year of interment clearly marked thereon thus $\frac{1}{1914}, \frac{1}{1915}$ and shall keep the same in good order, so that the number and year can always be easily legible.

7. *Enclosing of a burial ground*:—Every owner or care-taker of a burial ground shall enclose the burial ground by means of a wall not less than 6 feet high, or by a fence of such material and of such height as the Health Officer shall, in consideration of the situation of the site direct, to close the ground from public view, keeping a door of not less than 3 feet by 5 feet on the side of the way leading to the burial ground.

Provided that it shall be within the discretion of the Health Officer to relax this condition wholly or partly, if the ground is so situated that it is not open to public view, or is quite out of the inhabited part of the city.

8. *Drainage of burial ground*:—Every owner or care-taker of a burial ground shall, at all times, take all necessary measures within his power to prevent the drainage thereof from flowing into any source of water used for drinking or washing purposes.

9. *Depth of graves*:—No person shall cause or suffer a dead body to be buried in a grave at a depth of less than—

(1) Three feet in the case of a person whose age did not exceed 12 years at the time of death, and

(2) Four feet in the case of a person whose age at the time of death exceeded 12 years below the level of the surface of the ground adjoining the grave.

10. *Superficial area of a grave*:—The owner or care-taker of every burial ground shall separately demarcate and assign for the grave of a person whose age at the time of death did not exceed 12 years, an area of at least 6 feet by 3 feet, and for that of a person whose age at the time of death exceeded 12 years, an area of at least 7 feet by 4 feet, and the sites so demarcated shall, as far as practicable, be in regular lines.

11. *Distance between graves*:—No person shall bury a dead body or suffer it to be buried within a distance of 3 feet from any other grave or 20 feet from any human habitation.

12. *Mounds to be raised over graves* :—Every person who buries a corpse shall cause the whole surface of the grave to be properly covered by an earthen mound of not less than one foot above the level of the surface of the ground adjoining the grave, or by a grave-stone, or monument.

13. *The owner to report when the burial ground is nearly full* :—Every owner or a care-taker of a burial ground shall, when the burial ground contains space for on more than 10 new graves, forthwith report the fact to the Chief Officer of the Municipality.

14. *More than one dead body not to be buried in one grave* :—No person shall cause or suffer more than one dead body to be buried at any one time in one grave except with the permission of the Health Officer. The permission may be given if the dead bodies are of members of the same family.

15. *When graves may be re-opened for another interment* :—No person shall at any time re-open, or suffer to be re-opened for another interment a grave within the period of

(a) two years after the burial of a dead body without coffin, or in an unlined wooden coffin, and

(b) seven years after the burial of a dead body in a coffin composed of tin, lead, or other metal.

Provided that no grave covered by a Pukka Monument, shall be re-opened.

16. *Burial ground to be kept clean* :—Every owner or person in charge of a burial ground, shall cause the same to be kept clean, and in good order, and shall cause all rank vegetation to be regularly removed.

17. *Decency to be observed* :—No person shall, by any violent, or indecent behaviour, prevent, interrupt, or delay, the decent and solemn burial of any dead body.

18. *Notice of intended burial to be given* :—Every owner or care-taker of a burial ground; or in his absence, the person in charge of a dead body, shall give at least 3 hours' notice of the intended burial before commencing to dig a grave, to the Health

Officer of the Municipality to enable him to visit the burial ground in person, or to depute a subordinate to visit it, with a view to seeing that all Bye-laws with regard to the interment of a dead body are duly followed.

19. *Punishment for breaking Bye-laws*.—Every person who offends against any of the foregoing Bye-laws shall, on conviction, be liable for every such offence to a fine not exceeding Rs. 50.

DISPOSAL OF RUBBISH

Supplementary Bye-laws under Section 48 (1) (m) and Sections 127, 128, 129.

[Secs. 61 (1) (r), 158, 159, 160, of C. M. Act.]

(Sanctioned under G. O. G. D. No. 4752,
dated 21 st April 1929).

1. Every person shall deposit or cause to be deposited into dust-bins provided by the Municipality, all dirt, kachra, or rubbish accumulated in his dwelling house, cattle-shed, shop, compound or place of business and shall not throw or cause to be thrown such rubbish on any thoroughfare, street, lane or gutter or any open space adjoining a street.

2. The Health Officer may, with the previous sanction of the Sanitary Committee, and by a notice of ten days, require a person who owns, occupies or is in charge of a stable, cattle-yard, work-shop or factory, to provide for such stable, cattle-yard, work-shop or factory, a suitable receptacle to collect dung, manure, straw or other rubbish or noxious matter that may accumulate in such stable, cattle-yard, or work-shop, and such person shall place such receptacle in a convenient place in his premises so as to be easily accessible to Municipal sweepers and so as not to cause nuisance to the neighbourhood.

3. The receptacle referred to in the aforesaid bye-law shall be at least of the capacity of ten cubic feet, of such size as the Sanitary Committee shall determine and shall be made of iron sheet or any other strong material. The receptacle shall be well tarred inside and outside and shall be provided with a light cover.

4. If the owner so desires, the Municipality shall provide such receptacles on payment of price fixed by the Managing Committee.

5. The owner, occupier or the person in charge of a stable, cattle-yard or work-shop shall provide one such receptacle for every fifteen heads of cattle or ten cubic feet of rubbish. He shall always maintain the receptacle in good condition and repair, and shall arrange to remove the contents thereof every day or shall ask the Municipality to get such receptacle cleared by the Municipal sweepers.

6. No person shall keep or allow to be kept or accumulated in his house, stable, cattle-yard, compound, work-shop or factory any dirt, dung, animal matter, bone ashes or other trade refuse or ruinous matter so as to cause nuisance otherwise than in some properly covered receptacle as aforesaid. And no person shall spread or allow to be spread dung or dung cakes for drying on a house top or roof.

7. Whether the accumulation of dirt, dung or animal matter etc., is sufficient to cause nuisance as required by the aforesaid bye-laws, shall be determined by the Sanitary Committee.

8. No person shall defecate or cause a child to defecate in or near a road-side gutter or on a public thoroughfare, lane or open space.

9. No person shall discharge or cause to be discharged sullage water on any public street or open space, or allow it to soak into the ground without proper drainage. Action under this bye-law may be taken by the Health Officer with the previous sanction of the Sanitary Committee.

Bye-laws under sections 106-107.

[Secs. 134 and 135 of C. M. Act].

10. There shall be provided one privy for 15 persons and when the Health Officer is of opinion that any privy or cess-pool or any additional privy or cess-pool should be provided in or on any building or land, the Health Officer with the previous sanc-

tion of the Sanitary Committee shall, by a written notice of not less than 15 days, require the owner, occupier or manager of such building or land to provide such privy or cess-pool.

11. The Health Officer may, with the previous sanction of the Sanitary Committee and by a written notice of not less than 15 days, close or demolish any privy or cess-pool which in his opinion is a grave nuisance or is so constructed as to be inaccessible for the purpose of scavenging or incapable of being properly cleaned or kept in good order.

12. The Health Officer may, by a written notice of not less than 10 days, require the owner, occupier or manager of any building or land, upon which there is a privy, drain, sewer or cess-pool, which being in bad repairs has been a nuisance to the neighbourhood to have such privy, drain, sewer or cess-pool repaired according to the directions of the Sanitary Committee.

13. An appeal against the decision of the Sanitary Committee shall lie to the General Committee.

WATER-CLOSETS.

Bye-laws of the Poona City Municipality under *section 61 (1) (x)* of the Bombay Municipal Boroughs Act, 1925, for regulating the construction and maintenance of water-closets, as sanctioned by Government.

1. Water-closets shall be provided with Indian pattern soil pans (23" to 28") of stoneware or procelain, of design approved by the Drainage Engineer and the Medical Officer of Health. The pans shall be laid and embedded in cement concrete at the required level and connected by means of a stoneware or porcelain trap immediately laid after the pan, to a 4" C. I. soil pipe where the connection is above ground, or to a 4" stoneware salt glazed pipe and required bends where the connection is underground. European pattern white stoneware or procelain soil pans of design approved by the Drainage Engineer and the Medical Officer of Health may be provided instead of those of Indian pattern, where so desired, and shall be fixed in position with a teakwood moveable or hinged seat.

2. The junction between a closet trap and soil pipe branch shall, if the latter is of lead, be effectively made by a brass ferr.

rule, soldered with a wiped joint to the lead pipe. The joint between the procelain trap and the brass ferrule shall be made in cement, boiled oil and spun yarn or soldered to procelain. Lead soil pipes, when used, shall be 4" in diameter and 3/16" in thickness and shall weigh not less than 7.4 lbs. per foot length.

3. All exposed soil pipes shall be 4" in diameter and shall be made of cast iron not less than 3/16" in thickness. The connection between the soil pipe and the water-closet trap shall be by means of a pipe bend with clean-out eye fitted for cleansing purposes with a screw cap external to the wall. The soil pipes shall weigh not less than 5.4 lbs. per 6 feet length.

4. Every soil pipe shall have a 4" C.I. inspection bend before it discharges into the underground stoneware pipe drain and this underground soilpipe drain shall be joined on to the main house drain through a junction chamber provided with a C. I. cover or shall discharge into the gully trap of the municipal connection through a 4" connection socket on the gully trap. In no case should there be any screen at or below the point of discharge of any soil pipes.

When a soil pipe joins a untrapped house drain above the latter's junction with the municipal gully trap, all the different sink connections must be properly trapped with C. I. *nahani* trap or proper lead bent pipe traps.

5. In every case where there is a tier of water-closets one above another, a 2 1/2" anti-syphon pipe shall be taken from each closet trap except that of the highest water-closet and carried up above the roof and to the height prescribed in by-law 9.

6. A three-gallon chain pull automatic flushing cistern of a pattern approved by the Drainage Engineer and the Medical Officer of Health shall be securely fixed to the wall at least 5 feet above the seat and shall be connected by means of a 1 1/4" lead pipe to the closet, the flush pipe being connected to the flushing cistern by means of a brass union and plumber's wiped joint, and to the water-closet pan with red lead, boiled oil and cement. The flushing cistern must have a proper ball cock and its over-flow must be properly carried down to the floor of the water-closet and not left to discharge in the open on the outer court-yard or any municipal road or open ground.

7. All such flushing cisterns shall be supplied by means of an efficient water supply from a reservoir tank placed in a suitable position and height. The reservoir tank should be of fully covered type, mosquito proof and its effective capacity shall be not less than 40 gallons per water closet seat.

Note :—In place of fittings provided for bye-laws 6 and 7 any other suitable device may be allowed with the approval of the Chief Officer or the Drainage Engineer or any other special officer exercising powers in this matter. Such approval shall not be accorded unless the Chief Officer or Drainage Engineer or Special Officer is satisfied that the device is of such a kind that there is no danger of insanitary conditions developing as a result of its installation.

8. Where the reservoir tank is made of masonry, its bottom should be thoroughly water-tight and paved with stone slabbing or glazed-tiled or cement plastered. The side walling should also be similarly treated up to a height of 3 feet above the floor level. The effective capacity of the tank shall be calculated with 2'-6" height only. Each reservoir tank must have a suitable ball-cock valve on its inlet pipe and an overflow pipe at a level six inches below the water-tight lining of its sides. Each reservoir masonry tank must also be fully covered by mosquito-proof covering and the overflow from the tank should not be left free to discharge on municipal roads from any height.

9. Every vent pipe, anti-syphon pipe and waste water pipe shall, if not provided with cistern heads and discharging into an open drain, be protected at the top by a wire dome and shall (a) extend six feet above the top of any sky-light or window situated within a distance of 40' therefrom, (b) extend six feet above the eave of a roof if affixed to a wall supporting the eave, (c) be so erected or affixed as to create the least practicable nuisance or inconvenience to the inhabitants of the neighbourhood.

10. In no case shall any water-closet be allowed to be connected with any old house drain unless the drain has been laid with stoneware piping throughout its length in the house premises and is connected to the municipal public sewers with proper house connection.

11. *Floor, its dimensions and gradient*:—Every Indian pattern water-closet shall be built with a floor of hard smooth and impervious material, having a fall of half inch to the foot from all sides towards the seats, and with two foot-seats, one on each side of the pan.

12. *Superficial area of the floor*:—The superficial area of the floor shall ordinarily be 9 square feet, but it shall be within the discretion of the Chief Officer to allow the provision of only 6 square feet when the above floor area cannot be provided.

13. *Walls*:—The walls of the water-closet shall be either of pucca material specially plastered inside or of corrugated galvanized iron sheets.

14. There shall be provided one water-closet for every 20 persons over the age of five and the Chief Officer shall get water-closets provided accordingly by issuing notices under section 134 (1) of the Bombay Municipal Boroughs Act, 1925.

[Sanctioned under G. R. G. D. No. S-91 (64) dated 20th January 1941].

BASKETS IN PRIVIES.

BYE-LAWS UNDER SECTION 48 (1) (m)

[Sec. 61 (1) (r) of C. M. Act].

(Sanctioned under Government Order G. D. No. 859, dated 31st January 1919.)

(1) The Municipality may by notice in writing require any person having control whether as owner, lessee or occupier, of any building to provide bamboo baskets of suitable size for receiving excremental matter in privies or places used as privies.

(2) Whoever fails to comply with the notice shall be punishable with fine which may extend to Rs. 10 and in the case of continual failure, with an additional fine not exceeding Re. 1 for every succeeding day, unless he gives notice to the Municipality in writing, before the time in the notice expires, that the Municipality should supply a basket.

(3) The Municipality should supply the baskets at the cost of the owner, lessee or occupier, if so desired by him within the period given in the notice.

(4) After the expiry of the time limit prescribed in the notice, the Municipality shall provide the basket without regard to the owner's, lessee's or occupier's will and recover the cost from him as in the case of work done under sections 101, 106, 107, 129, etc.

PRIVIES AND CESSPOOLS.

**Bye-laws under Section 48 (r) for regulating the Construction, Maintenance and Control of Privies and Cess-pools
(Vide G. B. Resolution Nos. 175 and 179
Dated 27th and 30th January 1908).**

*(Sanctioned by Government in their Resolution
No. 4112, dated 16th June 1908, General Department.)*

[Sec. 61 (1) (x) of C. M. Act.]

INTERPRETATION OF TERMS.

1. (a) In the construction of these bye-laws the following words and expressions shall have the meanings hereinafter respectively assigned to them, unless such meanings be repugnant to, or inconsistent with, the context or subjectmatter, in which such words or expressions occur; that is to say:—

(b) "The Municipality" means the President and Councillors of the Poona City Municipality.

(c) "Dwelling House" means a building used or constructed or adapted to be used, wholly or principally, for human habitation.

(d) "Public building" means a building used or constructed or adapted to be used, either ordinarily or occasionally, as a church, chapel, temple, mosque or other place of public worship, or as a hospital, dispensary, work-house, college, school (not merely a dwelling-house so used), theatre, public hall, public concert-room, public ball-room, public lecture-room, or public exhibition-room, or as a public place of assembly for per-

sons admitted thereto, by ticket or otherwise, or used or constructed or adapted to be used, either ordinarily or occasionally, of any other public purpose.

(e) "Wada" shall mean a dwelling-house or group of dwelling houses or any part thereof, belonging to a single owner and occupied, or intended to be occupied, by more than 25 persons, irrespective of age.

(f) "Landlord" in relation to a wada means the person (whatever may be the nature or extent of his or her interest in the premises) by whom or on whose behalf such wada or part of a wada is let for occupation or who for the time being receives, or is entitled to receive, the profits arising from such letting.

(Bye-laws Nos. 2 to 15 in supersession of those sanctioned in G. R. No. 4112, dated 16th June 1908 G. D. sanctioned under Government Order No. 6977 dated 18th October 1916 G. D.)

2. (a) Every person, who shall construct a privy in connection with a building, shall construct such privy at a distance of 3 feet at least from a dwelling house or public building or any building in which any person may be or may be intended to be employed in any manufacture, trade or business.

(b) No dwelling house should be built within 3 feet of an existing privy :

Provided that the General Body of the Municipality may in its discretion in a proper case allow a privy to be built without having any space or having such space only as it may deem fit.

3. A privy may be constructed to be over or under another water closet, privy, bathing place or bath room.

4. No person shall construct a privy within 10 feet of a well.

5. Privies upon upper floors may be constructed to be connected with upper floors by means of passage open on all sides except the top and provided with railings.

6. No person shall construct a privy fronting any road whenever there is a passage in the rear from which the privy

could be cleared and whenever it may be practicable in the opinion of the Managing Committee to build in the rear.

Provided that when there are two or more roads fronting a house, he shall construct a privy on such a road as the Managing Committee may direct.

7. Every person, who shall construct a privy in connection with a building, shall construct such privy in such a manner and in such a position as to afford ready means of access to such privy for the purpose of cleaning every part of such privy and of removing filth therefrom, and in such a manner and in such a position as to admit of all filth being removed from such privy, and from the premises to which such privy may belong.

8. Every person who shall erect a privy, shall cause the whole ground surface or site of such privy, together with any enclosed space behind or beside the privy, which may be used or, be intended to be used, in connection with the privy, and an offset all round of 6 inches, to be properly covered with a layer of good lime concrete, rammed solid, at least 9 inches thick.

9. (a) Every person, who shall construct a privy in connection with a building, shall construct in one of the walls of such privy, as near the top as practicable, and communicating directly with the external air, a sufficient opening for ventilation of not less dimensions than 2 feet by 1 foot, exclusive of the frame and any bars which may be inserted into such opening, for every seat in the privy.

(b) He shall, in addition to such opening, cause such privy to be provided with adequate means of constant ventilation by at least one air brick for every seat in the privy built in an external wall, or by an air shaft or some other effectual method or appliance.

(c) Provided that this bye-law shall not be deemed to prohibit the substitution of good ridge ventilation for any portion of or all the ventilating space provided for, in the first clause of of this bye-law.

10. (a) Every person who shall construct a privy in connection with a building shall cause the floor of such privy to

be properly paved with stone dressed smooth and joined in cement, on a bed of concrete at least 6 inches thick, or with hard glazed tiles or other non-absorbent material, and shall construct such floor in such a manner as to provide by a fall or inclination of half an inch to a foot, for the efficient draining away of any fluid that may fall or be cast on to such floor.

(b) He shall cause the floor of such privy to be effectually drained by a glazed stone-ware or stone pipe of a diameter of not less than 3 inches. He shall cause ingress opening of such pipe to be properly guarded by a grating, and he shall cause such pipe to be taken through an external wall and to discharge in the open air over a properly constructed open channel at a point which shall be not less than 18 inches distant from any trapped gully grating, which in pursuance of the bye-law on that behalf may be constructed between the privy and the cesspool or under-ground drain and in such a manner as to effectually prevent any fouling of the wall of the privy.

11. (a) Every person who shall construct a privy in connection with building shall construct the seat aperture of such privy of such size and form as to effectually prevent the deposit upon the sides and back of such aperture of any filth, which may, from time to time, fall or be cast through such aperture and, in any case of a length from before backwards, of not less than 18 inches.

(b) He shall construct such privy in such a manner as to leave a space of not less than 2 feet between the front of the seat and the door or any wall that may face such seat.

12. (a) Every person, who shall construct a privy in connection with a building, shall cause the whole area of the space immediately beneath the seat to be paved with smoothly dressed stone, properly joined in cement on a bed of good lime concrete or with hard glazed tiles or other non-absorbent material.

(b) He shall construct the floor of such space in such a manner that it shall be in every part thereof at a height of not less than 6 inches above the level of the surface of the ground adjoining the privy, and at a height of not less than 3 inches above the level of the surface of any enclosed space behind the privy.

which may be used or be intended to be used, for the purpose of affording facilities for access or cleaning.

(c) He shall construct such floor, so that it shall have a fall or inclination towards the back of the privy of half an inch to a foot.

(d) He shall cause the whole extent of each side of the space beneath the seat, and of the front of such space, to be constructed of good stonework properly rendered in cement or of hard glazed tiles or other non-absorbent material.

(e) He shall construct the space beneath the seat of such dimensions as to admit of a movable receptacle for filth of a capacity not exceeding 2 cubic feet being placed and fitted beneath such seat in such a manner and in such a position, as may effectually prevent the deposit upon the floor or sides of the space beneath the seat, of any filth, which may, from time to time, fall or be cast through the aperture in such seat.

(f) He shall construct the space beneath every seat in such a manner, that the whole of the back of such space, or a sufficient part thereof, shall be open so as to afford adequate and direct access to the receptacle placed therein for the purpose of cleansing such space or of removing therefrom and placing and fitting therein the appropriate receptacle for filth.

(g) He shall not construct or place on any part of the floor of the space beneath the seat, for any purpose whatsoever, any ridge or elevation, which may interfere with the free exit of any fluid, which may fall or be cast upon the floor of such space.

(h) He shall not cause or suffer any part of the space beneath the seat, or any part of any receptacle for filth in or in connection with the privy to communicate with any drain, except in the manner provided for in rule No. 14.

18. (a) Every person, who shall construct a privy in connection with a building, shall cause such privy to be fitted with a moveable receptacle for filth.

(b) He shall construct such receptacle of such material or materials and in such a manner as to prevent any absorption by any part of such receptacle of any filth deposited therein, or any escape by leakage or otherwise, of any part of the contents of such receptacle.

14. (a) Every person, who shall construct a privy in connection with a building, shall provide such privy with a properly constructed channel of glazed stoneware or stone or other non-absorbent material, so placed as to effectually convey all fluid that may escape from the space below the seat and from the pipe, which drains the floor of the privy to the trapped gully grating, provided for in rule 17 of these bye-laws.

(b) He shall construct such channel in such a manner, that it shall have a fall or inclination of not less than one in fifty towards the aforesaid trapped gully grating.

15. (a) Every person, who shall enclose a space for use in connection with a privy, shall cause the whole extent of the floor of such space to be properly paved with smoothly dressed stones joined in cement, with a backing of at least 6 inches of good lime concrete or with hard glazed tiles or other non-absorbent material.

(b) He shall construct such floor in such a manner, that it shall be, in every part thereof at a height of not less than 6 inches above the level of the surface of the ground adjoining the privy.

(c) He shall construct such floor in such a manner that it shall have a fall or inclination of half an inch to a foot towards the channel, provided for in rule 14 of these bye-laws.

(d) He shall not cause or suffer any gully trap or any termination of any kind of any closed drain to be situated in any such enclosed space.

(e) He shall construct in one of the walls of such enclosed space as near the top as practicable and communicating directly with the external air, a sufficient opening for ventilation of not less dimensions than 2 feet by 1 foot, exclusive of the frame and any bars which may be inserted into such opening for each seat in the privy.

With respect to cesspools.

16. (a) Every person who shall construct a cesspool in connection with a privy shall construct such cesspool in such a manner, and in such a position, as to afford ready means of access to such cesspool, for the purpose of cleansing such cesspool and of removing the contents thereof, and in such a manner and in

such a position as to admit of the contents of such cesspool being removed therefrom, and from the premises, to which such cesspool may belong, without being carried through any dwelling house or public building, or any building, in which any person may be or may be intended to be employed in any manufacture, trade, or business.

(b) He shall not, in any case, construct such cesspool, so that it shall have, by drain or otherwise, any outlet into or means of communication with any sewer.

(c) He shall construct such cesspool of good brick-work, or stonework, properly rendered inside with a half inch layer of cement and sand in the proportion of one to one and with a backing of at least nine inches of good lime concrete around and beneath such brickwork.

(d) He shall construct such cesspool in such a manner, that it shall have a capacity of not less than ten cubic feet below the level of the invert of the drain leading into such cesspool, and in any case, where there are more than three seats in the privy, in such a manner that it shall have a capacity of not less than three cubic feet for every seat in such privy.

(e) He shall construct such cesspool in such a manner that it shall have a depth of not more than *two feet* below the level of the invert of the drain leading into it.

(f) He shall construct such cesspool in such a manner, that its walls shall be built up to a height of not less than *six inches* above the level of the surface of the ground adjoining such cesspool.

(g) He shall cause such cesspool to be properly covered over.

(h) He shall construct the floor of such cesspool in such a manner that it shall have a fall or inclination of *half an inch to a foot* towards one corner or side of such cesspool, or otherwise in such a manner as to facilitate the complete emptying of such cesspool.

With respect to drain and cesspool connections.

17. Every person who shall erect a privy shall, for the purpose of securing the efficient draining away of sullage from such privy, adopt the following arrangements :—

(a) The channel specified in rule 10 of these bye-laws shall terminate at the grating of a properly constructed gully trap, from which a *four inch* stone-ware or stone-pipe shall, according as the circumstances of the case may render most appropriate, lead to the street drain or cesspool. He shall cause such stone-ware or stone-pipe to be laid in such a manner, that it shall have a fall or inclination of not less than *one in fifty* towards such drain or cesspool :

(b) Provided that this bye-law shall not be deemed to prohibit the construction, with the express sanction in writing of the Municipality, of a properly constructed open drain leading from the privy to any open gully drain which may exist in the neighbourhood of such privy.

With respect to privy accommodation for wadas.

18. (a) The landlord of every wada shall provide privy accommodation for such wada.

(b) He shall provide such accommodation, so that the number of seats in the privy or privies, in relation to the greatest number of persons who may, at any one time, occupy such wada, shall be in the proportion of not less than one seat to every *twenty persons* including children.

(c) He shall construct such privy in such a manner as to comply in all other respects with the bye-laws, in relation to privies generally, herein-before specified.

Penalties.

19. (a) Whoever contravenes any of the provisions of the foregoing bye-laws shall be punished with fine which may extend to fifty rupees.

(b) No privy, built without the permission of the Municipality and contrary to any of the provisions of these bye-laws, shall be allowed to be brought into use.

(c) Whoever shall bring into use such privy or privies shall be punished with fine, which may extend to rupees fifty for each privy and shall be liable to pay a fine of rupee one per privy per day that he continues to use such privy or privies on receipt of the order of the Municipality to discontinue its or their use.

BYE-LAWS.

Under Sections 53 and 55. (Act. of 1873)

[*Secs. 158 & 160 of C. M. Act.*]

30. Dust and other things referred to in these sections shall be deposited only in the dust-bins provided by the Municipality. (Vide Rules under Sec. 48 (m) of D. M. Act.)

Under Section 59. (Sec. 164 of the C. M. Act.)

31. Whenever the Managing Committee consider that for sanitary reasons it is necessary to white-wash a house, they may by notice require the owner or occupant to do so at his own expense within 7 days after serving of the said notice. [This provision is now made in Sec. 164 of C. M. Act.]

32. A breach of this bye-law will make the offender liable to pay the cost of white-washing his house, plus one quarter of the expense as a penalty.

Under Section 69 (of D. M. Act. of 1873). [Sec. 186 of the C. M. Act.]

33. Hay, straw, fodder, dry leaves or combustible materials of a similar nature shall not be stacked in the open air within 75 yards of any building. No quantity of such materials exceeding two cart-loads between October 1st and June 15th, or four cart-loads between June 16th and September 30th shall be stored in any building, which is within 75 yards of any other building.

(Above rule Nos. 30, 31, 32 & 33 from Miscellaneous Rules on pages 94 to 107 from the edition of 1935 are detached and appended herewith).

Bye-laws under Section 48 (d) (i) and (ii)

DAIRIES, CATTLE SHEDS, AND MILK STORES.

[Sec. 61 (1) (g) of C. M. Act.]

(Sanctioned under G. R. G. D. No. 3040, dated 12th April 1919.)

1. *Inspection of Milch Cattle*:—Every person in charge of Milch Cattle shall, at all reasonable hours, admit the Chief Officer, the Health Officer, or any person presenting a written authority from any of them in this behalf to his Cattle Sheds and Yards, and give them every facility for inspecting his Milch Cattle, and seeing that they are in good health and properly cared for.

2. *Standardisation of Dairies etc.*:—Every dairyman and milk-seller shall within such reasonable time, as may be prescribed by the Sanitary Committee, or by the Chief or Health Officer by a special written notice from time to time issued in this behalf make such alterations in his dairy and cattle shed as may be prescribed in such notice to bring it into conformity with any standard prescribed by the Municipality with the approval of the Sanitary Committee, in point of construction, dimensions, ventilation, lighting, and cleaning arrangements, drainage and water-supply with such variations therefrom as the Managing Committee by written sanction may permit.

3. *Inspection of milk stores*:—Every dairy-man and milk-seller shall at all reasonable hours permit the Chief Officer, the Health Officer or any person bearing a written authority from any of them in this behalf, to enter his milk store or shop, and give them every facility for inspecting the same, as also all vessels used for milk or butter therein, and shall forthwith, comply with all reasonable directions that such persons may give him for securing cleanliness thereof.

4. *Hay stores in dairies and sheds limited*:—The person in charge of any dairy for milch cattle on behalf of any dairy-man or milk-seller shall not cause or allow a greater quantity of hay, grass, or straw, to be kept or stored therein, or within 50 feet of the dairy premises within his control than will suffice to meet the requirements for 4 days of the animal stabled therein.

5. *Kind of place to be used as cattle shed, dairy etc.*—No dairy-man or milk-seller shall, without first obtaining the written permission of the Chief or Health Officer, use as a shed for milch cattle, or as a dairy or as a milk shop or milk store any place, between which and any privy, urinal, sewer, cesspool, dust-bin, rubbish or night-soil depot, or drain other than a surface drain used solely for storm water, there is a distance of less than 50 feet ; such permission may at any time be withdrawn by order of the Sanitary Committee, or the Managing Committee, and shall in no case be given, if the distance above-said is less than 20 feet.

6. *Floor to be paved or otherwise hardened and properly sloped* :—No dairy-man or milk-seller shall, without first obtaining the written permission of the Chief or Health Officer, use any place as a shed for milch cattle, or as a dairy unless the ground floor of the same is paved with stones, or is so sloped and rammed down, or otherwise hardened as to preserve it from getting muddy, and to prevent urine, or water from being absorbed therein or accumulated thereon.

7. *Cleaning of cattle sheds and milk stores* :—Every dairy-man and milk-seller shall make all necessary arrangements to prevent the accumulation of dung, urine, or other foul matter, for more than one hour in his dairy, cattle shed, milk store, or milk shop ; or within 10 feet thereof, and shall at least once in every 24 hours, remove all such foul matter accumulated on his premises within 50 feet of such dairy, cattle-shed, milk store, or milk-shop, to some covered receptacle approved by the Chief or Health Officer.

8. *Cleanliness during milking* :—No person shall milk any animal in any dairy or cattle shed unless his own person and clothes are clean, the animal has been just previously washed, and the dairy, or cattle shed, and surrounding premises upto a distance of 50 feet, so far as they are under the control of the said person, have been just previously cleansed in accordance with bye-law 7, and the inside walls, floors and roof, or ceiling carefully swept.

9. *Cleanliness during milking* :—Should any animal in any airy, or cattle shed defecate or urinate while there is any open

receptacle containing milk in such dairy or cattle shed, the person in charge of the animal, or in default by him, the person in charge of milk, shall cause the dung or urine to be at once removed to the appointed receptacle.

10. *Milk and butter to be kept in clean vessels and places :—* No dairyman or milk-seller shall at any time keep milk or butter, or any vessel in the store, shop, dairy or shed which is not thoroughly clean.

11. *Cleansing milk and butter vessels :—* The person in charge of any vessel which has contained milk or butter, shall as soon as possible after it has been emptied, scrub it thoroughly first with cold water, to remove grease, and thereafter with hot water, or with cold water mixed with soda.

12. *Storing or selling milk in a place used for sleeping etc., prohibited :—* No dairyman shall keep or sell milk, butter, or any other produce of milch cattle in any dwelling house, room or place, which is used for sleeping or cooking.

13. *Room used to store and sell milk etc. to be lime-washed :—* Every dairyman shall cause every part of the internal surface of the walls of every room or place in which milk, butter, or any other produce of milch cattle is kept or sold by him to be thoroughly lime-washed at least once in every year, also on the out-break of any disease among cattle kept therein or when specially ordered to do so.

14. *Milk of diseased animals to be destroyed :—* Every person who draws milk from an animal, knowing the same or having reason to believe the same to be suffering from any dangerous and infectious disease, for any dairyman, or milk-seller, shall promptly destroy the milk, and shall not sell or otherwise use it.

15. *Persons suffering from infectious diseases prohibited from milking cattle :—* No person suffering from any contagious or infectious disease shall draw, and no dairyman shall allow any such person to draw, milk from any animal whose milk is to be sold or given to the public ; and no person or dairyman shall sell, give, or assist in selling or giving such milk to the public.

15-A. " Where a tap is not provided for the container the milk or the liquid product of milk shall be retailed to customers in a long handle dipper and no person shall dip his hand into the milk or the liquid product of milk that is being kept or offered for sale. The dipper when in use, shall be hung within the vessel from which the milk or the liquid product of milk is being supplied and shall not at any time be set down or hung in any place where it is liable to be contaminated.

(Sanctioned under G. R., G. D. No. S. 91 (64) dated 8th October 1936.)

16. *Report of sickness among cattle to be made* :—Every dairy man, milk-seller or person in charge of milch cattle shall report to the Chief or Health Officer every case of serious sickness among his cattle within 12 hours from the appearance of such sickness.

17. *Prohibition of nuisances* :—No person shall urinate, or defecate in any premises used as a shed for milch cattle or as a dairy, milk shop, or milk store, except in places appointed for the purpose.

18. *Penalty* :—Every person who commits any breach of bye-laws 1 to 17, shall for each offence, be liable, on conviction, to a fine not exceeding Rs. 25.

**Bye-laws of the Poona City Municipality under Sec. 48 (c) of
the District Municipal Act, 1901.**

**STALLING AND HERDING OF DOMESTIC
ANIMALS.**

[Sec. 61 (1) (e) of C. M. Act.]

(Sanctioned by G. O. G. D. No. 4095 dated 19-4-1921.)

1. *Definitions* :—In these bye-laws, unless there is something repugnant in the subject or context,

- (1) A '*stall*' means and includes any place, shed, pound or building where fourfooted domestic animals are kept or tethered.
- (2) A '*cattle unit*' means one camel, horse or buffalo, or two cows, bullocks or donkeys or three sheep or goats. A pair of young animals not fully grown is equivalent to one full grown animal. Two full grown animals of different kinds shall constitute one unit.
- (3) A '*stall keeper*' means a person for whose advantage, or under whose orders domestic animals exceeding one unit in number are kept, and also includes a person who looks after or takes care of such animals.
- (4) A '*petty stall keeper*' means a person who owns, keeps, looks after or takes care of animals which number one unit or less.
- (5) A "*Cattle Stand*" means any premises used for the stalling or herding of horses, bullocks, cows, camels, donkeys, sheep or goats.
- (6) A "*Controllable Cattle Stand*" means any cattle stand in respect of which a notice has been issued by the Sanitary Committee under Bye-law 18.

2. Every petty stall keeper who keeps a unit or every stall keeper who keeps more than a unit of cattle shall cause the floor of the stall to be paved with stone, joined with cement, such pavements sloping towards a drain which shall effectually wash off all the liquid filth that shall flow into it.

3. The pavement must be such as shall prevent soakage into the ground of urine or other filth.

4. Every stall-keeper shall keep or tether his animals in a stall or shed which shall not be less than 7 feet in height from the floor to the wall-plate. He shall not tether in a row more than two cows or bullocks within a space of 6 feet or more than two buffaloes or horses within a space of 8 feet; and shall allow a space not less than 4 feet wide to one unit of other animals. The length of space for each unit shall not be less than 8 feet to be measured from the outside of the manger.

5. For a double row of animals, the width of the path between the two rows shall not be less than 3 feet.

6. The stall, stable, or cattle shed shall be ventilated by windows at least $1\frac{1}{2}$ feet wide and opening directly on to the air outside. The total area of the window in a wall shall be between $\frac{1}{5}$ and $\frac{1}{10}$ of the superficial area of such wall.

7. Every stall-keeper shall furnish the stall with a drain and shall at all times maintain it in proper condition so as not to allow any filth to accumulate in the drain or soak under ground.

8. He shall wash or cause to be washed his animals nowhere except at a place effectually paved and drained and adjoining the stable or stall.

9. He shall cleanse or flush or cause to be cleansed or flushed the pavement of his stall at least once a day, and shall keep the stall or stable at all times reasonably clean and in good condition.

10. Every stall-keeper shall provide in some convenient place on the premises or in the immediate neighbourhood of such stall one or more receptacles approved by the Sanitary Committee. Such receptacle or receptacles shall be made of metal or other impervious material and the stall-keeper shall maintain such receptacle or receptacles in such a condition of good repair as to prevent the escape of the contents thereof.

11. Every such receptacle shall be provided with a suitable lid or cover placed over it and the bottom of the receptacle shall in no case be lower than the surface of the ground adjoining it. If the stall-keeper so desires, the Municipality shall provide such receptacles on payment of the price fixed by the Municipality.

12. All dung, filth, kachara, or other rubbish collected from the stable or stall, shall if not immediately disposed of, be deposited in such receptacle and at no other place ; and the stall-keeper shall cause every such receptacle to be cleared once at least in 24 hours and all the filth and kachara to be removed therefrom at his own expense, to a municipal dustbin, if the number of animals in the house is 5 or less, and to a place to be fixed and notified

by the Health Officer from time to time, if the number of animals is more than 5.

(*Bye-law 12 sanctioned by G. R. G. D. No. 4222 of 25-5-23*).

13. Under no circumstances shall a stall-keeper or a petty stall-keeper pollute or allow or suffer to be polluted with filth any water supply nor shall he deposit or cause to be deposited dung, manure, filth or kachara on his own premises so as to cause nuisance to the neighbourhood.

14. The fact, whether such a nuisance has or has not been caused, shall be determined by a member of the Sanitary Committee specially deputed for the purpose.

15. Every stall-keeper or a petty stall-keeper shall, during day time, allow his stall or premises to be inspected by a Divisional Inspector, the Health Officer, the Chief Officer or a member of the Sanitary Committee and shall comply with every requisition issued in writing by such inspecting Councillor or Officer.

16. An appeal shall lie to the Sanitary Committee on the orders issued under bye-law 15.

17. In case the stall-keeper fails to comply with any requisition issued under bye-law 15, the Health Officer may, without prejudice to any penalty to which such stall-keeper may otherwise be liable, order the requisition to be carried out by Municipal agency and expense to be recovered from such stall-keeper.

18. *How a cattle stand may be made controllable*:—The Sanitary Committee may at any time, by a written notice delivered of the owner or manager of any cattle stand, declare such a cattle stand to be a "Controllable Cattle Stand."

19. *How the maximum number of cattle admissible into a controllable cattle stand is to be fixed*:—The Sanitary Committee shall prescribe in the notice issued under byelaw 18, and also in a notice posted on a board which shall be provided for this purpose at each Controllable Cattle-Stand by the owner, the maximum number of cattle that may be admitted into such Controllable Cattle-Stand. The Sanitary Committee shall fix this maximum with due regard to the degree in which the cattle stand approxi-

mates in point of structure, drainge, ventilation, floor space and cleaning arrangements, to the standard prescribed by the Municipality and may from time to time, increase the maximum in proportion as the owner brings the cattle stand into conformity with that standard.

20. *Prohibition against admitting cattle in excess of the maximum fixed* :—No person shall admit any animal into a controllable cattle-stand when the maximum number of cattle prescribed under bye-law 19 is already accommodated there.

21. *Controllable cattle stand to be brought into conformity with the municipal standard on giving notice* :—The owner of a controllable cattle stand shall within such reasonable time, as may be prescribed in the notice under bye-law 18 or any such subsequent notice, remove from his cattle-stand as many heads of cattle as are in excess of the maximum prescribed for the time being by the Sanitary Committee, and make such changes as the Sanitary Committee may prescribe in the arrangement of his cattle-stand so as to bring it into conformity with the Municipal standard, with such variations as the Sanitary Committee may sanction in writing.

22. *Consequences of non-compliance with notice* :—If at the end of the term prescribed in the notice referred to in bye-law 21, the requirements of such notice have not been fulfilled, the owner of the Controllable Cattle-stand shall forthwith cease to use the premises as a Cattle-Stand, and shall not so use them until the said requirements have been fulfilled.

23. Every owner of a cattle stall, Cattle-stand or Controllable Cattle-Stand shall, at all reasonable hours, allow the Chief Officer, the Health Officer, or any person deputed by them in this behalf free access to all parts of his stall or stand, and every facility for inspecting the same.

24. Any person who commits breach of any of the provisions of these bye-laws shall for each such offence, be liable on conviction to a fine not exceeding Rs. 30.

*Sanctioned under Government order, General Department,
No. 11533, dated the 18th November 1920.*

DRAINAGE BYE-LAWS
OF THE
POONA CITY MUNICIPALITY

[Sec. 48 (or) of the D. M. Act, i. e. Sec. 61 (x) of the C. M. Act.]

1. Every person who intends or is required to lay out, construct, or alter any drain, sewer, ventilation shaft, receptacle for dung or manure, water closet, urinal or any drainage or sewerage work, shall comply with the following requirements :—

Notice of intention to construct works.

(a) He shall, before commencing any such work, give the Municipal Engineer ten days' notice in writing of such intention, and such notice in duplicate shall be delivered at the Municipal Office in a form of which printed copies with the necessary blanks may be obtained on application at the Municipal office on payment of three pies. [At present the Development Engineer deals with new drainage works.]

(b) He shall enter in such notice his full name and address and shall state all particulars required in the printed form of notice.

Plans and Sections.

(c) He shall deposit, together with such notice, plans and sections in duplicate to a scale of not more than sixteen feet to an inch and shall show thereon the whole of the new drains with their proposed sizes and gradients and the levels of the ground surface and depths of the proposed drain and the position of every building, gully, soil pipe, waste pipe, ventilating pipe, water closet, privy, bath, urinal, sink, trap or other appliances on the premises connected or proposed to be connected with any drains and the positions and course of all surface drains and the names of the streets adjoining the premises ; and the proposed new drains and appliances shall be shown in red, and existing drains and appliances in blue.

(d) On application by any party, the Municipality shall provide him with the necessary plans and estimates on payment of a sum equal to 5 per cent. of the estimates subject to a minimum charge of Re. 1. Such application shall be accompanied by a deposit of Rs. 1-8-0 which will be credited to the above-mentioned charge for plans and estimates.

(e) The schedule of rates at which work will be done by the Municipality, in the event of any party not having carried out the work himself, or in the event of his desiring it to be carried out by the Municipality, will be attached to the application form.

(f) The P. W. Committee may, in case of petty works, grant permission without the detailed plans.

Approval or Disapproval of Plans.

2. (a) Within 15 days after the deposit of the notice and plans and sections required by by-law No. 1, the Municipal Engineer shall signify in writing to the person who gave such notice, whether such plans and sections are approved or not, and may direct such person to make any alterations or improvements which appear to be necessary or desirable, and such person shall alter the plans and sections accordingly.

(b) When the plans and sections have been approved, one copy thereof shall be returned to such person, which shall be kept at the site of the work at all times when the work is in progress and be available for inspection of the Municipal Engineer and his subordinates who may be authorised on his behalf.

(c) Such portions of the work as may be reserved by the Officer for final connection with any drain vested in the Municipality shall in every case be done by duly authorised Officers of the Municipality within a week from the date of the receipt of the deposit referred to in by-law 4 (a).

(d) If the work is not commenced within six months from the date of the notice of approval of the plans, such approval shall be deemed to be cancelled.

Notice of covering up portion of work.

3. (a) Every person who constructs or alters any drains or other work shall, before proceeding to cover up any portion of

any foundations, drains or appliances connected with drainage, give the Municipal Engineer notice in writing that such foundations, drains or appliances are ready for inspection and specify the day and hour at which he will proceed to cover up such foundations, drains or appliances and such notice shall be in a form of which printed copies with the necessary blanks may be obtained *gratis* on application at the Municipal Office and he shall cause such notice to be delivered at the Municipal Office, at least three clear days (excluding Sunday or any public holiday) before the date specified as aforesaid thereon.

(b) Similar notice in a special form shall also be given at least three days before the date and hour at which such drains or works will be ready for final inspection or for connection with any existing drains.

(c) Works may be covered up if neither the Engineer nor any other municipal employee deputed by him inspect such works within 48 hours of the time fixed for such inspection.

4. (a) Every person who intends to construct a drain which is to be connected with the municipal sewer or a gully trap, shall deposit a sum of Rs. 2 to meet the cost of connection with any sewer vested in the Municipality or with any gully trap provided for the purpose, before the construction of such connection is commenced. In case the owner carries out the work of joining the drain to the sewer or to the gully trap at his own cost to the complete satisfaction of the Municipal Officer concerned, the deposit of Rs. 2 shall be returned to the person who has paid it.

[Revised Rule 4 (a) sanctioned under G. R. G. D. No. S. 91 (64) dated 6th August 1932.]

(b) No connection of any drain to any sewer vested in the Municipality shall be made until the whole of the drain and appliances connected therewith shall have been duly certified in writing by the Municipal Engineer (now Development Engineer) as conforming to all the requirements of the Municipality.

(c) The pipes and other appliance connected with drainage shall, if required by the applicant, be supplied by the Municipality at a reasonable price.

5. Every person by whom or for whom any drain or other work connected therewith is laid out, constructed, fixed or altered shall at all reasonable times afford any Officer of the Municipality free access to such drain or work for the purpose of inspection.

6. Every person, who shall offend against any of the foregoing bye-laws, shall be liable for every such offence to a penalty not exceeding Rs. 20, and in case of a continuing offence, to further penalty of Rs. 2 for each day after a written notice from the Chief Officer to discontinue the offence shall have been duly served upon, or delivered to such person.

7. (a) Whenever the Municipal Engineer refuses to approve plans and sections under bye-law No. 2 he shall state the grounds for such refusal and the applicant may appeal to the P. W. Committee against such refusal. The decision of the P. W. Committee shall be final.

(b) If within the period prescribed in bye-law No. 2 the Municipal Engineer has neither given nor refused his approval of the plans and sections, the P. W. Committee shall be bound, on the written request of the applicant, to determine by written order, immediately on the expiration of such period, whether such approval should be given or not.

(c) If the P. W. Committee do not within eight days from the receipt by the Chairman of such written request, determine whether such approval should be given or not, such approval shall be deemed to have been given; and the applicant may proceed to execute the work but not so as to contravene any of the provisions of the Municipal Act or any rules or bye-laws made thereunder.

FORM A

(To be submitted in duplicate.)

Drainage Register No.....Application No.....

Received.....Approved.....

POONA CITY MUNICIPALITY.

Drainage of premises.

To,

THE MUNICIPAL ENGINEER,

POONA CITY MUNICIPALITY.

SIR,

I, the undersigned, give you notice of my intention to drain the premises of house no.....in.....Peth as described in the appended details and as shown on the accompanying plans and sections (submitted in duplicate) and undertake to pay the Municipality the cost of so much of the connection with the Municipal drainage system as is required by the provisions of the District Municipal Act [now City Municipalities Act] and the bye-laws made thereunder by the Municipality and to carry out the remainder of the works in accordance with the provisions of the said Act and bye-laws. Dated this.....day of.....19 .

Signature.....

Address.....

Detailed Description of Work and Specification of Materials.

(To be filled in by the applicant depositing plans).

N. B.—Only new or altered work to be described in the following particulars: —

1. Separation of rain water and foul water.
2. Rain water gutters, pipes or spouts, where discharging.
3. Open foul water drains, their materials, sizes, curbs, and other means taken to exclude silt and rain-water. Number of washing places, verandahs, latrines and fittings discharging into such drains.

4. Silt-catcher and grating-size and position.
5. Drains :—
 - (a) Main sewerage drain.. } size.
 } fall.
 - (b) Branch Drain. ... } size.
 } fall.
 - (c) Materials.
 - (d) Method of joining.
6. Bedding of pipes :—
 - (a) Method of bedding.
 - (b) Thickness and width of bed of concrete.
 - (c) Thickness of concrete round the pipes.
7. Protection of drain laid under wall.
8. Traps, description of :—
9. Manholes and inspection chambers.
10. Ventilation of drains.
11. Soil pipe, waste pipe and ventilating pipe connections.
12. Ventilation of water closet trap, materials and support.
13. Water closets (apartments) :—
 - (a) At or above ground level;
 approached from;
 floor material;
 Size of window made to open.
 Position of the same.
 Means of constant ventilation.
 Position of the same.
 - (b) Water closets (apparatus.)
 Description of pan, basin, &c.
 Flushing cistern-kind.
 Flushing cistern-capacity.
 Flush pipe.
 Material.
 Internal diameter.
 Union with basin.

14. Other work.

Description of any other sanitary work to be carried out not included under above headings.

15. Depth of sewer below surface of street.

Signed.....

Date.....

Schedule specifying the material construction of drains.

The drains are to be formed in accordance with the following regulations, viz;

1. The drains are to be so constructed as to exclude all subsoil water and rain water as far as possible; on rain water down-pipes of houses are to be connected with them. Rain water down-pipes, when connected into the drains, are to be made to discharge over suitable trapped gullies with movable gratings.

2. The drain pipes are to be laid outside of the buildings whenever practicable, and all disconnecting gullies are to be kept in the open.

3. No drain shall be constructed so as to pass under any building except in any case where any other mode of construction may be impracticable. In that case the drains are to be encased in cement concrete 6" thick all round.

Adequate means of access and ventilation are to be provided at each end of such portion of the drain as is beneath the building. Ventilators, where used, are to be carried up above the eaves of the house.

4. The drain pipes are to be of adequate size and of not less than 4" internal diameter.

5. The drain pipes are to be (a) strong, sound, glazed stoneware pipes properly jointed with Portland cement or (b) cast-iron pipes weighing 150 and 220 lbs. per 9 feet length of 4" and 6" pipes respectively, properly jointed with caulked lead and coated inside and outside with Dr. Angus Smith's composition.

6. There is not to be less than 1'-3" clear depth between the top of any drain and the surface above it, unless allowed otherwise by the Municipal Engineer.

7. The drain pipes are to be laid with a fall of at least one-third of an inch to a foot for 4" pipes and a quarter of an inch to foot for 6" pipes unless otherwise allowed by the Municipal Engineer.

8. The drains are to have, to the satisfaction of the Municipal Engineer, inspection openings at every junction and at every change of direction or of gradient and at a distance not exceeding 75 ft. on straight length.

9. There must be provided a suitable trap near the junction of the street sewer and the house drain and between the connection of a privy and other sinks.

10. Junctions are to be made to discharge over the edge of the main channel where sufficient fall may be obtainable and to enter the main channel obliquely in the direction of the flow.

11. All drains and appliances shall be so constructed as to be water tight and to be capable of resisting a pressure of at least 2 feet head of water.

12. The whole of the works in connection with the drains shall be executed with the best materials and in the best and most workmanlike manner in accordance with the directions set forth in these regulations and to the complete satisfaction of the Municipal Engineer or other officer appointed by the Municipality, and his directions in all matters relating to the works as to the lines of drains, their depths, sizes inclinations, mode of trapping, quality of materials and workmanship shall be abided by.

13. Every house is to have a separate connection with the municipal sewer and no two or more houses of different house-owners, may be drained by a combined drain without the express sanction of the P. W. Committee unless it is absolutely impossible to have a separate connection with the municipal sewer.

14. All old disused drains shall be broken up and destroyed and the materials forming them and all foul and sewage-charged silt and other substances carefully removed from the premises, dry earth or ballast or brick rubbish being brought in, if necessary, in place of them.

PUBLIC BATHS.

BYE-LAWS UNDER SECTION 48 (1) [Sec. 61 (1) (a)].

(Sanctioned under Government Order (G. D. No. 5618,
dated 13th August 1917.)

1. *Diseased persons not to enter* :—No person suffering from any sore or any loathsome skin-disease, or from plague, cholera, small-pox or from any other contagious disease, shall enter the precincts of any public bathing place.

2. *Droppings to be promptly removed* :—Every person in charge of cattle or other animal at any public bathing or washing place, shall promptly remove from the precincts, any dung they may drop therein.

3. *Spitting, urinating and defecating prohibited* :—No person shall spit, urinate, or defecate within the precincts of any public bathing or washing place.

4. *Penalty for breach of Bye-laws* :—Every person committing breach of Bye-laws 1 to 3 shall, for each offence, be liable, on conviction, to a fine not exceeding Rs. 20.

PUBLIC CONVENIENCE.

LEASING OF STALLS IN MUNICIPAL MARKETS.

Bye-laws relating of stalls in the Municipal Markets framed by the Poona City Municipality under section 48 (I) (a) of the District Municipal Act (III of 1901), [Sec. 61 (I) (a) of the C. M. Act.] and sanctioned under G. R. G. D. No. 3159 dated 31st January 1925.

1. A written rent-note should be obtained from the holder of every stall in the Reay Market, bearing a serial number.

“ 2. The period of the rent-note should be seven years. ”

(G. R. G. D. No. S. 91 (64), dated the 21st April 1939.)

3. If the present registered holder of a stall be willing to execute a lease, the same should be obtained from him. If he be not so willing his stalls should be got vacated by one month's notice or a notice of such period as might be deemed necessary. The stall should then be put to auction and should be leased to the highest bidder after obtaining a rent-note from him.

4. A clause should be inserted in the rent-note reserving to the Municipality the right to revise the rent of stalls on 1st January 1926 and at each interval of seven years after that date.

5. A provision should be made in the rent-note to the effect that the rent-note will be null and void if the rent of any stall is not paid for 3 months and that the stall would be got vacated in such cases. The Managing Committee should lay down other clauses of the rent-note.

6. Not more than one stall within the market limits should be rented to one and the same holder.

7. In case of the demise of the holder of a stall, the possession of the stall should be continued to the party producing an heir certificate from a competent court for the remaining period of the rent-note and a fresh rent-note for such period should be obtained from him.

8. A provision should be made in the rent-note to the effect that a stall-holder shall have the right to continue in possession of a stall after the expiry of one period of seven years on the execution of a fresh rent note if he be willing to pay such rent as would be fixed by the Municipality.

(G. R. G. D. No. S. 91 (64), dated the 21st April 1939.)

9. If any stall is not continued as provided in the two preceding bye-laws, but happens to fall vacant owing to its being given up by the previous holder or owing to some other reasons, the said stall should be put to public auction and leased to the highest bidder after he has passed a rent-note.

10. The Municipality shall reserve its right to resume possession of a stall during the currency of the period of a rent-note if the same be required for its own use. The stall holder

shall be entitled to no compensation in such cases of resumption. But the original holder shall have the first refusal in case the stall is again open for being rented.

11. The registered holder of a stall should do business in person in his stall in strict conformity with the Market bye-laws. Such stall holders as desire to sublet their stalls should get the names of such persons registered.

12. The Municipality has the right to resume possession of a stall in case of misbehaviour on the part of the stall holder.

STEEL BALANCES.

[*Bye-law under Sec. 48 (1) (a) of the D. M. Act.
i. e. Sec. 61 (1) (a) of the C. M. Act.]*

Only steel balances should be used for all kinds of weighments in the Reay Market, whether such weighments refer to commodities brought for sale from the mofussil, or to commodities sold to retail dealers or customers. Any one who acts in contravention to this bye-law will be liable on conviction to a fine which may extend to Rs. 20. He will also forfeit his stall in the market and will be debarred from carrying on any dealings in the market.

*Sanctioned under G. R. G. D. No. 3216
dated 2nd October 1925.*

PUBLIC MARKETS

Bye-laws framed under Section 33 of Act 2 of 1884
by the Poona City Municipality and sanctioned
by Government in their Resolution No. 2725
(General Department) dated 10th
September 1887.

[Sec. 61 (1) (a) of the C. M. Act of 1925]

PUBLIC MARKETS.

1. The Public Markets in Poona shall be opened and closed for business after 4 A. M. and before 11 P. M. respectively.

2. During the hours for which a Market is closed, every broker, shop-keeper, stall-holder, or sitter therein, shall afford every reasonable facility for the market being thoroughly cleansed for the next day. No one who is not authorised in this behalf by the Managing Committee shall remain in the Market building itself during those hours.

3. No goods shall be brought into the Market except such as are intended for sale or export; such goods to be kept only in brokers' plots, shops, stalls, sittings or godowns.

4. Projections of any kind from shops, stalls or sittings are forbidden. Every article forming any such projection shall be removed summarily.

5. No broker's plot, shops, stall, or sitting shall be sub-let.

6. The rates of all fees and rents shall be fixed periodically by the Municipality, the Municipality may, if they think it desirable, sell the right of occupying any or all the plots or stalls by public auction; plots, stalls or shops, shall not be let for less than one month at a time, unless by special order of the Managing Committee; all fees and rents shall be paid monthly in advance to the Inspector or other person authorised by the Managing Committee to collect such fees and rents; receipts shall be issued by such person for all rents received by him in printed forms.

6-A. The Municipality shall issue passes or permits to the persons who have paid the fees for the occupation of municipal bazar sites. These passes or permits shall be shown to the Market Inspector or any other municipal officer duly authorised on demand by him.

[*Sanctioned under G. R. G. D. No. S-91 (64) dated 11-4-38.*]

7. Lost articles, found by any person within the limits of the Municipal Markets, shall be handed over by the finder to the Inspectors; if such articles are not claimed within seven days by the owner, they shall be handed over to the Police for disposal according to law ; perishable articles shall be handed over to the Police at once.

8. Shouting, and using indecent, abusive, or noisy language are strictly forbidden. Preaching shall not be allowed within the Market precincts.

9. No goods shall be hawked or cried about the Market without special permission of the Managing Committee.

10. Spitting the juice of " pan-supari " and throwing fruit peel or pieces of vegetable about in the building or over the pavement or steps are forbidden.

11. Any person causing damage to the buildings, gardens or approaches to the Markets shall make good the cost of the repairs of such damage. This bye-law should not be deemed to affect the liability to prosecution according to law of any person who causes any such damage wilfully.

12. A plan of each Market showing the position and number of each broker's plot, stall or sitting, and if occupied, the name of its holder, shall be hung up in a conspicuous place in such Markets together with the amount of rent chargeable for each stall or holding.

13. All sweepings, cattle dung, refuse, etc., collected by the Municipality from the Market premises and cart-stands attached thereto, shall be the property of the Municipality and shall be disposed of as the Managing Committee may think fit.

14. All nuisances are forbidden within the Market precincts.

15. Any person who infringes any of the bye-laws Nos. 2, 3, 8, 9, 10 and 14 shall be punished with fine which may extend to five rupees.

15-A. A person offering or keeping any article for sale in any of the bazars belonging to the Poona City Municipality without obtaining the necessary pass from the Municipality as prescribed in bye-law 6-A would be liable on conviction to a fine not exceeding Rs 10.

[Sanctioned under G. R. G. D. No. S. 91 (64) dated 11-4-38.]

16. A copy of these bye-laws in English and Marathi shall be kept affixed in some conspicuous spot in each Public Market.

INSPECTION AND VERIFICATION OF WEIGHTS AND MEASURES.

Bye-laws under Section 48 (e) and (ee) [Sec. 61 (1)
(h) and (g) of C. M. Act.] by the Bombay

Weights & Measures Act (XV of 1932) Bye-law Nos. 1 to 5.
*Sanctioned under Government Order No. 6962,
dated 5th October 1917, G. D. are superseded hence deleted
under G. R. G. D. No. S-91(64) dated 30th November 1938.*

Bye-laws Regulating Cycle Traffic

Under Section 61 (1) (Z) B. C. M. Act 1925.

1. No person shall carry another (adult or child) on an ordinary bicycle while riding the same within municipal limits.

2. Every infringement of this bye-law shall be punished, on conviction by a fine not exceeding Rs. 10/-.

[Rules 1 and 2 above sanctioned under G. R. G. D. No. S-91
(64) dated 16-7-1930]

Bye-laws regulating Motor Traffic in the Reay Market

[Under Section 61 (1) (Z) of the Municipal
Boroughs Act 1925.]

1. No motor lory of a size $5\frac{1}{2}' \times 10'$ or more and having a carrying capacity of eight passengers including the driver and cleaner or 27 maunds of goods, or more, shall be allowed to use the roads in the Reay Market precincts without the written permission of the Market Inspector, except the following public roads :—viz.

(1) The Tulsibag Rameshwar Road.

(2) The Reay Market-Kotwal Chawadi Road.

(3) The road running north south from No. 44 to 48 and then east and west upto house No. 87 Shukrawar Peth.

(4) Road running north and south between the Burud-shops on the east and the cart stand on the west.

2. The Reay Market premises referred to in the above rule are bounded as follows :—

(1) On the North-House Nos. 6, 13, 20, 19.

(2) On the East-House Nos. 22, 24, 23A, 23, 33, 34, 35, 41, 44, 45, 46, 47, 48, 58, 60, 61.

(3) On the South-House Nos. 63 to 67.

(4) On the West-House Nos. 5, 31, 30, 29, 104, 103, 102, 91, 92, 93, 94, 95, and 87.

3. Any person committing a breach of the above bye-laws shall on conviction be punishable with fine which may extend to Rs. 20/-.

[Bye-laws 1 to 3 above were sanctioned by G. R. G. D. No. S. 91 (64) dated 30-5-1933.]

**Rules framed by the Poona City Municipality
under the Bombay Prevention of
Adulteration Act V of 1925.**

(Sanctioned under G. R., G. D., No. 4742/33,
dated 29th January 1942.)

Rule 1—Short title.—(1) These rules may be called “The Poona Prevention of Adulteration of Articles of Food Rules.”

They shall come into force with effect from the 1st May 1942.

(2) These rules extend to the Poona City Municipal area.

Rule 2—Definitions.—(a) (i) The “Act” means the Bombay Prevention of Adulteration Act, 1925;

(ii) “Section” means a section of the Act; and

(iii) “Licence” means a licence granted under section 17-A.

(b) “Preservative” means any substance which is capable of inhibiting, retarding or arresting the process of fermentation, acidification, or other decomposition of food or masking any of the evidences of putrefaction; but does not include common salt (sodium chloride), saltpetre (sodium or potassium nitrate), sugars, lactic acid, acetic acid or vinegar glycerine, alcohol or portable spirits, herbs, hop extract, spices and essential oils used for flavouring purposes or any substance added to food by the process of curing known as smoking;

(c) “Thickening substance” means sucrate of lime, gelatine, starch paste or any other substance, which when added to cream is capable of increasing its viscosity, but does not include cane or beet sugar.

(d) *Articles of food.*—(i) “Milk” means the normal clean and fresh secretion drawn from the udder of a healthy cow or buffalo and includes the admixture of the milks of the above animals.

(ii) “Cream” means that portion of milk, rich in milk fat, which rises to the surface of milk on standing, or which has been separated by skimming or otherwise, and is intended for human consumption.

(iii) “Skimmed milk” is milk from which all or part of the milk fat has been removed by mechanical or any other process and includes “separated milk” or machine skimmed milk.

(iv) "Condensed full cream milk" means milk which has been concentrated by removal of part of its water with or without the addition of sugar, and includes the article commonly known as "evaporated milk" but does not include the article commonly known as "dried milk" or "milk powder."

(v) "Condensed skimmed milk" means skimmed milk which has been concentrated by removal of part of its water with or without the addition of sugar.

(vi) "Dried milk" or "Milk powder" means milk which has been concentrated to the form of powder or solid by the removal of water.

(vii) "Dahi" means the product obtained by the lactic acid fermentation of milk.

(viii) "Butter" means butter prepared exclusively from milk or cream of the cow or buffalo or both with or without the addition of common salt.

(ix) "Ghee" means ghee prepared exclusively from the milk fat of the cow or buffalo or both.

(x) "Margarine" means any article of food which resembles butter, but which does not contain more than 10 per cent of milk fat, the rest being animal fat or "vegetable product", or both.

(xi) "Vegetable product" or "Vanaspati" means any article of food resembling ghee which consists of refined hydrogenated edible vegetable oils and not more than 10 per cent of milk fat.

(xii) "Vasa" or "Charbi" means any article of food containing the fat of terrestrial animals or refined edible fish or marine animal oil, which resembles ghee, and not containing more than 10 per cent of milk fat.

(xiii) "Edible oil" means almond oil, groundnut oil, coconut oil, mustard oil, cotton seed oil, linseed oil, niger seed oil, olive oil, poppy seed oil, rape oil, soya bean oil, safflower oil, sesam oil, sunflower oil, in the pure state either liquid or solid.

(xiv) "Edible fat" means lard, beef fat, mutton fat, goat fat and buffalo fat in their pure state.

(xv) "Wheat flour" (atta) means the coarse product obtained by milling or grinding and sifting wheat.

(xvi) "Wheat flour" (maida) means the clean white product obtained from milling or grinding wheat and bolting or dressing the resultant wheat meal.

(xvii) "Tea" means tea comprised exclusively of the leaves, leaf buds and adjacent stalks of varieties of *Thea Sinensis* L.

(xviii) "Coffee" means the seeds of coffee arabica of coffea liberica.

(xix) "Roasted coffee" means the roasted seeds of coffee.

(xx) "Ground coffee" means exclusively the roasted seeds of coffee, crushed or ground or otherwise prepared so as to be suitable for making an infusion or decoction.

(xxi) "Chicory" means the dried and roasted root of Chicorium intybus.

(xxii) "Coffee and Chicory" means a mixture of ground coffee and chicory.

(xxiii) "Asafætida" means the oleo-gum-resin obtained from the rhizome and root of Ferula fætida, Ferula rubricaulis, and other species of Ferula.

Rule 3—Calculation of percentages and quantities.—For the purposes of these rules, percentages and quantities shall be calculated in relation to (1) sulphites as sulphur dioxide (SO₂), (2) benzoates as benzoic acid (C₆H₅COOH), and (3) preservatives and other articles by weight.

Rule 4—Appointments and Qualifications of Inspectors.—No person shall be appointed to be an Inspector under section 8 unless he possesses qualifications prescribed for Sanitary Inspectors or such other qualifications as may be approved by the Provincial Government in this behalf.

For the purposes of this rule, a person shall be deemed to possess qualifications of a Sanitary Inspector if he has passed the examination held in the City of Bombay for the Sanitary Inspectors Certificate granted by the Royal Sanitary Institute, London.

Rule 5—Sum to be deposited in Court for attendance of Public Analyst.—The sum of money to be ordered by the Court to be deposited in Court under section 16 to meet the expenses of the attendance of the Public Analyst shall be Rs. 10 per day.

Rule 6—Deficiency in normal constituents and addition of extraneous matter.—(A) The following articles of food when constituted as shown hereunder shall be deemed to be not of the nature, substance or quality which they purport to be:—

(i) Cow's milk which contains less than 3·5 per cent of milk fat, or less than 8·5 per cent of milk solids other than milk fat.

(ii) Buffalo's milk which contains less than 6 per cent of milk fat, or less than 9 per cent of milk solids other than milk fat.

(iii) Cream which contains any thickening substance.

(iv) Skimmed milk which contains less than 8·7 per cent of milk solids other than milk fat.

(v) Condensed milk which contains less than 9 per cent of milk fat and less than 22 per cent of milk solids other than milk fat.

(vi) Dried milk or milk powder which contains less than 26 per cent of milk fat.

(vii) Dahi which when prepared from cow's milk contains less than 3·5 per cent of milk fat, or when made from buffalo's milk contains less than 6 per cent of milk fat.

(viii) Butter which contains more than 16 per cent of water.

(ix) Ghee which contains more than 1 per cent of water.

(x) Ghee, butter or cream which on analysis reveals the presence of a fat not exclusively derived from milk, even when they conform to the standards laid down in sub-clause B (i), (ii), (iii) of these rules.

(xi) Edible oil which is not as defined or which contains "white oil" or any other mineral or poisonous vegetable oil.

(xii) Wheat flour (atta or maida) which contains alum or less than 8 per cent of gluten.

(xiii) Tea, which is not as defined or which contains tea which has been deprived in any measure of its proper quality or strength by steeping, decoction or other means or which contains any foreign substance

(xiv) Coffee or ground coffee which contains any foreign substance.

(xv) Chicory which contains any foreign substance.

(xvi) Coffee and Chicory which contains any foreign substance or less than 50 per cent of coffee.

(xvii) Asafœtida which contains woody or vegetable fibre, sand, gravel or other foreign mineral matter.

(xviii) Vinegar, which contains less than 4 grammes of Acetic Acid ($C_2H_4O_2$) or arsenic in amounts exceeding 0·0143 milligrammes in 100 c.c. of vinegar, any sulphuric or other mineral acids, lead, copper or any foreign substance, or colouring matter except caramel.

(B) The following articles of food shall be presumed, until the contrary is proved, to be not of the nature, substance or quality which they purport to be—

(i) Ghee which has a Butyro refractometer reading at 40° C of less than 40 or more than 44·5, or a Reichert Wollny value of less than 24, as ascertained in accordance with standard practice.

(ii) Butter, the fat separated from which does not conform to the specification prescribed for ghee.

(iii) Cream, the fat separated from which does not conform to the specification prescribed for ghee.

(iv) Vegetable product or Vanaspati or Vasa or Charbi or Hydrogenated marine animal or fish oil which has an acidity of more than 0.25 per cent calculated as oleic acid.

(v) Vegetable product or Vanaspati or Vasa or Charbi when mixed with milk fat as prescribed in rule 2 (d) (xi) and (xii) which has an acidity of more than 0.50 per cent calculated as oleic acid.

(vi) Wheat flour (atta) which contains more than 2.5 per cent of ash and more than 3 per cent of crude fibre.

(vii) Wheat flour (maida) which contains more than 1 per cent of ash.

(viii) Tea, which when dried to constant weight at 100° C does not conform to the following standard, that is to say, a proportion of total ash of not less than 4 per cent and not more than 8 per cent, a proportion of ash soluble in boiling water which is not less than 40 per cent of the total ash, a proportion of ash insoluble in dilute mineral acid not exceeding 1 per cent a proportion of extract not less than 30 per cent, when one part of tea is boiled for one hour with 100 parts of distilled water.

(ix) Asafætida, in which the ash exceeds 20 per cent, the extract soluble in 90 per cent alcohol is less than 25 per cent the presence of colophony resin, galbanum resin, ammoniacum resin or any other foreign resin is detected.

(x) Coffee, the ash of which exceeds 5 per cent 70 per cent of the ash being water soluble and only a trace insoluble in acid, which yields an extract in boiling water below 21.5 per cent and above 26.5 per cent and which contains starch.

Rule 7—Preservatives and colouring matters—Any articles of food to which any preservative or any colouring or other matters or substances specified in Appendix A to these rules have been added, shall be deemed, until the contrary is proved, to be injurious to health within the meaning of section 3.

Provided that any article of food specified in the said Appendix may contain preservatives of the nature and in the proportion therein specified—

Provided also that preservatives may be added to any article of food for the purpose of analysis as prescribed in rule 9.

Rule 8—Labels and marks (A) All articles of food.—
(i) Every article of food in respect of which a label or mark is prescribed shall be so labelled or marked.

(ii) Such labels or marks shall be clearly printed, durable and so fixed and exposed as to be clearly visible to the purchaser at all times.

(iii) Such labels or marks shall be printed in English, Marathi, Gujarati and Urdu.

(B) *Articles of food resembling Butter or Ghee.*—(i) No article of food which resembles either butter or ghee shall be sold, offered, kept or exposed for sale except under the names and conditions set forth in these rules.

(ii) Margarine, Vegetable product or Vanaspati, Vasa or Charbi, when exposed or offered for sale or sold wholesale shall be packed exclusively in sealed tins each conspicuously labelled or durably marked at least on two opposite sides with the descriptive words "Margarine" "Vegetable Product" or "Vanaspati" "Vasa" or "Charbi" as the case may be in large printed capital letters not less than half an inch high in English, Marathi, Gujarati and Urdu plainly visible to the purchaser and in addition with the following symbols combined with the above descriptive words or separately on the same sides as the labels or marks, that is to say, a Key in the case of Margarine, a Leaf in the case of Vegetable product or Vanspati, and a Crescent Moon in the case of Vasa or Charbi.

(iii) If any fancy or other descriptive words are employed in addition to the terms prescribed under sub-rule B (ii) of this rule, they shall not refer to or be suggestive of butter or ghee or anything connected with the dairy or ghee trade, and if printed or written they shall be in letters not larger than and of the same colour as the prescribed words.

(iv) "Margarine", "Vegetable Product" or "Vanaspati", "Vasa" or "Charbi" when exposed or offered for sale or sold from opened tins, shall be kept exclusively in tins or containers labelled and marked as prescribed in clause (ii) above.

(v) In addition to the declaration, warning and directions prescribed in these rules the name or the title and address of the manufacturer, importer or distributor of Margarine, Vanaspati or Vegetable Product, Vasa or Charbi shall be printed on the prescribed labels or embossed on the tin with the prescribed marks.

(vi) If there is attached to the tins or receptacles containing Margarine, Vanaspati or Vegetable Product, Vasa or Charbi sold or offered, kept or exposed for sale, any lable bearing the name, trade mark or design representing the brand of such articles of food, the labels prescribed in this rule shall be printed as part of such labels or displayed along with such labels and in as conspicuous a place as that of such labels.

(C) *Condensed milk and condensed skimmed milk and dried milk and milk powder.*—(i) No condensed full cream milk, whether sweetened or unsweetened, shall be sold, offered, kept or exposed for sale except in hermetically sealed tins or receptacles which shall bear a label on which shall be printed in red the

following declaration in capital letters not less than one-eighth of an inch high, that is to say " Condensed full cream milk sweetened " or " Condensed full cream milk unsweetened " as the case may be, and the following directions in ten point type, for making with the contents milk at least equal to milk having the composition of standard milk as described below, that is to say, " To make milk not below the composition of standard milk add (a).....parts of water by volume to one part of this condensed milk." The directions shall be completed by inserting at (a) the number of parts of water. The prescribed declaration and directions shall be enclosed in a panel within a bold surrounding line.

Explanation.—For the purposes of this rule standard milk means milk which contains not less than 12½ per cent of milk solids, including not less than 3·6 per cent of milk fat.

(ii) No condensed skimmed milk shall be sold or offered, kept or exposed for sale except in hermetically sealed tins or receptacles, which shall bear a label on which shall be printed in red the following declaration in capital letters not less than one-eighth of an inch high, that is to say "Condensed skimmed milk", the following warning in capital letters not less than twice the size of those of the declaration, that is to say " Unfit for feeding babies ", enclosed in a panel in the middle of the label by a bold surrounding line, and the following directions in ten point type for making with the contents milk at least equal to milk having the composition of standard skimmed milk as described below, that is to say, " To make skimmed milk not below the composition of standard skimmed milk add (a).....parts of water by volume to one part of this condensed skimmed milk ". The directions shall be completed by inserting at (a) the number of parts of water. The declaration, warning and directions shall be enclosed in a panel within a bold surrounding line.

Explanation.— For the purpose of this rule, standard skimmed milk means milk which contains not less than 9 per cent of milk solids other than milk fat.

(iii) No directions for infant feeding or any statement which may induce any person to use the contents for feeding infants shall be printed on the label nor shall any inset or leaflet be enclosed in the wrapper around the tin or receptacle containing condensed skimmed milk.

(iv) No dried milk to which no other substance has been added shall be sold or offered, kept or exposed for sale except in hermetically sealed tins or receptacles which shall bear a label on which shall be printed the following declaration in capital letters not less than one-eighth of an inch high, that is to say,

“Dried full cream milk” and the following directions in ten point type for making with the contents milk at least equal to milk having the composition of standard milk as described below that is to say, “To make milk not below the composition of standard milk add (a).....parts of water by volume to one part by volume of this dried milk.” The directions shall be completed by inserting at (a) number of parts of water. The declaration and directions shall be enclosed in a panel within a bold surrounding line.

(v) No dried milk to which sugar or some other substance has been added shall be sold or offered, kept or exposed for sale except in hermetically sealed tins or receptacles which shall bear a label as prescribed in clause (iv) above of this rule with the following modifications, that is to say, if the only substance added to the dried milk is sugar, the word “Sweetened” shall be added to the declaration; if the only substance added to the dried milk is a constituent of milk, the word “Modified” shall be added to the declaration; if any other substance be added, the word “Compounded” shall be added to the declaration. In the case of dried milk, modified or compounded as the case may be, the words “with (a).....added” shall be added at the end of the declaration. The declaration shall be completed by inserting at (a) words to specify the substance or substances added. The declaration shall be enclosed in a panel within a bold surrounding line.

(vi) Where dried milk or a dried milk preparation is intended for consumption by infants, the percentage composition of such dried milk or dried milk preparation shall be clearly stated on the container.

(vii) The labels prescribed in this rule shall have in addition to the declarations, warning, and directions prescribed in the rule, the name and address of the manufacturer, importer or distributor of the condensed milk, condensed skimmed milk, dried milk or dried milk preparation as the case may be.

(viii) If there is attached to the tins or receptacles containing condensed milk, condensed skimmed milk, dried milk or dried milk preparation sold or offered, kept or exposed for sale, any label bearing the name, trade mark, or design representing the brand of such articles of food, the labels prescribed in this rule shall be printed as part of such label or displayed along with such labels and in as conspicuous a place as that of such labels.

(D) *Articles of food containing preservatives.*—Articles of food containing preservatives shall be labelled in accordance with the rules prescribed in Appendix B to these rules, and such labels

shall conform to the requirements prescribed in sub-rule A (i), (ii), (iii).

(E) *Declaration of addition, admixture or deficiency.*— (i) Every advertisement and every price or trade list in respect of any article of food or ingredient of food which contains an addition, admixture or deficiency shall describe the food as containing such addition, admixture or deficiency.

(ii) Every package, tin, receptacle, vessel or parcel containing any article of food or ingredient of food in respect of which under section 4 (2) (b) a label is prescribed, shall be labelled with an adhesive label, which shall contain below the following heading, that is to say, "Declaratory label" the following information, that is to say, "This (a).....contains an admixture, addition or a deficiency of not more than (b).....per cent of (c)....." Such declaratory label shall be completed by inserting at (a) the name of article of food, at (b) the maximum amount of any added or mixed matter or ingredient, or the maximum amount of any deficiency and at (c) the name of the added or mixed matter or ingredient or the name of the ingredient which is deficient. When the context demands it the appropriate words only shall be retained according to whether the article of food contains an admixture or addition or is deficient in one or more ingredients.

(iii) The heading and information on the declaratory label prescribed in sub-rule E (ii) shall be printed in bold type in black on a white ground in the centre of declaratory label.

(iv) The declaratory label prescribed in sub-rule E (ii) shall contain nothing else except the name of the food or ingredient of food, the nature of the addition, admixture or deficiency and the maximum amount of such addition, admixture or deficiency.

(v) The declaratory label prescribed in these rules shall measure at least four inches by four inches, and conform in all other respects to the requirements prescribed in sub-rule A (i), (ii) and (iii).

Rule 9—Use of Preservative for the purpose of analysis—

(i) Any person appointed as an Inspector under section 8 taking a sample of milk or skimmed milk for analysis under the provisions of the Act, may add a preservative to the sample for the purpose of maintaining such sample in a condition suitable for such analysis.

(ii) The preservative that shall be used for such purpose shall be the liquid commonly known as "Formalin", that is to say a liquid containing about 40 per cent of formaldehyde in aqueous solution.

(iii) The amount of such preservative that shall be added shall be approximately one drop of formalin added from a dropping bottle to every two ounces of milk or skimmed milk in the sample.

(iv) The vessel in which a sample of milk or skimmed milk to which formalin has been added under this rule is kept shall have affixed to it a label stating that the sample has been so artificially preserved.

Rule 10—Manner in which Articles of Food may be manufactured, sold or kept for sale.—(i) Every utensil or vessel used for manufacturing, preparing or keeping any article of food or ingredient of food intended for sale, shall be kept at all times in good order and repair, and in a clean and sanitary condition. No such utensil or vessel shall be used for any other purpose.

(ii) No person shall use for manufacturing, preparing or keeping any article of food or ingredient of food intended for sale, any utensil or vessel which is imperfectly enamelled or imperfectly tinned or which is made of such materials or is in such a state as to be likely to injure such food or render it noxious.

(iii) Every utensil or vessel containing any article of food or ingredient of food intended for sale shall at all times be either provided with a tight fitting cover or kept closed or covered by a properly fitting lid, or by a close fitting cover of gauze, net or other material of a texture sufficiently fine to protect the article of food or ingredient of food completely from dirt, flies and other insects.

(iv) No utensil or vessel for the manufacture or preparation of or containing any article of food or ingredient of food intended for sale shall be kept in any place in which such utensil or vessel is likely by reason of impure air or dust or any offensive noxious or deleterious gas or substance or any noxious or injurious emanation, exhalation, or effluvia, to be contaminated and thereby render such food noxious.

Rule 11—Licences.—(i) Any person who intends to use any place for any purpose for which a licence is required shall apply in writing to the Local Authority stating the purpose for which the place is intended to be used and shall submit block plans in triplicate showing (a) the actual area of the place so intended to be used and (b) the position at which the various operations connected with such purpose are to be carried on. On receipt of such application and plans, an officer or Inspector, authorised by the Local Authority shall inspect the said place and recommend the issue of the necessary licence if the place is found suitable for the purpose in all respects, subject to the conditions prescribed in

one or other of the licence forms contained in Appendix C to these rules and such other conditions as may be considered necessary for the particular case under the Bombay Municipal Boroughs Act, 1925.

(ii) A licence shall be issued for the period of one calendar year from the date of issue, and no licence shall be refused, cancelled, or suspended for any cause other than failure of the applicant to comply with any of the provisions of the Act or these rules.

(iii) A licence may at any time be cancelled or suspended if any of the restrictions or conditions laid down therein are infringed or evaded by the applicant to whom it was granted, or if the said person is convicted of any infringement of any of the provisions of the Act or the rules made thereunder.

(iv) No application for the renewal of any licence that has been cancelled, shall be entertained until after the lapse of a period not less than six months from the date of cancellation.

(v) When any licence is cancelled or suspended or when the period for which it was granted has expired, the person to whom the same was granted shall for the purposes of the Act be deemed to be without such licence until the order cancelling or suspending the licence is revoked or the licence is renewed.

(vi) No licence shall be transferable. Every change of applicant or place, or nature of operations carried on shall necessitate the application for and the issue of a fresh licence.

(vii) Every licence granted under the Act shall be displayed in a prominent place within the licenced premises and shall be open to inspection as prescribed in section 17 of the Act.

(viii) For the purpose of these rules any act by any owner or occupier of any premises in respect of which a licence has been granted, or by any manager, agent, employee or other person engaged in or connected with the trade or business carried on in such premises shall be deemed to be an act of commission or omission by the applicant to whom such licence has been granted.

Rule 12.—Statement under section 17-D.—(i) The statement required to be kept and maintained under section 17 D of the Act shall be kept and maintained in the form shown below:—

1. Front page:—
 - Name and address of applicant—
 - Address of premises—
 - Number and date of licence—
 - Operations carried on—

2. Subsequent pages :—

Serial No.	Quantity manufactured, prepared, purchased or received	Date of manufacture, preparation purchase or receipt.	Nature of substance.	Descriptive marks.	Disposal.				
					Name and address of party to whom sold.	Quantity sold.	Date of sale.	Brand of article.	Remarks.
1	2	3	4	5	6	7	8	9	10

(ii) The prescribed statement shall be maintained in the form of a permanently bound and serially paged register, and shall be kept in the place in respect of which a licence has been granted. The statement so maintained shall be open to inspection of an officer or officers appointed by the Local Authority with the sanction of Government.

(iii) The statement prescribed in sub-section (ii) of this rule shall be open to inspection by the officer or officers appointed as in sub-section (ii), at any time when the business of manufacture or sale is being carried on, or at any other reasonable time after notice to the licensee of not less than 24 hours.

Rule 13—Prohibition.—The owner or occupier of a place in respect of which a licence has been granted shall not store or keep on the premises any article which is capable of being used for adulteration of the article of food for the manufacture of which the licence is granted.

Rule 14—Penalty.—Notwithstanding that a penalty has been imposed for the breach of these rules, the Local Authority may cancel the licence for such breach.

APPENDIX A.

(Vide Rule 7)

Part I.—Articles of Food which may contain Preservative and Nature and Proportion of Preservative in each case.

The articles of food specified in the first column of the following table may contain the preservative specified in the second column in proportions not exceeding the number of parts (estimated by weight) per million specified in the third column:—

Food.	Preservative-	Parts per Million
1. Sausages and sausage containing raw meat, cereals and condiments.	Sulphur ... Dioxide	450
2. Fruit and fruit pulp (not dried) for conversion into jam or crystallised glace or cured fruit as defined in items 6 and 8—		
(a) Cherries	Do. ...	3,000
(b) Strawberries and Raspberries	Do. ...	2,000
(c) Other fruit—	Do. ...	1500/-
3. Dried Fruit—		
(a) Apricots, peaches, nectarines, apples and pears.	Do. ...	2,000
(b) Raisins and sultanas ...	Do. ...	450
4. Unfermented grape juice and non-alcoholic wine made from such grape juice if labelled in accordance with the rules contained in Appendix B.	Benzoic Acid	2,000
5. Other non-alcoholic wines, cordials and fruit juices, sweetened or unsweetend.	Either Sulphur Dioxide or Benzoic Acid.	350 600
6. Jam (including marmalade and fruit jelly prepared in the way in which jam is prepared).	Sulphur Dioxide...	40
7. Crystallised glace or cured fruit (including candied peel).	Do. ...	100
8. Fruit and fruit pulp not otherwise specified in this Appendix.	Do. ...	350
9. Sugar (including solid glucose) and cane syrups.	Do. ...	70
10. Cornflour (maize starch) and other prepared starches.	Do. ...	100

11.	Corn syrup (liquid glucose)	Sulphur Dioxide	...	450
12.	Gelatine	...	Do.	... 1,000
13.	Beer	...	Do.	... 70
14.	Cider	...	Do.	... 200
15.	Alcoholic wines	...	Do.	... 450
16.	Sweetened mineral waters	...	Either Sulphur Dioxide, or Benzoic Acid.	70 120
17.	Brewed ginger beer	...	Benzoic Acid	... 120
18.	Coffee extract	...	Do.	... 450
19.	Pickles and sauces made from fruit or vegetables.	...	Do.	... 250

Part II.—Colouring matters which may not be added to articles of food.

1. Metallic Colouring Matters—

Compounds of any of the following metals :—

Antimony,	Copper,
Arsenic,	Mercury,
Cadmium	Lead,
Chromium,	Zinc.

2. Vegetable Colouring Matter—

Gamboge.

3. Coal Tar Colours—

Number in Colour Index of Society of Dyers and Colourists, 1924.	Name.	Synonyms.
7	Picric Acid	...Carbazotic Acid.
8	Victoria Yellow	...Saffron Substitute ; Dinitrocreso.
9	Manchester Yellow	...Naphthol Yellow Martius Yellow.
12	Aurantia	...Imperial Yellow.
724	Aurine	...Rosolic Acid Yellow Coralline.

Part III.—Other matters which may not be added to any article of food.

Saccharine.

APPENDIX B.

(Vide Rule 5D)

Labelling of Articles of Food containing Preservatives.

1. The articles of food containing preservatives to which the rules as to labelling set out in this Schedule apply are sausages, sausage-meat, coffee extract, pickles and sauces, and (where the proportion of benzoic acid exceeds 600 parts per million) grape juice and wine.

2. (1) Where any of the said articles of food contains preservatives it shall bear a label on which is printed the following declaration :—

(a) CONTAIN (S). PRESERVATIVE.

(2) The declaration shall be completed by inserting at (a) the word " This " or " These " followed by the name of the food as used in paragraph 1 of this Appendix.

(3) In the case of grape juice or wine to which these rules apply there shall be added to the declaration the words " and is not intended for use as a beverage. "

3. The prescribed declaration shall be printed in dark block type upon a light coloured ground within a surrounding line and no other matter shall be printed within such surrounding line. The type used shall be not less than one-eighth of an inch in height, or in the case of grape juice or wine to which these rules apply, one-sixteenth of an inch in height.

4. The label shall be securely affixed to the article or be part of or securely affixed to the wrapper or container, and in any case shall be so placed as to be clearly visible. If the article bears a label containing the name, trade mark, or design representing the brand of the article or the name and address of the manufacturer or dealer the prescribed declaration shall be printed as part of such label.

5. No comment on or explanation of the prescribed declaration (other than any direction as to use in the case of a preservative) shall be placed on the label or on the wrapper or container.

APPENDIX C (i)

THIS LICENCE IS NOT TRANSFERABLE.

Fee is not refundable.

No. _____ of 194

Ghee

*Licence for using premises for carrying on the wholesale
Business of sale, purchase or supply of Ghee.*

PURSUANT to the provisions of section 17 A of the Bombay
Prevention of Adulteration Act, 1925, Mr. _____ is hereby

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licensed for the period of one year, namely from † _____

1st April 194

to _____ 194

_____ to use a place for the purpose of trade or carry-
ing on the wholesale business of sale or supply of ghee being the

room or shop or place measuring _____ square feet, being part of
the premises No- _____ subject to the restrictions and
conditions following, that is to say:—

1. (a) The licensee shall not keep ghee or permit to be
kept, outside the said premises or on the public road or street.

(b) This licence is valid only for the premises above speci-
fied, that is for the number of rooms, godowns, or space mention-
ed herein, and if the licensee at any time during the period of this
licence desires to use any additional room or godown or space
within the said premises for keeping ghee, he must obtain previ-
ous sanction from the Local Authority for doing so.

(c) If the licensee vacates or gives up the possession of
the said premises during the period of this licence, he shall forth-
with inform in writing the Licensing Officer that he is about
to do so.

2. The licensee shall cause the premises to be thoroughly
cleansed and lime washed at least twice a year during the months
of January and July.

3. The licensee shall not use or permit to be used any
portion of the premises for dwelling or cooking purposes.

4. (a) No oil, margarine, vegetable product, paraffin, fat,
vasa or charbi or other substance capable of being used for the
adulteration of ghee shall be kept on the premises.

† Is preferable to the financial year.

(b) No essences or colouring matter likely to give resemblance to ghee shall be kept on the premises.

(c) The premises shall not form part of or communicate otherwise than by a public street with any other premises upon which is kept any of substances that are named in condition No. 4 (a).

(d) The licensee and his servants shall at the request of any Inspector duly authorised by the Local Authority under the said Act, who tenders the price for the quantity required as a sample for analysis sell to the Inspector the said quantity of any ghee, butter or substance mentioned in clause 4 (a) that may be on the premises to, a part of which this licence relates and shall when called upon to do so take a sample from any package the Inspector may select whether the package be sealed or open.

5. The licensee shall keep and maintain a statement as required by section 17D of the said Act in the form prescribed in rule 12 and shall keep it at all times open for inspection of the officer authorised.

6. The licensee shall at all times adopt and cause to be maintained in good order and efficient action, upon the said premises all such appliances or means as the Local Authority may from time to time require for the purpose of minimising danger to life and property or preventing, abating or minimising any nuisance, annoyance or inconvenience to the neighbourhood or to the public from the use to which the premises are put.

7. The licensee shall provide on the premises and maintain in good repair and use a metal sanitary dust bin of approved pattern and size for the deposit of all trade refuse and sweepings and make proper arrangements for the disposal of its contents daily.

8. The licensee shall, at all times during the continuance of this licence, be responsible for the fulfilment and observance of all the foregoing conditions and in case of any infringement of or negligence or failure on the part of the licensee will be liable to prosecution and to suspension or revocation of this licence.

9. This licence will also be liable to suspension or revocation if the premises are so kept or the trade or any operation connected with it is so carried on as to be, in the opinion of the Local Authority, a source of nuisance or danger to life, health or property.

10. The licensee shall cause this licence to be affixed in some conspicuous part of the premises to which it relates.

11. The fee chargeable for this Licence is Rs. 10 only.

Authorised Officer.

APPENDIX C (ii)

THIS IS LICENCE IS NOT TRANSFERABLE.

Fee is non-refundable

No. of 194 .

Ghee

Licence for using permises for carring on the manufacture or preparation for the purpose of trade of Ghee,

PURSUANT to the provisions of section 17 A of the Bombay Prevention of Adulteration Act, 1925, Mr. _____ is hereby licensed for the period of one year, namely from † 194 1st April 194 to 194 31st April 194 to use a place for the manufacturing, packing pressing, cleaning, melting or preparing ghee by any process whatever upon _____ being part of the permises No. _____ measuring in area _____ square feet, subject to the restrictions and conditions following:-

1. No portion of the said permises and no room situate over that partion of the said permises shall be used for human habitation at night.

2. All butter brought to the permises for being manufactured into ghee shall until actually required for such manufacture be stored in a room separate from the room or rooms in which the processes of manufacturing, packing, pressing, cleaning or preparation are carried on. Such separate storage room shall be airy and well ventilated, and shall be entirely disconnected from any drain and no privy water closet shall be allowed to ventilate into it.

3. The floor of such separate storage room must be paved with impervious material to the satisfaction of the Local Authority.

4. No butter must be stored in passages, back yards or spaces under stair-cases or close to a privy or water closet.

5. All stored butter must be kept in properly covered metal or glass or glazed ware receptacles.

† Is preferable to the financial year.

6. The processes of melting must be carried out in a properly constructed fire-place provided with a suitable flue.

7. The ladles used for skimming the refuse matter from the surface of the melted butter must at all times be kept in a clean state and must not be placed on the floor but on a suitable shelf or table provided for the purpose in close proximity to the fire-place and such shelf table must be maintained in a clean condition.

8. The conditions which apply to the storage of butter shall also apply to the storage of prepared ghee which may be kept in the separate storage room aforesaid.

9. All coal, coke or firewood or liquid fuel to be used in the process of melting butter shall be kept in suitable receptacles and not loose.

10. This licence is valid only for the premises for which it has been granted, that is, for the number of rooms, godowns or space or quantity mentioned herein, and if the licensee at any time during the period of this licence desires to use a larger space within the said premises he must obtain previous sanction from the Local Authority for doing so.

11. (a) No oil, margarine, vegetable product, paraffin, fat, vasa or charbi or other substance capable of being used for the adulteration of ghee shall be kept on the premises.

(b) No essences or colouring matters likely to give resemblance to ghee shall be kept on the premises.

(c) The premises shall not form part of or communicate otherwise than by a public street with any other premises upon which is kept any of the articles or substances that are named in condition No. 11 (a).

(d) The licensee and his servants shall on the request of any Inspector duly authorised by the Local Authority under the said Act, who tenders the price for the quantity required as a sample for analysis, sell to the Inspector the said quantity of any ghee, butter or any substance mentioned in condition No. 11 (a) that may be on the premises to a part of which this licence relates and shall when called upon to do so take a sample from any package the Inspector may select, whether the package be sealed or open.

12. The licensee shall keep and maintain a statement as required by section 17 D of the said Act in the form prescribed in Rule 12 and shall keep it at all times open for inspection of the officer authorised.

13. The licensee shall at all times adopt and cause to be maintained in good order and efficient action, upon the said premises all such appliances or means as the Local Authority may from time to time require for the purpose of minimising danger to life or property or for preventing, abating, or minimising any nuisance, annoyance or inconvenience of the neighbourhood or to the public from the use to which the premises are put.

14. The trade shall not be carried on either before 6 A. M. (S. T.) or after 8 P. M. (S. T.)

15. The licensee shall provide on the premises and maintain in good repair and use a metal sanitary dust bin of approved pattern and size for the deposit of all trade refuse and sweepings and make proper arrangements for the disposal of its contents daily.

16. The licensee shall, at all times during the continuance of this license, be responsible for the fulfilment and observance of all the foregoing conditions, and in case of any infringement of or neglect or failure on the part of the licensee will be liable to prosecution and to suspension or revocation of this licence.

17. This licence will also be liable to suspension or revocation if the premises are so kept or the trade or any operation connected with it is so carried on as to be, in the opinion of the Local Authority, a source of nuisance or danger to life, health or property.

18. The licensee shall cause this licence to be affixed to some conspicuous part of the premises to which it relates.

19. The fee chargeable for this licence is Rs. 10 only.

20. If the licensee vacates or gives up possession of the said premises during the period of this licence, he shall forthwith inform in writing the Authorised Officer that he is about to do so.

21. This licence is non-transferable either as regards the person to whom or the premises in respect of which it is granted.

Authorised Officer.

APPENDIX C (iii)

THIS LICENCE IS NOT TRANSFERABLE

Fee is non-refundable.

No. of 194

Butter.

Licence for using premises for carrying on the wholesale business of sale, purchase or supply of Butter.

PURSUANT to the provisions of section 17 A of the Bombay Prevention of Adulteration Act, 1925, Mr. is hereby licensed for the period of one year from \$ 194 to 194
1st April 194 to 31st March 194 to use a place for carrying on the wholesale business of sale or purchase or supply of butter the room or shop or place measuring square feet, being part of the premises No. subject to the restrictions and conditions following, that is to say:-

1. (a) No oil, margarine, vegetable product, paraffin, fat, vasa or charbi or other substance capable of being used for the adulteration of butter shall be kept on the premises.

(b) No essences or colouring matters likely to give resemblance to butter shall be kept on the premises

(c) The premises shall not form part of or communicate otherwise than by a public street or road with any other premises upon which is kept any of the articles or substances that are named in condition No. 1 (a).

(d) The licensee and his servants shall at the request of any Inspector duly authorised by the Local Authority under the said Act, who tenders the price for the quantity required as a sample for analysis, sell to the Inspector the said quantity of any butter, or substance mentioned in condition No 1 (a) that may be on the premises to a part of which this licence relates and shall when called upon to do so, take a sample from any package the Inspector may select, whether the package be sealed or open.

2. The licensee shall not keep, handle or sell any butter under any condition which renders the said butter liable to contamination.

3. All stored butter must be kept in properly covered metal or glass or glazed ware receptacles.

4. No butter shall be stored in passages, back yards or spaces under stair-cases or close to any privy or water-closet.

§ Is preferable to the financial year.

5. The licence is valid only for the said premises and if the licensee at any time during the period of this licence desires to use any additional room or shop or any additional space within the said premises for keeping butter, he must obtain previous sanction of the Local Authority for doing so.

6. The licensee shall keep and maintain a statement as required by section 17 D of the said Act in the form prescribed in Rule 12 and shall keep at all times open for inspection of the officer authorised.

7. The licensee shall provide on the premises and maintain in good repair and use a metal sanitary dust bin of approved pattern and size for the deposit of all trade refuse and sweepings and make proper arrangements for the disposal of its contents daily.

8. The licensee shall at times during the continuance of this licence, be responsible for the fulfilment and observance of all the foregoing conditions, and in case of any infringement of or neglect or failure on the part of the licensee will be liable to prosecution and to suspension or revocation of this licence

9. This licence will also be liable to suspension or revocation if the premises are so kept or the trade or any operations connected with it is so carried on as to be, in the opinion of the Local Authority, a source of nuisance or danger to life, health or property.

10. The licensee shall cause this licence to be affixed in some conspicuous part of the premises to which it relates.

11. The fee chargeable for this licence is Rs. 10 only.

12. If the licensee vacates or gives up possession of the said premises during the period of this licence, he shall forthwith inform in writing the Authorised Officer that he is about to do so.

Authorised Officer.

APPENDIX C (iv)

THIS LICENCE IS NOT TRANSFERABLE.

Fee is non-refundable.

No. of 194 .

Margarine.

Licence for using premises for carrying on the wholesale business of sale, purchase or supply of Margarine.

PURSUANT to the provisions of section 17 A of the Bombay Prevention of Adulteration Act, 1925, Mr.

is hereby licensed for the period of one year, from § 194 to 194 to use a place for carrying on the 1st April 194 to 31st March 194 wholesale business of sale or purchase or supply of margarine the room or shop or place measuring square feet, being part of the premises No. subject to the restrictions and conditions following that is to say:—

1. (a) No oil, vegetable product, paraffin, fat, vasa or charbi or other substance capable of being used for the adulteration of margarine shall be kept on the premises.

(b) Margarine kept on the premises shall be conspicuously labelled or durably marked as provided for in the rules under the Act.

(c) The premises shall not form part of or communicate otherwise than by a public street with any other premises upon which is kept any of the articles or substances that are named in condition No. 1 (a).

(d) If the licensee vacates or gives up the possession of the said premises during the period of this licence, he shall forthwith inform in writing the Licensing Officer that he is about to do so.

2. The licensee and his servants shall at the request of any Inspector duly authorised by the Local Authority under the said Act, who tenders the price for the quantity required as a sample for analysis, sell to the Inspector the said quantity of any margarine, or substance mentioned in condition No. 1 (a) that may be on the premises to a part of which this licence relates and shall when called upon to do so, take a sample from any package the Inspector may select, whether the package be sealed or open.

§ Is preferable to the financial year.

3. The licence is valid only for the said premises and if the licensee at any time during the period of this licence desires to use any additional room or shop or any additional space within the said premises for keeping margarine, he must obtain previous sanction of the Local Authority for doing so.

4. The licensee shall keep and maintain a statement as required by section 17 D of the said Act in the form prescribed in Rule 12 and shall keep at all times open for inspection of the officer authorised.

5. The licensee shall provide on the premises and maintain in good repair and use a metal sanitary dust bin of approved pattern and size for the deposit of all trade refuse and sweepings and make proper arrangement for the disposal of its contents daily.

6. The licensee shall, at all times during the continuance of this licence, be responsible for the fulfilment and observance of all the foregoing conditions, and in case of any infringement of or neglect or failure on the part of the licensee will be liable to prosecution and to suspension or revocation of this licence.

7. This licence shall also be liable to suspension or revocation if the premises are so kept or the trade or any operation connected with it is so carried on as to be, in the opinion of the Local Authority a source of nuisance or danger to life, health or property.

8. The licensee shall cause this licence to be affixed in some conspicuous part of the premises to which it relates.

9. The fee chargeable for this licence is Rs. 10 only.

Authorised Officer.

APPENDIX C (v)

THIS LICENCE IS NOT TRANSFERABLE

The Fee is non-refundable.

No. of 194

Vegetable Oils.

Licence for using premises for carrying on the wholesale business of sale, purchase or supply of Vegetable Oils.

PURSUANT to the provisions of section 17 A of the Bombay Prevention of Adulteration Act, 1925, Mr.

is hereby licensed for the period of one year, namely, from § $\frac{194}{1st\ April\ 194}$ to $\frac{194}{31st\ March\ 194}$ to use a place for carrying on the wholesale business of sale or purchase or supply of vegetable oils the room or shop or place measuring _____ square feet being part of the premises No. _____ subject to the restrictions and conditions following, i. e. to say:—

1. (a) The licensee shall not keep any vegetable oil or permit the same to be kept, outside the said premises or on the public road or street.

(b) This licence is valid only for the premises above specified, that is, for the number of rooms, godowns, or space mentioned herein, and if the licensee at any time during the period of this licence desires to use any additional room or godown or space within the said premises for keeping oil, he must obtain previous sanction of the Local Authority for doing so.

(c) If the licensee vacates or gives up the possession of the said premises during the period of this licence, he shall forthwith inform in writing the Licensing Officer that he is about to do so.

2. All oils resembling ghee kept on the premises shall bear the name of Vanaspati or Vegetable Product and all tins or packages containing them shall be conspicuously labelled or durably marked as provided for in the rules made under the Act.

3. No paraffin, fat, vasa or charbi capable of being used for the adulteration of Vanaspati or Vegetable Product shall be kept on these premises.

§ Is preferable to the financial year.

4. The licensee and his servants shall at the request of any Inspector duly authorised by the Local Authority under the said Act, who tenders the price for the quantity required as a sample for analysis sell to the Inspector the said quantity of any vegetable oil, or substance mentioned in condition No. 3 that may be on the premises to a part of which this licence relates and shall when called upon to do so, take a sample from any package the Inspector may select, whether the package be sealed or open.

5. This licence is not transferable, either as regards the person to whom or the premises for which it is granted.

6. The licensee shall cause the premises to be thoroughly cleansed and lime-washed at least twice a year, during the months of January and July.

7. The licensee shall not use or permit to be used any portion of the premises for dwelling purposes and no fire shall be lighted therein.

8. The licensee shall not keep or permit to be kept outside the licensed premises any tins, drums, casks or other receptacles used or to be used in connection with the trade.

9. The licensee shall at all times adopt and cause to be maintained in good order and efficient action, upon the said premises, all such appliances or means as the Local Authority may from time to time require for the purpose of minimising danger to life or property or preventing or minimising nuisance, annoyance or inconvenience to the neighbourhood or to the public from the use to which the premises are put.

10. The licensee shall provide on the premises and maintain in good repair and use a metal sanitary dust bin of approved pattern and size for the deposit of all trade refuse and sweepings and make proper arrangements for the disposal of its contents daily.

11. The licensee shall keep and maintain a statement as required by section 17 D of the said Act in the form prescribed in Rule 12 and shall keep it at all times open for inspection of the officer authorised.

12. The licensee shall, at all times during the continuance of this licence, be responsible for the fulfilment and observance of all the foregoing conditions and in case of any infringement of or neglect or failure on the part of the licensee will be liable to prosecution and to suspension or revocation of this licence.

13. This licence will also be liable to suspension or revocation if the premises are so kept or the trade or any operation connected with it is so carried on as to be in the opinion of the Local Authority a source of nuisance or danger to life, health or property.

13. The licensee shall cause this licence to be affixed in some conspicuous part of the premises to which it relates.

14. The fee chargeable for this Licence is Rs. 10 only.

Authorised Officer.

APPENDIX C (vi)

THIS LICENCE IS NOT TRANSFERABLE.

Fee is non-refundable

No. of 194 .

Vegetable Oils

Licence for using premises for manufacturing, packing, pressing, cleaning, cleansing melting, or preparing Vegetable Oil by any process whatever.

PURSUANT to the provisions of section 17 A. of the Bombay Prevention of Adulteration Act, 1925, Mr.

is hereby licensed for the period of one year, namely from $\frac{194}{\dagger}$ to $\frac{194}{\dagger}$ to use a place for carrying on the manufacture, packing, pressing, cleaning, cleansing, or melting preparing, by any process whatever, Vegetable Oil, in being part of premises No. measuring in area square feet, subject to the following conditions:—

1. (a) The licensee shall not keep any vegetable oil or permit the same to be kept outside the said premises or on the public road or street.

(b) Vegetable product or vanaspati kept on the premises shall be conspicuously labelled or durably marked as provided in the rules made under the Act.

(c) This licence is valid only for the premises above specified, that is for the number of rooms, godowns, or space mentioned herein, and if the licensee at any time during the period of this licence desires to use any additional room or godown or space

† Is preferable to the financial year.

within the said premises he must obtain previous sanction from the Local Authority for doing so.

(d) If the licensee vacates or gives up the possession of the said premises during the period of this licence, he shall forthwith inform in writing the Licensing Officer that he is about to do so.

2. No margarine, or vasa or charbi, or paraffin, or other animal fat except milk fat shall be kept on the premises.

3. The licensee and his servants shall at the request of any Inspector duly authorised by the Local Authority under the said Act, who tenders the price for the quantity required as a sample for analysis, sell to the Inspector the said quantity of any vegetable oil, or substance mentioned in condition No. 2 that may be on premises to a part of which this licence relates and shall when called upon to do so, take a sample from any package the Inspector may select, whether the package be sealed or open.

4. This licence is not transferable, either as regards the person to whom or the premises for which it is granted.

5. The licensee shall cause the premises to be thoroughly cleansed and lime-washed at least twice a year during the months of January and July.

6. The licensee shall not use or permit to be used any portion of the premises for dwelling or cooking purposes.

7. The licensee shall not keep, or permit to be kept outside the licensed premises any tins, drums, casks or other receptacles used or to be used in connection with the trade.

8. The licensee shall at all times adopt and cause to be maintained in good order and efficient action, upon the said premises all such appliances or means as the Local Authority may from time to time require for the purpose of minimising danger to life and property or preventing, abating, or minimising nuisance, annoyance or inconvenience to the neighbourhood or to the public from the use to which the premises are put.

9. The licensee shall provide on the premises and maintain in good repair and use a metal sanitary dust bin of approved pattern and size for the deposit of all trade refuse and sweepings and make proper arrangement for the disposal of its contents daily.

10. All oils manufactured and stored shall be kept in properly covered receptacles except during the process of manufacture and no such oil shall be stored in passages, backyard or close to any privy or water closet.

11. The licensee shall keep and maintain a statement as required by section 17D of the said Act in the form prescribed in Rule 12 and shall keep, at all times open for inspection of the officer authorised.

12. The licensee shall, at all times during the continuance of this licence, be responsible for the fulfilment and observance of all the foregoing conditions, and in case of any infringement of or neglect or failure on the part of the licensee will be liable to prosecution and to suspension or revocation of this licence.

13. This licence will also be liable to suspension or revocation if the premises are so kept or the trade or any operation connected with it is so carried on as to be, in the opinion of the Local Authority, a source of nuisance or danger to life, health or property.

14. The licensee shall cause this licence to be affixed in some conspicuous part of the premises to which it relates.

15. The fee chargeable for this licence is Rs. 10 only.

Authorised Officer.

APPENDIX C (vii)

THIS LICENCE IS NOT TRANSFERABLE.

Fee is non-refundable.

No. _____ of 194 . . .

Vasa or Charbi.

Licence for using premises for carrying on the wholesale business of sale, purchase or supply of Vasa or Charbi.

PURSUANT to the provisions of section 17 A of the Bombay Prevention of Adulteration Act, 1925, Mr.

is hereby licensed for the period of one year, namely, from § 194 to 194 to use a place for carrying on the 1st April 194 to 31st March 194 wholesale business of sale, purchase or supply of Vasa or Charbi;

§ Is preferable to the financial year.

the room or shop or place measuring _____ square feet, being part of the premises No. _____ subject to the following conditions:—

1. (a) The licensee shall not keep any Vasa or Charbi or permit the same to be kept outside the said premises or on the public road or street.

(b) The licence is valid only for the premises above specified, that is, for the number of rooms, godowns or space mentioned herein, and if the licensee at any time during the period of this licence desires to use any additional room or godown or space within the said premises for keeping Vasa or Charbi, he must obtain previous sanction of the Local Authority for doing so.

(c) If the licensee vacates or gives up the possession of the said premises during the period of this licence, he shall forthwith inform in writing the Licensing Officer that he is about to do so.

2. Vasa or Charbi kept on the premises shall be conspicuously labelled or durably marked as provided for in the rules made under the Act.

3. No ghee or butter, margarine, paraffin, Vanaspati or Vegetable Product capable of being used for the adulteration of Vasa or Charbi shall be kept on the premises

4. The licensee and his servants shall at the request of any Inspector duly authorised by the Local Authority under the said Act, who tenders the price for the quantity required as a sample for analysis, sell to the Inspector the said quantity of any Vasa or Charbi, or substance mentioned in condition No. 3 that may be on the premises to a part of which this licence relates and shall when called upon to do so, take a sample from any package the Inspector may select, whether the package be sealed or open.

5. This licence is not transferable, either as regards the person to whom or the premises for which it is granted.

6. The licensee shall cause the premises to be thoroughly cleansed and lime washed at least twice a year, during the months of January and July.

7. The licensee shall not keep or permit to be used any portion of the premises for dwelling purposes and no fire shall be lighted therein.

8. The licensee shall not use or permit to be kept outside the licensed premises any tins, drums, casks or other receptacles used or to be used in connection with the trade.

9. The licensee shall at all times adopt and cause to be maintained in good order and efficient action, upon the said premises all such appliances or means as the Local Authority may from time to time require for the purpose of minimising danger to life and property or preventing, abating or minimising any nuisance, annoyance or inconvenience to the neighbourhood or to the public from the use to which the premises are put.

10. The licensee shall provide on the premises and maintain in good repair and use a metal sanitary dust bin of approved pattern and size for the deposit of all trade refuse and sweepings and make proper arrangements for the disposal of its contents daily.

11. All essences and colouring matters likely to give resemblance to the article of food to which this licence relates shall not be kept on the premises.

12. The licensee shall keep and maintain a statement as required by section 17 D of the said Act in the form prescribed in Rule 12 and shall keep it at all times open for inspection of the officer authorised.

13. The licensee shall, at all times during the continuance of this licence, be responsible for the fulfilment and observance of all the foregoing conditions, and in case of any infringement or neglect or failure on the part of the licensee will be liable to prosecution and to suspension or revocation of this licence.

14. This licence will also be liable to suspension or revocation if the premises are so kept or the trade or any operation connected with it is so carried on as to be, in the opinion of the Local Authority a source of nuisance or danger to life, health or property.

15. The licensee shall cause this licence to be affixed in some conspicuous part of the premises to which it relates.

16. The fee chargeable for this licence is Rs. 10 only.

Authorised Officer.

APPENDIX C (viii)

THIS LICENCE IS NOT TRANSFERABLE.

Fee is not refundable.

No: of 194

Vasa or Charbi.

*Licence for using premises for manufacturing packing,
pressing, cleaning, cleansing, melting or preparing,
Vasa or Charbi by any process whatever.*

PURSUANT to the provisions of section 17 A of the Bombay
Prevention of Adulteration Act, 1925, Mr.

is hereby licensed for the period of one year, namely from*

19 to 19
1st April 194 to 31st March 194 to use a place for the manu-
facturing, packing, pressing, cleaning, melting or preparing Vasa or
Charbi by any process whatever in being part of
premises No. measuring in area square feet,
subject to the following conditions:—

1. (a) The licensee shall not keep Vasa or Charbi or permit it to be kept outside the said premises or on the public road or street.

(b) This licence is valid only for the premises above specified, that is, for the number of rooms, godowns, or space mentioned herein, and if the licensee at any time during the period of this licence desires to use any additional room or godown or space, he must obtain previous sanction of the Local Authority for doing so.

(c) If the licensee vacates or gives up the possession of the said premises during the period of this licence, he shall forthwith inform in writing the Licensing Officer that he is about to do so.

2. No ghee or butter or margarine, or Vanspati or vegetable product, or parffin shall be kept on the premises.

3. The licensee and his servants shall at the request of any Inspector duly authorised by the Local Authority under the said Act, who tenders the price for the quantity required as a sample for analysis, sell to the Inspector the said quantity of any Vasa or Charbi, or substance mentioned in condition No. 2 that may be on the premises to a part of which this licence relates and shall when called upon to do so, take a sample from any package the Inspector may select, whether the package be sealed or open.

* Is preferable to the financial year.

4. The licensee shall cause the premises to be thoroughly cleansed and lime washed at least twice a year during the months of January and July.

5. Vasa or Charbi kept on the premises shall be conspicuously labelled or durably marked as provided for in the rules made under the Act.

6. The licensee shall not use or permit to be used any portion of the premises for dwelling or cooking purposes.

7. The licensee shall not keep or permit to be kept outside the licensed premises any tins, drums, casks or other receptacles used or to be used in connection with the trade.

8. The licensee shall at all times adopt and cause to be maintained in good order and efficient action, upon the said premises, all such appliances or means as the Local Authority may from time to time require for the purpose of minimising danger to life and property or preventing, abating, or minimising nuisance, annoyance or inconvenience to the neighbourhood or to the public from the use to which the premises are put.

9. The trade shall not be carried on either before 6 A. M. (S. T.) or after 8 P. M. (S. T.)

10. The licensee shall provide on the premises and maintain in good repair and use a metal sanitary dust bin of approved pattern and size for the deposit of all trade refuse and sweepings and make proper arrangements for the disposal of its contents daily.

11. All essences and colouring matters likely to give resemblance to the article of food to which this licence relates shall not be kept on the premises.

12. Vasa or Charbi manufactured and stored shall be kept in properly covered receptacles and no such Vasa or Charbi shall be stored in passages backyards or close to any privy or water closet.

13. The licensee shall keep and maintain a statement as required by section 17 D of the said Act in the form prescribed in Rule 12 and shall keep it at all times open for inspection of the officer authorised.

14. The licensee shall, at all times during the continuance of this licence, be responsible for the fulfilment and observance of all the foregoing conditions, and in case of any infringement of or neglect or failure on the part of the licensee

will be liable to prosecution and to suspension or revocation of this licence

15. This licence will also be liable to suspension or revocation if the premises are so kept or the trade or any operation connected with it is so carried on as to be, in the opinion of the Local Authority, a source of nuisance or danger to life, health or property.

16. The licensee shall cause this licence to be affixed in some conspicuous part of premises to which it relates.

17. The fee chargeable for this licence is Rs. 10 only.

Authorised Officer.

Additional By-Laws for Hotels, Tea-shops, Eating Houses, etc. under section 61 (1) (b) (ii) and Rule prescribing Fees to be charged for the issue of renewal licenses under Section 58 (j) of Bombay Municipal Boroughs Act, 1925, sanctioned by Government.

G. R., G. D. No. S. 91 (64) dated 21-11-1942.

By-Laws

1. *Granting of license on payment of fees*—The owner or manager of every hotel, restaurant, tea-shop or eating house, etc. shall obtain an annual license from the municipality which shall be granted subject to the conditions stated in these by-laws on payment (strictly in advance) of such fees as may be prescribed by the Municipality by rules under section 58 (j) read with section 90 of the Act.

License may be refused—Provided that with the previous approval of the Standing Committee (or Sanitary Committee as the case may be) the Chief Officer shall have the discretion to refuse a license at any site, which, on account of over-congestion or insanitary surroundings, is unfit for such class of trade or business.

Provided also that the Chief Officer shall have power to refuse to grant or to renew a license to an applicant who is in arrears of hotel tax.

2. License is revocable if the business turns out to be a nuisance. A license issued under by-law 1 shall also be liable to suspension or revocation, if the premises are so kept, or the trade, or any operation connected with it, is so carried on as to be, in the opinion of the Chief Officer, a source of nuisance, or danger to life, health or property.

3. *Renewal of license*—Except in the case of hotels, restaurants, tea shops, etc. which are to be closed after the expiry of the period of the license so granted it shall be renewed at the beginning of every official year on payment of the renewal fee of rupee one.

4. *When to apply for a license*—Every owner or manager of every existing hotel, eating house, etc., shall within one month after the date from which these by-laws by a public notification declared to have come into force, apply to the Chief Officer for a license.

5. *Fine on failure to obtain or renew a license*—Failure to apply for a license as required by these by-laws or to renew it at the beginning of every official year shall be punishable with a fine extending to Rs. 25/-

6. *License is for specified premises*—A license issued under by-law 1 is valid only for the premises specified in the license, and if the licensee desires to carry on such trade or any operation connected therewith in an additional room, shop, or space he shall apply for a fresh license, which if granted, be subject to the payment of an extra fee of Re. 1/-

7. *Change of premises to be reported*—Every person to whom a license is issued under by-law 1, and who vacates or gives up possession of the premises during the period of the license, shall forthwith inform the Chief Officer of the same.

8. *License not transferable*—A license, issued under by-law 1 is, without the written permission of the Chief Officer, not transferable, either as regards the person to whom or the premises for which it is granted.

9. *License to be hung up*—Every person to whom a license is granted under by-law 1, shall cause such license to be affixed in some conspicuous part of the licensed premises.

10. *Liability of the licensee for servants' neglect or misconduct*—Every person to whom a license is granted under by-law 1 shall, at all times during the continuance of the license, be responsible for the due fulfilment and observance of all the

conditions of the license and in case of infringement of or neglect or failure on the part of the licensee or of any other person employed, or having any interest in the business, to fulfil or observe any of the said conditions, the licensee shall be liable to prosecution and be punished with fine which may extend to Rs. 25 (twenty five) and to suspension or revocation of the license

11 None of these by-laws shall be applicable to shops dealing in Soda, Lemon or other aerated waters which do not provide sitting accommodation for consumption of such drinks.

Rule

The Chief Officer shall issue annual licenses for hotels or renew them on payment of a fee of rupees two per license which shall be in addition to the hotel tax levied by the Municipality. The fees shall be paid in advance at the municipal office and no claim for remission or refund shall be allowed on the ground that no use was made of the privilege covered by the license. The license shall be issued subject to the by-laws made in this behalf.

Rules framed by the Poona City Municipality under Section 58 (j) of the Bombay Municipal Boroughs Act, 1925; as approved by Government.

G. R. G. D. No. S 91 (64) dated the 14th June 1939.

In these rules, unless there is something repugnant in the subject or context :—

- (a) " Act " means the Bombay Municipal Boroughs Act, 1925.
- (b) " Chief Officer " means the Chief Officer of the Poona City municipality.
- (c) " Municipal Officers " mean the Vasuli Superintendent, Warrant Karkuns and other Officers of the Municipality authorised by the Chief Officer to receive payments of Municipal dues.
- (d) " Municipality " means the Poona City Municipality constituted under the Bombay Municipal Boroughs Act, 1925.
- (e) " Section " means a section of the Bombay Municipal Boroughs Act, 1925.

(f) "Defaulter" means a person who has not paid any Municipal claim for money recoverable under Chapter VIII of the Bombay Municipal Boroughs Act, 1925.

Claim Recovery Rules.

1. For every notice of demand issued under sub-section (3) of section 104, fees shall be charged at the rates given below:

Notice fees.

	Rs. A. P.
(i) When the amount demanded by the notice does not exceed Rs. 10/- ...	0—4—0
(ii) When it exceeds Rs. 10 but does not exceed Rs. 100/- ...	0—8—0
(iii) When it exceeds Rs. 100/- ...	1—0—0

2. Fees at the following rates shall be levied for the execution of every warrant under clause 4 of section 105.

Warrant fees.

(i) When the amount to be levied under the warrant does not exceed Rs. 10/-	10 per cent of the amount to be recovered.
(ii) When the amount to be levied under warrant exceeds Rs. 10/-	12 per cent of the amount to be recovered.

3. *Expenses of sale*:—When after execution of warrant if any property of a defaulter is sold by public auction, expenses of sale shall be recovered from the sale proceeds as under :—

Expenses for proclamations. ...	(a) Rs. 2.
When proclamation is published in a newspaper.	(b) Actual cost.
Notices of attachment. ...	Same as notice fees in rule (1) above.
Notices to persons having claims over property attached or sold.	do
Other incidental charges for attachment and sale.	3 per cent of the amount realised by sale.

4. *Maintenance of live stock* :—The rates to be charged for maintaining any live stock seized under sub-section (4) of section 105 shall be the same as those for feeding and watering, etc., charged under the cattle pound rules in force in the city of Poona and which are as follows :—

				Rates of fine	Rates of feeding charges per diem
				RS. A. P.	RS. A. P.
For every	Camel	...	...	1-0-0	0-3-9
do	Buffalo	...	...	1-0-0	0-3-9
do	Bullock & cow	...	...	0-8-0	0-3-9
do	Horse	...	...	0-8-0	0-3-9
do	Mare	...	...	0-8-0	0-3-9
do	Colt	...	...	0-8-0	0-3-9
do	Calf not more than 2 years old	...	...	0-4-0	0-1-9
do	Buffalo not more than 2 years old	...	...	0-4-0	0-1-9
do	Sheep & Goat	...	...	0-2-0	0-1-9
do	Pig	...	...	0-4-0	0-1-9
do	Ass	...	...	0-4-0	0-1-9
do	Young ass	...	...	0-2-0	0-1-9
do	Donkey	...	...	0-8-0	0-3-9

Rules regarding the Distrain and Sale of Moveable property of the Defaulter.

1. *Notice of sale to be affixed*:—A copy of the proclamation and notice of sale shall be affixed on the notice board of the Municipality and on the outer door or some conspicuous part of the place from which the property was seized and distrained at least 7 days prior to the date on which the auction sale is to be held.

2. *Sales by whom to be held*—The sales shall be held by warrant karkuns or other municipal officers authorised by the Chief Officer in this behalf.

3. *Time of sale*—No sales shall take place on a Sunday or other holiday recognized by the Municipality nor until after the expiration of seven days from the last date on which notice and proclamation for sale have been affixed as required by the foregoing rules, except as provided in section 106 of the Bombay Municipal Boroughs Act, 1925.

4. *Municipal servants prohibited from bidding*—No officer or other servant of the Municipality shall either directly or indirectly bid for or acquire or attempt to acquire any interest in the property sold.

*Form of Proclamation & Notice of Sale of Moveable
property, Goods and Chattel distrained.*

(See. Rule 1.)

WHEREAS the property of (name)
hereinunder specified has been seized and distrained on account
of municipal dues and claim due from (name)

AND WHEREAS it is necessary to recover
the said amount by sale of the said property together with all
lawful charges and expenses resulting from the said distraint
and sale,

Notice is hereby given that on the day
of 19 at between 11 a. m. and 5 p. m. the
Warrant Karkun shall sell by public auction to the highest
Vasuli Superintendent
bidder and on such conditions as are set out in the sub-joined
schedule of sale, the right, title and interest of the said (name)
in the property hereunder specified.

Details of moveable property.

Chief Officer,
Poona City Municipality.

Memo of Conditions of sale of Moveable property of
(name) H. No.

Peth to be held on the day of 19

1. The sale shall be conducted by the Warrant
Vasuli

Karkun
Superintendent Poona City Municipality.

2. The officer is authorized to conclude the sale or post-
pone it at his discretion.

3. The party who is declared to be the purchaser shall be
required to pay the whole purchase money on the spot to the
officer conducting the sale; in default, the property shall forth-
with again be put up for auction and sale.

4. The property will be handed over to the declared
purchaser immediately on payment of purchase money and on ob-
taining his receipt.

• Report of the officer.

The above proclamation and notice of sale was affixed on
the municipal notice board on _____ and at on _____
Warrant Karkun.

Rules for the Attachment and Sale of Immoveable property.

1. *Proclamation of sale* :—When any immoveable property has been attached under sub-section (4) of section 105 of the Act, the Chief officer shall cause a Proclamation of the intended sale of such property to be made in Marathi specifying the time and place of the sale together with any other particulars that may be deemed necessary. Such proclamation shall be made in the manner prescribed in sub-clause (ii) of clause (d) of sub-section (4) of section 105 of the Act and if the Chief Officer so directs, shall also be published in a local newspaper.

2. *Sales by whom to be held* :—Sales shall be held by the Vasuli Superintendent or the Chief Officer.

3. *Sale to be stayed if payment made before the time of sale* :—If at any time before the time fixed for sale the defaulter or any other person on his behalf pays into the Municipal Office or to the Officer appointed to conduct the sale, the dues of the Municipality for the recovery of which the property is proposed to be sold together with all costs incidental to the notice, warrant attachment and detention of the property and the publication of the proclamation, the sale shall be stayed.

4. *Postponement of sale to enable defaulter to raise money by mortgage, lease etc.*—If before the sale has been made the defaulter satisfies the Chief Officer that there is reason to believe that the amount due to the Municipality can be raised by the mortgage lease or private sale of the property attached or some other part thereof, or of any other immoveable property of the defaulter, the Chief Officer may, on the application made by the defaulter, postpone the sale of the attached property on such terms and for such period as he thinks proper, to enable the defaulter to raise the money.

5. *Postponement for any other reason*—The Chief Officer may also from time to time postpone the sale for any other sufficient reason which he shall record in writing.

6. *Sale to be by public auction* :—The sale shall be by public auction to be held by an officer authorised in that behalf by the Chief Officer.

7. *Municipal servants prohibited from bidding* :— No Municipal servant shall directly or indirectly bid for, acquire or attempt to acquire any interest in the property proclaimed for sale.

8. *Time for sale* :—No sale shall take place on a Sunday or any other recognised holiday, nor until after the expiration of at least 30 days from the latest date on which a copy of the proclamation shall have been affixed under rule No 1.

9. *Co-sharer's bid preferred* :—When the property put up for sale is a share of undivided immoveable property and two or more persons of whom one is the co-sharer bids the same sum for it, the bid shall be deemed to be the bid of the co-sharer.

10. *Purchaser to deposit 25 per cent of the bid* :—At all such sales the person who is declared to be the purchaser shall be required to deposit immediately 25 per cent of the amount of the bid and in default of such deposit, the property shall forthwith be again put up for sale.

11. *When the full amount is to be paid* :—The full amount of the purchase money shall be paid by the purchaser before sunset on the seventh day from that on which the sale of immoveable property took place or if the said seventh day be a Sunday or other recognised holiday, before the sunset of the first working day after such seventh day.

12. *Defaulting purchaser forfeits deposit* :—If the purchaser makes default in paying the full amount of the purchase money within the prescribed period, his deposit shall, after the expenses of the sale have been defrayed therefrom, be forfeited to the Municipality and the property shall be resold. The defaulting purchaser shall forfeit all claims to the property or to any part of the amount realised on resale.

13. *When fresh proclamation necessary in cases of postponed sales and resales* :—Every postponed sale of immoveable property and every resale of it on the purchaser's default in payment of the full amount of the purchase money shall, except when such resale takes place within 14 days from the date of the first sale, be made after the issue of a fresh proclamation in the manner prescribed for original sales.

14. *Liability of defaulting purchaser for loss on sale* :—If the proceeds of the sale which is eventually held be less than the price paid by the defaulting purchaser, the difference together with all costs, the expenses incurred on such resale, shall be

recoverable by the Municipality from such defaulter as arrears of Municipal taxes.

15. *Setting aside the sale* :—The Chief Officer may set aside the sale—

(1) On an application made within 30 days from the date of the sale by a person interested in the property sold, to have the sale set aside on the ground of some material irregularity or mistake or fraud in the publication or conduct of the sale, or on the ground that the defaulter had no saleable interest* in the said property, or

(2) Of his own accord for reasons to be recorded by him in writing, whether or not an application has been made to him under (1) above;

Provided that no sale shall be set aside on the ground of irregularity or mistake, unless it is proved to the satisfaction of the Chief Officer that the applicant has sustained substantial injury by reason thereof.

16. *On setting aside sale purchase money shall be refunded* :—When a sale is set aside, the deposit or purchase money, as the case may be, shall be refunded to the purchaser.

17. *Confirmation of sale* :—If the Chief Officer sees no valid ground for setting aside the sale, he shall make an order confirming the sale on the expiration of 30 days from the date of sale or as soon thereafter as the inquiry necessitated by an application of the nature referred to in rule No. 15 is completed.

18. *Purchaser to be entered in the Municipal records as owner and granted a certificate* :—When the sale of immoveable property is confirmed by the Chief Officer, the name of the purchaser shall be entered in the Municipal records as the owner in lieu of the defaulter, and he shall be granted a certificate declaring him to be the purchaser of the property in question. Such purchaser shall be entitled to the possession of the property.

19. *Disposal of proceeds* :—When a sale has been confirmed, the proceeds of the sale shall be disposed of in accordance with the provisions of sub-section (2) and (3) of section 106 of the Act.

20. *Forms of proclamation and certificate* :—The proclamation and certificate referred to in rules 1 and 18 respectively shall be in such forms as may from time to time be approved by the Standing Committee.

ERRATA

S. No.	Page No.	Rule No.	Incorrect.	Correct.
1	2	6 (A), 8th line.	Rule 5 (1), 10 and 11 (2).	Rule 5 (1), 7-A, 10 and 11 (2).
2	7	14 (5), 1st line	the last date or	Read 'for' instead of 'of'
3	46	77, 4th line	the period office	the period of office
4	51	92, 4th line	Remaks-books	Remarks-books
5	52	48 (1)	48 (1)	48 (a)
6	56	194 (1) (b) 2nd line	In certain cases and	Delete these words
7	60	2, last line	on page 34	on page 64
8	62	1st line	(b) should the work etc.	This Rule should be numbered as 3 (b). 3 (a) is cancelled by Sec. 48 of the C.M.Act. 1925 and hence omitted
9	62	22, last line	on page ?	on page 77
10	84	(7) 3rd line	Power to search for false weights etc.	This power is superseded under Weights and Measures Act.
11	84	(9), 2nd line	(Sec. 192)	Read: Sec. 197
12	87	...	Rules prescribing powers and duties of the Municipal Inspector of Weights & Measures.	These rules are superseded by the enforcement of the New Act.
13	91	10 (b) 3rd line	Rule 18 (b) etc.	Read: Rule 10 (b) cancelled by rule 18 on page 68
14	91	10 (d), last line	Rule 18 on page ect.	Read: Rule 18 on page 68 and Rule 2 on page 127.
15	91	11 (Note) last line	(Vide page...)	(Vide page 115).
16	91	11	It shall be etc.	This rule is no longer in force.

S. No.	Page No.	Rule No.	Incorrect	Correct
17	91	9th line from bottom	on page...to...	on pages 95 to 107
18	91	7th line from bottom	on page...to...	on pages 94 to 98
19	118	2nd line from top	Rule 18 on page 38.	Read: page 68 instead of 38 in lines Nos. 2, 10 on this page and in line No. 5 on the next page.
20	125	5	5	This rule should be numbered as 2.
21	126	Explanation ...	...	Delete the explanatory clause beginning with "Explanation..." and ending with "clause (a) or (b)."
22	130	2nd line from bottom.	Rule S-A	Rule 5-A.
23	141	4th line from top	and 113	Delete the words and figures "and 113"
24	141	18th line from bottom.	Northern	Western
25	141	17th line from bottom	of Yerandavana	Delete the words "of Yerandavana"
26	141	16th line from bottom	Western	Northern
27	141	16th line from bottom	No. 54	add the words "of Yerandavana" after No. 54.
28	145	6(j) 4th line	in 'E'	in the form 'E'
29	148	2, 1st line	on refund	no refund
30	154	10th line from bottom.	Every person etc.	This rule should be numbered 21.
31	227	Form 'A' 1st line.	Here described	Here describe
32	238	15 Schedule of fees.	Copying fees 'S'	Read 'As.'

S. No.	Page No.	Rule No.	Incorrect	Correct
33	240	9th line from top.	20 and ... from	20 and 21 from
34	241	3rd line aboverule No. 4	(Rule 3 originally etc. ending with "are approved.")	Add the words 'on the next page (269)' after the words "are app- ended" and remove these lines from here and place them at the end of rule 4 on page 268.
35	246	2, 2nd line	Births and deaths	births and deaths
36	250	5, 2nd line	Struciral	Structural
37	251	9th line from bottom	with in 50 feet	within 50 feet
38	256	10th line from bottom	on page Nos.(52)	on page Nos. 246 to 256.
39	265	Rule 17. 2nd line	and note on the date of	Read "and note on it the date of."
40	267	1, last line	on page Nos. hence deleted	on page No. 215 hence deleted.
41	269	Note below Schedule A	Page No. 106	Page No. 268
42	271	S. No. 42 2nd line	Mahadeo fo	Mahadeo to
43	272	S. No 88	Raja Bazar Road	Raja Baxar Road
44	274	S. No. 135 (last Col.)	N. S.	E. W.
45	274	S. No. 136 (last Col.)	E. W.	N. S.
46	279	4, 1st line	<i>Must mutandis</i>	<i>Mutatis Mudandis</i>
47	279	18th line from top	on pages 230 and 231 below	on page 282 below
48	280	2, last line	on page 229	on page 281
49	280	3, last line	on page 231	on page 282
50	282	13th line from bottom	and Sec. 112	and Sec. 113

(4)

S. No.	Page No.	Rule No.	Incorrect	Correct
51	287	11th line from top	(Sec. (u)	(Sec. 61 (u)
52	290	3rd line from bottom	100 feet from nny	100 feet from any
53	298	10 (b), 3rd line	Plan No. 4	Plan No. 5
54	316			The first 2 lines of the heading are wrong and be struck off.
55	320	2nd line	knowledge and beief	knowledge and belief
56	325	last line	G. R. G. D. No. 57/8	G. R. G. D. No. 5708
57	326		Byelaws under Sec. 40 (h)	Read: Byelaws under Sec. 48 (h)
58	336	11, 3rd line	Imprevious	Impervious
59	338	2nd line	of any	for any
60	347	37, last line	airy	dairy
61	354	6th line from top	Sec. 48 (or)	Sec. 48 (r)
62	355	2 (c), 3rd line	be done by duly authorized	be done only by duly authorized
63	357	7(c), 4th line	shall be deened	shall be deemed
64	360	1, 2nd line	on rain water	no rain water.