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APPENDIX 1.

BILL No. IX OF 1932

(A Bill further to amend the Bombay Prevention of Gambling Act, 1887.)

REPORT OF THE SELECT COMMITTEE.

We, the members* of the Select Committee appointed to consider Bill No. IX of 1932 (A Bill further to amend the Bombay Prevention of Gambling Act, IV of 1887), have the honour to report as under:—

We have carefully considered the Bill. In the opinion of the majority of us the appropriate way of giving effect to the intention of the Bill which seeks to impose restrictions on Government as to the Club to which a licence for horse racing may be granted and upon membership of which the right to bet upon a horse race is dependent, is by amending the Bombay Race-courses Licensing Act, 1912, and not by the introduction into an Act designed to deal with the prevention of gambling in general detailed prohibitions and restrictions in relation to one particular sport. It is not possible to amend the Act of 1912 under the present Bill. We have therefore done our best to deal with the subject within the scope of this Bill.

Clause 1.—The amendment made in this clause is purely a drafting amendment.

Clauses 2 and 3.—We are of opinion that to restrict wagering or betting on a horse race to the members of a club owning or occupying a race course would be far too drastic a step. We therefore think that in addition to the members of the club who may or may not be charged an entrance fee, the right to bet upon a horse race in an enclosure should be permitted to those who are admitted on payment of certain admission fees. The proposed amendment also makes it necessary to make special provision to permit betting within proper limits upon horse races organised by Hunt Committees or other point to point races at which attendance is in practice made up of those who themselves ride horses and their relatives and friends. We have therefore deleted clauses 2 and 3 of the Bill and inserted a new clause 3 which introduces a schedule particularly describing the "individuals" referred to in clause (c) of section 3 of the Prevention of Gambling Act, 1887 (clause 2 of the Bill).

We recommend that this report, the Bill as amended by us together with the minutes of dissent, if any, should be translated in Marathi;

**Note.*—The signatures of Rao Bahadur R. R. Kale, Dr. P. G. Solanki, Rao Bahadur R. S. Asavale, Dr. M. D. Gilder and Moulvi Sir Rafiuddin Ahmad, Kt., will be notified when received.

[Appendix I—*contd.*]

Gujarati, Kanarese and Urdu and published in the *Bombay Government Gazette*.

(Signed) R. D. BELL.
 (") C. B. B. CLEE.
 (") D. R. PATIL.
 (") G. DAVIS.
 (") R. M. MAXWELL.
 (") M. K. DIXIT
(subject to a minute of dissent).
 (") SHAH ROOKH SHAH YAR JUNG
 BAHADUR.
 (") C. M. LANE.
 (") J. HUMPHREY.
 (") L. R. GOKHALE
(subject to a minute of dissent).

(Minute of dissent by Dr. M. K. Dixit, M.L.C.)

I do not agree with the report, because the amendment accepted by the majority of the select committee is in my opinion opposed to the principle of the bill accepted by the House. From the statement of objects and reasons it is evident that the mover of the bill intends to restrict betting to a certain class of people only, and to put a check on gambling by all and sundry who can get admission to the enclosures on payment of certain fees as is the case at present. The amendment of the bill does not alter the position at all ; it will not alter the existing law as intended by the mover of the bill. Betting will not be restricted to certain class of people, and no further check will be put on gambling than what exists to-day.

(Signed) M. K. DIXIT.

Surat, 12th February 1934.

(Minute of dissent by Mr. L. R. Gokhale, M.L.C.)

I have signed this Report of the Select Committee subject to the following minute of dissent :—

I do not think that for the purpose in view the Bombay Race-courses Licensing Act is the only way to secure the object. The Prevention of Gambling Act makes an exception in favour of horse races and the Bill wants to restrict the gambling to a certain class of people. I do not agree with the view that the amendment proposed is far too drastic a measure. The principle of the Bill is to restrict betting on horse race to the members of the club only while the amendment suggested by majority instead of restricting extends the right to bet. The low scale of fees for admission to the enclosure affords more facilities and inducement to bet also.

(Signed) L. R. GOKHALE, M.L.C.

Poona, 12th February 1934.

[Appendix 1—contd.]

Note.—Deletions made by the Select Committee are shown in square brackets.

BILL No. IX OF 1932.

*A Bill further to amend the Bombay Prevention of Gambling Act,
[IV of] 1887.*

(As amended by the Select Committee.)

WHEREAS it is expedient further to amend the Bombay Prevention of Gambling Act, [IV of] 1887 in the manner hereinafter appearing; ^{Bom. IV of 1887.} It is hereby enacted as follows:—

1. *Short title.*—This Act may be called the Bombay Prevention of Gambling (Amendment) Act, [of] 193[2]. 4.

[2. *Amendment of section 3 of Bom. IV of 1887.*]—In sub-section (c) of section 3 of the Bombay Prevention of Gambling Act, for the word ^[Bom. IV of 1887.] “individual” the words “member of a recognized Racing Club” shall be substituted.]

[3. *Amendment of section 3 of Bom. IV of 1887.*]—At the end of sub-section (c) of section 3 the following definition should be added:—

[“In this Act ‘Recognised Racing Club’ means a Racing Club owning or occupying a race-course and recognised by the Governor in Council by a notification published in the *Bombay Government Gazette*”:]

[“Provided, however, that only such Racing Clubs shall be so recognized, as admit as members, persons not below the age of twenty-one and charge a minimum entrance fee of Rs. 25 and a minimum annual subscription of Rs. 15.”]

2. *Amendment of section 3 of Bom. IV of 1887.*—In clause (c) of section 3 of the Bombay Prevention of Gambling Act, 1887, hereinafter ^{Bom. IV of 1887.} called the said Act, for the words “individual in person,” the words “person specified in the Schedule,” shall be substituted.

3. *Insertion of a schedule in Bom. IV of 1887.*—To the said Act the following schedule shall be added namely:—

“Schedule

1. A person who is a member of a club or association to which a licence has been granted under the Bombay Race-courses Licensing Act, ^{Bom. III of 1912.} 1912.

2. A person who has been admitted to an enclosure on the premises of a club or association to which a licence has been granted under the ^{Bom. III of 1912.} Bombay Race-courses Licensing Act, 1912, and who pays—

- (i) an admission fee of not less than three rupees per race day and is admitted to an enclosure reserved for persons paying such fee, or
- (ii) an admission fee of less than three rupees but not less than one rupee per race day and is admitted to an enclosure reserved for persons paying such fee.

[Appendix 1—concl'd.]

3. *A person who has been admitted to a race-course of which the licensee is a Hunt Committee or Secretary of a point to point race.*"

G. S. RAJADHYAKSHA,

Secretary to the Legislative Council,
of the Governor of Bombay.

Bombay, 15th February 1934.

APPENDIX 2.

BILL No. XXIII OF 1932.

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

(As introduced on the 30th September 1932 and published in the
"Bombay Government Gazette" of the 20th October 1932.)

Bom.
III of
1888.

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

1. *Short title.*—This Act may be called the City of Bombay Municipal (Amendment) Act, 1932.

2. *Amendment of section 11 of Bom. III of 1888.*—In sub-section (2) of section 11 of the said Act, in line 11 the word "five" for the word "ten" shall be substituted.

STATEMENT OF OBJECTS AND REASONS.

The object of this Bill is to democratise the constitution of the Municipality of the City of Bombay by lowering the franchise from a Rs. 10 rental to a Rs. 5 rental. Under the existing franchise it has been found that out of a total population of 1,135,079 only 138,804 people are entitled to vote which is very unfair.

(Signed) S. K. BOLE, M.L.C.

APPENDIX 3.

BILL No. XXIV OF 1932.

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

(As introduced on the 30th September 1932 and published in the
"Bombay Government Gazette" of the 20th October 1932.)

Bom.
III of
1888.

WHEREAS it is expedient further to amend the City of Bombay Municipal Act, 1888, it is enacted as follows :—

1. *Short title.*—This Act may be called the City of Bombay Municipal (Amendment) Act, 1932.

[Appendix 3—contd.]

2. Amendment of Schedule B of Bom. III of 1888.—The last column of schedule "B" of the City of Bombay Municipal Act shall be repealed Bom. III of 1888. and the following columns shall be substituted for it:—

Name and No. of Sub-Divisions of Wards.	Names of the Sub-Divisions of each Ward.	Main Divisions of each Ward.	Number of seats as per proposed Wards.		
A	1 Upper Colaba	Lower	A South	5	12
	2 Middle and Colaba.				
	3 Fort, Southern				
	4 Fort, Northern		A North	7	
	5 Esplanade				
B	6 Mandvi	B South	6	12	
	7 Chakla				
	8 Umerkhadi	B North	6		
	9 Dongri				
C	10 Market	C South	8	16	
	11 Dhobitalao				
	12 Fanaswadi				
	13 Bhuleshwar	C North	8		
	14 Khara Talao				
	15 Kumbharwada				
D	16 Khetwadi	D East	7	16	
	17 Girgaum				
	18 Tardeo	D West	9		
	19 Chowpati				
	20 Walkeshwar				
	21 Mahalaxmi				
E	22 Mazagon	E East	4	12	
	23 Tarwadi				
	24 First Nagpada	E South	4		
	25 Second Nagpada				
	26 Kamathipura				
	27 Byculla	E West	4		
F	28 Parel	F South	4	9	
	29 Sewri				
	30 Sion	F North	5		
G	31 Mahim	G North	4	9	
	32 Worli	G South	5		
Total			86	86	

[Appendix 3—*contd.*]

3. *Addition of a Schedule to Bom. III of 1888.*—The following schedule shall be added at the end of Schedule “B” :—

DIVISION OF THE CITY INTO SUB-WARDS.

A Ward South.

A line starting from Colaba Point extending along the harbour up to its junction with Ballard Road, thence along Ballard Road, Mint Road, the North side of Elphinstone Circle, Church Gate Street, to meet Back Bay (near South side of Church Gate Station), thence along Back Bay to Colaba Point.

A Ward North.

A line starting from Back Bay near Church Gate Station, where it meets Church Gate Street, extending along Church Gate Street, North side of Elphinstone Circle, Mint Road up to its junction with Ballard Road, thence along Ballard Road, South side of Mole Station, thence along the Sea up to the North Wharf of Carnac Basin, thence along the aforesaid Wharf, along South side of Carnac Road, First Marine Street, continuing thence in a straight line to Back Bay, and along Back Bay to the starting point (viz. Church Gate Station).

B Ward South.

A line starting from the junction of Abdul Rehman Street and Carnac Road, extending Eastward along Carnac Road, thence in a straight line extending along the North Wharf of Carnac Basin to harbour, thence along the harbour up to the North Wharf of Victoria Docks, thence extending along the Bombay Port Trust Railway siding running South of A and B Sheds of Prince's Dock, thence along Masjid Siding Road, First Chinch Bunder Road up to its junction with Dongri Street, thence Southward along Dongri Street up to its junction with Pydhoni Road, thence along Pydhoni Road to its junction Bhendy Bazar Road, thence along Abdul Rehman Street to its junction with Carnac Road.

B Ward North.

A line starting from the junction of Abdul Rehman Street, Pydhoni Road, Dongri Street up to its junction with First Chinch Bunder Road, thence along First Chinch Bunder Road, Musjid Siding Road, thence running along the Bombay Port Trust Siding South of A and B Sheds of Prince's Dock to Sea, thence along the harbour Northward up to the South Wharf of Clerk Basin, thence Westward to Wari Bunder Road, thence along Wari Bunder Road, Mazagon Road, Babula Tank Road, Bhendy Bazar Road to its starting point, viz. junction with Abdul Rehman Street and Pydhoni Road.

C Ward South.

A line starting from the junction of Carnac Road and Abdul Rehman Street, extending along Abdul Rehman Street to its junction with

[Appendix 3—*contd.*]

Kalbadevi Road, thence along Kalbadevi Road up to its junction with Dady Shet Agiary Street, thence along Dady Shet Agiary Street to its junction with Cathedral Street, thence along Cathedral Street, Bhuleshwar Road, Thakurdwar Road, thence in a straight line running South of the Government Press, to meet Back Bay, thence Southward along Back Bay up to where it meets First Marine Street (South of Marine Lines Station), thence along First Marine Street, Carnac Road to the starting point, viz. junction with Abdul Rehman Street.

C Ward North.

A line starting from the junction of Thakurdwar and Bhuleshwar Roads, extending along Bhuleshwar Road, Cathedral Street, Dady Shet Agiary Street, Kalbadevi Road, Parel Bhendy Bazar Road to its junction with Grant Road, thence along Grant Road up to its junction with Trimbak Parashram Street, thence along Trimbak Parashram Street, Ardeshir Dady Street, Girgaum Road to the starting point (viz. its junction with Thakurdwar Road).

D Ward East.

A line starting from the Back Bay at its junction with the South edge of Charni Road Gardens, extending along the South side of Government Printing Press, Thakurdwar Road, Girgaum Back Road, up to its junction with Ardeshir Dady Street, thence along Ardeshir Dady Street, Trimbak Parashram Street, thence along Grant Road up to its junction with Harvey and Gawalia Tank Roads, thence along Harvey Road to Sea.

D Ward West.

A line starting from Back Bay where it meets Harvey Road, extending along Harvey Road, Grant Road up to its junction with Suklaji Street, thence along Suklaji Street, Bellasis Road to its junction with B. B. & C. I. Railway Lines, thence along B. B. & C. I. Railway lines Northward to its junction with Clerk Road, thence Westward along Clerk Road to meet the Sea at Hornby Vellard, thence Southward along the Sea up to the Malbar Point, thence Northwards along the Sea to the starting point (viz. its junction with Harvey Road).

E Ward East.

A line starting from the junction of Babula Tank Road and Victoria Gardens Road extending along Babula Tank Road, Mazagon Road up to its junction with Wari Bunder Road, thence along Wari Bunder Road to the South Wharf of the Clerk Basin, thence Northward along the harbour up to the South Wharf of Brick Bunder (i.e., the South-East corner of the new Cotton Green), thence along Brick Bunder, thence Southward along Signal Avenue to its junction with Fosbery Road, thence Northward along Fosbery Road up to its junction with Jackaria Bunder and Reay Roads, thence Northward along Reay Road, Kalachowki Road to its junction with Parel Road, thence Southward along Parel Road, Victoria Gardens Road to the starting point (viz. junction with Babula Tank Road.)

[Appendix 3—*contd.*]

E Ward South.

A line starting from the junction of Grant Road and Victoria Gardens Road, extending along Victoria Gardens Road up to its junction with Shepherd Road, to meet Clare Road, then Southward along Clare Road up to the Old Parsi Statue, thence along Bellasis Road up to its junction with Suklaji Street, thence along Suklaji Street to its junction with Grant Road, thence Eastward along Grant Road to the starting point (*viz.* junction with Victoria Gardens Road).

E Ward West.

A line starting from junction of the Victoria Gardens and Shepherd Roads, extending along Victoria Gardens Road, Parel Road, up to its junction with Kalachowki Road, thence Westward along Kalachowki Road to its junction with the G. I. P. Railway lines, thence cutting across Chinchpokli Station to Arthur Road, thence along Arthur Road, North side of Jacob Circle, Clerk Road up to its junction with the B. B. & C. I. Railway lines, thence Southward along B. B. & C. I. Railway lines up to its junction with Bellasis Road, thence along Bellasis Road, Clare Road, up to its junction with Shepherd Road, thence along Shepherd Road to the starting point (*viz.* its junction with Victoria Gardens Road).

F Ward South.

A line starting from the junction of G. I. P. Railway Chinchpokli Station, and Kalachowki Road, extending along Kalachowki Road, Reay Road up to its junction with the First Avenue, thence along First Avenue up to its junction with Fosbery Road, then Southward along Fosbery Road up to its junction with Signal Avenue, thence Northward along Signal Avenue up to its junction with South Wharf of Brick Bunder to the South-East corner of the New Cotton Green, thence along the Sea, Eastward and Northward to Khadkal Creek; thence from Khadkal Creek in a straight line Westward to meet the junction of Bhoiwada Road and Bhoiwada Cross Road, thence along Bhoiwada Cross Road, thence crossing Suparibag Road to and along Elphinstone Road to Parel Railway Station, thence Southward along G. I. P. Railway lines to the starting point (*viz.* Chinchpokli Railway Station).

F Ward North.

A line starting from G. I. P. Railway Parel Station extending along Elphinstone Road, crossing Suparibag Road to and along Bhoiwada Cross Road to its junction with Bhoiwada Road and thence in a straight line Eastward to Sea at Khadkal Creek, thence along the Sea and the Northern limit of the City up to G. I. P. Railway line, thence along the G. I. P. Railway line up to the starting point (*viz.* G. I. P. Railway Parel Station.)

G Ward South.

A line starting from the junction of Hornby Vellard and Clerk Road, and extending along Clerk Road, Jacob Circle, Arthur Road up to Chinchpokli Station and thence along G. I. P. Railway lines up to Elphinstone

[Appendix 3—concl'd.]

Road Station, thence along Elphinstone Road to its junction with Sayani Road, thence along Sayani Road to its junction with Cadell Road, thence along Cadell Road Northward to a distance of about 250 feet, thence along the proposed 40' Road (North of the Bombay Dyeing and Manufacturing Co.) to Sea, thence along Sea to the starting point (viz. junction of Hornby Vellard and Clerk Road).

G Ward North.

A line starting from junction of Sea and a proposed 40' Road, running to the North of the Bombay Dyeing and Manufacturing Co. and extending along the said 40' Road to meet Cadell Road, thence Southward along Cadell Road to its junction with Sayani Road, thence along Sayani Road, Elphinstone Road up to its junction with G. I. P. Railway Elphinstone Railway Station, thence Northward along G. I. P. Railway lines up to the centre of Duncan Causeway, thence along a line running through the centre points of the Duncan Causeway and the centre of B. B. & C. I. Railway and Lady Jamshedji Bridges, thence along the Sea shore to the starting point (viz. 40' Road North of the Bombay Dyeing and Manufacturing Co.).

STATEMENT OF OBJECTS AND REASONS.

The present number of seats allotted to some of the Wards is very unfair and though the population of some of the Wards is reduced the number of seats allotted to them remains the same. This Bill seeks to correct the distribution of the elected seats to be filled up by each Municipal Ward and whilst doing this due consideration is given to population, number of voters and rateable value of property.

So also the Sub-Division of Wards is a reform long overdue and the Bill seeks to sub-divide the Wards and to allot to them seats in proportion in order to reduce the size of the present electorates.

(Signed) S. K. BOLE, M.L.C.

APPENDIX 4.

BILL No. XXV OF 1932.

A Bill further to amend the Sind Incumbered Estates Act, 1896.

(As introduced on the 30th September 1932 and published in the
"Bombay Government Gazette" of the 20th October 1932.)

WHEREAS it is expedient further to amend the Sind Incumbered Bom. XX Estates Act, 1896, for the purpose hereinafter appearing; It is hereby of 1896. enacted as follows:—

1. *Short title.*—This Act may be called the Sind Incumbered Estates (Amending) Act, 1932 .

[Appendix 4—contd.]

Bom. XX
of 1896. 2. *Amendment of section 31 of Bom. XX of 1896.*—In sub-section (1) of section 31 of the Sind Incumbered Estates Act for the word “Commissioner” the words “District Court of the competent jurisdiction” shall be substituted.

3. *Amendment of section 31 of Bom. XX of 1896.*—In sub-section (2) of section 31 for the word “Commissioner” the words “District Judge” shall be substituted.

4. *Amendment of section 32 of Bom. XX of 1896.*—In section 32 of the said Act the word “Commissioner” shall be substituted by the words “District Judge” and the words “of his own motion or” shall be deleted.

STATEMENT OF OBJECTS AND REASONS.

It has been found by experience undesirable on the grounds of public policy to vest in the Executive final appellate power in claim suits relating to Incumbered Estates. It will be more in accordance with the principle of justice to vest in the higher judicial courts power to hear appeals from the decision of the Manager, Incumbered Estates. It is therefore proposed to amend the Act accordingly.

(Signed) S. S. TOLANI, M.L.C.

APPENDIX 5.

BILL No. X OF 1933.

A Bill to regulate the rents of premises in the Bombay Presidency.

(As introduced on the 16th February 1933 and published in the “Bombay Government Gazette” of the 7th March 1933.)

WHEREAS it is expedient to provide, on account of the present economic situation, means for regulating the rents of premises in the Bombay Presidency; And Whereas the previous sanction of the Governor General required by sub-section (3) of section 80A of the Government of India Act has been obtained for the passing of this Act; It is hereby enacted as follows:—

5 & 6
Geo. V,
c. 61.

PRELIMINARY.

1. *Short title, extent and operation.*—(1) This Act may be called the Bombay Rent Act, 1933.

(2) It extends to the whole of the Bombay Presidency except the area covered by the Karachi Rent Restriction Act, 1929, during the continuance thereof.

(3) It shall come into operation in the first instance only in the City of Bombay and in such municipal and notified areas in the Bombay

Bom.
III of
1929.

[Appendix 5—contd.]

Suburban District and the Thana District as are or may hereafter be governed, wholly or in part, by the Bombay District Municipal Act, 1901, and the Bombay Municipal Boroughs Act, 1925, in respect of any premises of which the standard rent does not exceed Rs. 200 per month; but the Governor in Council may by notification direct that it shall come into operation in any other local area on such date as may be specified in such notification. In such notification the Governor in Council may direct that all or any specified portions of this Act shall come into operation in such local area and shall apply, with such modifications as to dates as he may think necessary, having due regard to the general principles of this Act, to any class or classes of premises as may be specified.

Bom III
of 1901
and Bom.
XVIII
of 1925.

(4) This Act shall be in force for a period of five years :

Provided that the expiration of this Act shall not render recoverable any rent which during the continuance thereof was irrecoverable or affect the right of a tenant to recover any sum which during the continuance thereof was under this Act recoverable by him.

(5) The Governor in Council may, on being satisfied that any premises have been or will be let on a concessional rent with charitable motives, exempt such premises from all or any of the provisions of this Act.

2. *Definitions.*—(1) In this Act, unless there is anything repugnant in the subject or context—

(A) the expression “ standard rent ” in relation to any premises means—

- (a) the rent which shall be less by 25 per cent. than
 - (i) the rent at which the premises were let on the first day of January 1930, or where they were not let on that date, the rent at which they were last let before that date ; or
 - (ii) in the case of any premises that were or shall be first let after the first day of January 1930 and before the commencement of this Act, the rent at which they were or shall be first let ; or
- (b) in the case of any premises that shall be first let after the commencement of this Act, the rent at which they shall be first let ; or
- (c) in the case of any premises let under a lease for a period of less than ten years, the rent which shall be less by 15 per cent. than the rent fixed by such lease for the period containing the first day of January 1930 ; or
- (d) in the case of any premises let under a lease for a period of ten years or upwards, the rent which shall be less by 10 per cent. than the rent fixed by such lease for the period containing the first day of January 1930 ; or
- (e) in any of the cases specified in section 10, the rent fixed by the court ; or
- (f) in any of the cases specified in section 14, the standard rent fixed by the controller.

[Appendix 5—*contd.*]

(B) the expression "premises" means—

(a) any building or part of a building or any hut let separately for any purpose whatever, including any land therewith;

(b) any land let separately for the purpose of being used principally for business or trade; it does not include a room in an hotel or a boarding house.

(C) the expression "small premises" means any premises the standard rent of which, without any increase allowable under section 4 or section 6 of this Act, does not exceed fifty rupees a month.

(D) the expression "landlord" means any person for the time being entitled to receive rent in respect of any premises whether on his own account or on account or on behalf or for the benefit of any other person or as trustee, guardian or receiver for any other person; it includes a rent-farmer, a tenant who sub-lets any premises and every person from time to time deriving title from the owner of the premises.

(E) the expression "tenant" means any person by whom or on whose account rent is payable for any premises, and includes every person from time to time deriving title under a tenant.

(F) the expression "controller" means a controller of rents appointed under this Act and any person authorised by the Governor in Council or by the controller with the sanction of the Governor in Council to perform any of the duties of the controller under this Act.

(G) the expression "committee" means a committee constituted under section 16.

(2) (a) where under the provisions of this Act, any question arises for determination by a court or any order is to be made by a court, such question shall be determined or such order made by the court taking cognisance of the suit or proceeding, if any, in relation to which such question arises or such order is to be made;

(b) where such question arises or such order is to be made otherwise than in relation to a suit or proceeding, the court of lowest grade, or the court of small causes if any, within local limits of whose jurisdiction the premises are situate, in relation to which or in relation to a tenancy of which, such question arises or such order is to be made, shall have jurisdiction to determine such question or make such order.

REGULATIONS OF RENT.

3. *Restriction on rent.*—(1) Subject to the provisions of this Act, where the rent of any premises has been, or is hereafter during the continuance of this Act, increased above the standard rent, the amount by which the rent exceeds the standard rent shall, notwithstanding any agreement to the contrary, be irrecoverable.

(2) Nothing in sub-section (1) shall apply to any rent which accrued due before the first day of January 1932.

4. *Increase of rent on account of improvements excepted.*—Where the landlord has since the first day of January 1930 incurred, or during the continuance of this Act incurs, expenditure on the improvement or

[Appendix 5—*contd.*]

structural alteration of any premises (not including expenditure on decoration or ordinary repairs), an increase of rent at a rate not exceeding six per cent. per annum on the amount so expended, shall not be deemed to be an increase on the standard rent for the purposes of this Act.

5. *Case where rent not to be deemed to be increased.*—(1) Where, as the result of any alteration of the terms of the tenancy, the terms on which any premises are held are on the whole less favourable to the tenant than the previous terms, the rent shall be deemed to be increased, for the purposes of this Act, above the standard rent, whether the sum payable as rent is increased or not.

(2) Where, as the result of any alteration of the terms of the tenancy, the terms on which any premises are held are not on the whole less favourable to the tenant than the previous terms, the rent shall not be deemed to be increased, for the purposes of this Act, above the standard rent, whether the sum payable as rent is increased or not.

6. *Increase of rent on account of payment of rates excepted.*—Any increase in rent above the standard rent that may be made on account of any addition, subsequent to the first day of January 1930, to the municipal rates, cesses or taxes, if any, in respect of any premises covered by this Act, shall not be deemed, for the purposes of this Act, to be an increase on standard rent :

Provided that such an increase in rent represents not more than half the amount of such addition, for the time being payable by the landlord in respect of such rates, cesses or taxes, over the amount paid in the period of assessment which included the first day of January 1930.

7. *Notice to be given before increase of rent.*—(1) Wherever an increase of the rent of any premises is allowable under the provisions of this Act, no such increase shall be recoverable until the expiry of four clear weeks after the landlord has served on the tenant a notice in writing of his intention to increase the rent, accompanied—

(a) where the increase of rent is on account of such expenditure as is mentioned in section 4 by a statement of the improvements or alterations effected and of their cost, and

(b) where the increase of rent is on account of an increase in municipal rates, cesses or taxes, by a statement showing particulars of the increased amount charged in respect of such rates, cesses or taxes.

(2) Where such a notice has been served on any tenant the increase may be continued without service of any fresh notice on any subsequent tenant.

8. *Fine or premium not to be charged for grant, renewal or continuance of tenancy.*—(1) It shall not be lawful for any person, in consideration of or in consideration of the securing of the grant, renewal or continuance of a tenancy or a sub-tenancy of any premises, to require the payment of any fine, premium or any other like sum in addition to the rent.

(2) Where any such payment has been made to a landlord after the first day of January 1932 the amount shall be recoverable by the tenant by whom it was made from the landlord, and may without prejudice

[Appendix 5—*contd.*]

to any other method of recovery be deducted from any rent payable by him to the landlord.

(3) Where any such payment has been made to a person other than a landlord after the first day of January 1930, it shall be recoverable from him.

(4) Nothing in this section shall apply to any payment under an agreement entered into before the first day of January 1930.

9. *Act does not permit increase of rent if not otherwise permissible.*—

(1) Nothing in this Act shall be deemed to entitle a landlord to increase the rent of any premises in any case in which he would not be entitled to do so if this Act had not been passed.

(2) If the rent actually agreed upon between the landlord and the tenant, is less than the rent allowable by this Act, the landlord shall not be entitled to increase the same.

JURISDICTION AND POWERS OF COURT.

10. *Court may determine standard rent in certain cases.*—(1) In any of the following cases the court may fix the standard rent at such amount as, having regard to the provisions of this Act and the circumstances of the case, it deems just :

(a) where, by reason of any premises having been let at one time as a whole and at another time in parts, or where a tenant has sub-let or sub-lets a part of any premises let to him, or where for any reason any difficulty arises in giving effect to this Act ;

(b) where, in the case of any premises let furnished, it is necessary to distinguish, for the purpose of giving effect to this Act, the amount payable as rent from the amount payable as hire of furniture ; or

(c) where any premises have been or are let rent-free or at a nominal rent or for some consideration in addition to rent.

(2) In the case of any such sub-letting as is referred to in clause (a) of sub-section (1), the court shall have regard to the standard rent of the premises a part of which has been or is sub-let.

11. *No order for ejectment ordinarily to be made if rent paid at allowable rate.*—(1) No order for the recovery of possession of any premises covered by this Act shall be made so long as the tenant pays or is ready and willing to pay rent to the full extent allowable by this Act within thirty days after it falls due, and performs the conditions of the tenancy.

(2) Provided that nothing in this section shall apply where the tenant has committed any act contrary to the provisions of clause (o) or clause (p) of section 108 of the Transfer of Property Act, 1882, or has been guilty of conduct which is a nuisance or an annoyance to adjoining or neighbouring occupiers, or where the premises are reasonably and *bona fide* required by the landlord either for the erection of buildings or for his own occupation or for the occupation of any person for whose benefit the premises are held, or where the landlord can show any cause which may be deemed satisfactory by the court.

[Appendix 5—*contd.*]

(3) The fact that a tenant who entered into possession of any premises by reason of his being *bona fide* in the employment of his landlord has ceased to be in his employment shall be deemed to be a satisfactory cause within the meaning of sub-section (2).

(4) The fact that a tenant knowingly receives whether directly or indirectly on account of the rent of any premises or any part thereof which were or was sub-let prior to the first day of January 1930 any sum in excess of the standard rent for the whole premises or in excess of the proportionate standard rent for the part thereof so sub-let, shall be a satisfactory cause within the meaning of sub-section (2).

(5) Nothing in sub-section (1) shall apply in the case of any premises

(a) (i) which have been specially certified for the purposes of this Act to be in a ruinous or dangerous condition, in the case of the city of Bombay by the Municipal Commissioner for the City of Bombay, and in the case of any municipal or notified area by the municipality or the notified area committee, or

(ii) which, being situated in a cantonment, have been so certified to be in an insanitary state or unfit for human habitation by the cantonment authority, and

(b) in respect of which notice has been issued under section 354 Bom. III of 1888. of the City of Bombay Municipal Act, 1888, by the said Commissioner, Bom. III of 1901. or under section 119 of the Bombay District Municipal Act, 1901, or by section 149 of the Bombay Municipal Boroughs Act, 1925, by the Bom. XVII of 1925. municipality or notified area committee, or under section 140 or 142 II of 1924. of the Cantonments Act, 1924, by the cantonment authority to the owner or occupier of the said premises.

12. *Court may rescind order in certain cases.*—Where any order of the kind mentioned in section 11, sub-section (1), has been made but not executed before the commencement of this Act, the court by which the order was made may, if it is of opinion that the order would not have been made if this Act had been in operation at the date of the making of the order, rescind or vary the order in such manner as the court may think fit for the purpose of giving effect to this Act.

13. *In city of Bombay distress warrants barred.*—No distress warrant shall be issued under Chapter VIII of the Presidency Small Cause Courts Act, 1882,

XV of 1882.

(a) for any rent which is under the provisions of this Act irrecoverable, or

(b) unless the person applying for a warrant under the said chapter of the said Act shall, when making his application for the same, swear or affirm that none of the rent, in respect of which the warrant is applied for, is irrecoverable under this Act:

Provided that in the case of any premises the monthly rent of which does not exceed twenty-five rupees, no distress warrant shall under any circumstances be issued.

[Appendix 5—*contd.*]

JURISDICTION AND POWERS OF CONTROLLER AND COMMITTEE.

14. *Standard may be fixed for small premises by controller.*—(1) In any area in which this Act is in operation, the controller may, after such enquiry as he may think fit—

(a) determine whether any premises are or are not small premises, and

(b) from time to time, having regard to the provisions of this Act, fix the standard rent of any premises determined by him or by the committee to be small premises.

(2) In fixing the standard rent of any small premises the controller shall have the power referred to in section 10 of this Act.

(3) The controller may alter the standard rent fixed by the court for any small premises or any part thereof under section 10 of this Act if there be a change of conditions affecting the standard rent thereof subsequent to the same having been so fixed.

(4) Before exercising any of the powers contained in sub-sections (1) and (3), the controller shall give notice in the prescribed manner of his intention so to do and shall duly consider any application received by him from any person interested within such period as shall be specified in the notice.

(5) All orders of the controller under sub-sections (1) and (3) shall be in writing and a copy thereof shall be affixed to some conspicuous part of the premises to which they relate or to some conspicuous object near such premises.

(6) Subject as hereinafter provided and subject to the right of the controller to refix the standard rent of any small premises, should there be a change of conditions affecting the standard rent thereof any order under sub-section (1) or sub-section (3) shall be final.

15. *Restriction on application of sections 4 to 7 and 10.*—Nothing in sections 4, 5, 6, 7 and 10 of this Act shall apply in respect of any premises of which the standard rent may be fixed under section 14 of this Act.

16. *Provisions for determination of objections by Committee.*—(1) If the landlord or tenant objects to any order made by the controller under sub-section (1) or sub-section (3) of section 14, whether such objection be to the determination that the premises are or are not small premises or to the amount of standard rent fixed, he may, by written application to the controller within thirty days from the date of the order, require that such objection shall be determined by a committee consisting of the controller and two persons selected by the controller from a list of persons nominated in this behalf by the Governor in Council by notification.

(2) Notwithstanding any such objection being preferred the order of the controller shall be effective in all respects unless and until set aside or varied in the manner hereinafter provided.

[Appendix 5—*contd.*]

(3) The committee, after giving notice in the prescribed manner of their intention so to do, and after duly considering any application from any person interested, received by them within such period as shall be specified in the notice, and after such enquiry as they may think fit, shall proceed to determine such objection, and

(a) whatever be the objection, may affirm the order of the controller,

or

(b) if the objection be that any premises determined by the controller not to be small premises are small premises, may determine that the same are small premises, or

(c) if the objection be that any premises determined by the controller to be small premises are not small premises, may determine that the same are not small premises, and in such event shall set aside any order of the controller fixing standard rent for the same, or

(d) if the objection be to the amount of the standard rent fixed, may fix the standard rent having regard to the provisions of this Act.

(4) In fixing the standard rent of any small premises the committee shall have the powers referred to in section 10 and of the controller under the provisions of this Act.

(5) The decision of the committee shall be in accordance with the opinion of the majority. If they are all divided in opinion, such decision shall be in accordance with the opinion of the controller.

(6) The provisions of sub-section (5) of section 14 shall apply to all decisions of the committee.

(7) The decision of the committee shall relate back to the date of the order objected to and shall, subject to the right of the controller to refix the standard rent of any small premises, should there be a change of conditions affecting the standard rent thereof, be final.

17. *Controller may require information to be furnished and may summon witnesses.*—(1) For the purposes of any enquiry under section 14 or section 16, the controller may by order require any person

(a) to furnish particulars in such form, within such time and at such place as may be specified in the order as to the rent at which and the manner in which any premises were let in the year 1930 or subsequently, and as to any other matter specified in the order;

(b) to produce for inspection such accounts, rent receipts, books or other documents at such time and at such place as may be specified in the order.

(2) The controller shall, subject to any rules under this Act and in so far as such powers are necessary for carrying out the provisions of this Act, have power to summon and enforce the attendance of witnesses and to compel the production of documents by the same means and so far as may be in the same manner as is provided in the case of a court by the Code of Civil Procedure, 1908.

18. *Statement as to standard rent to be made in certain suits.*—(1) (a) In every suit for rent, compensation for use and occupation or ejection in

V of
1908.

[Appendix 5—*contd.*]

respect of any premises of which the monthly rent does not exceed sixty-five rupees, the plaintiff shall annex to the plaint a copy of an order in force, made under this Act, determining that the premises are not small premises or fixing their standard rent.

(b) In every such suit in respect of any premises of which the monthly rent exceeds sixty-five rupees, the plaintiff shall state in the plaint whether the standard rent has or has not been fixed under this Act, and if he states that it has been so fixed, he shall annex to the plaint a copy of the order in that behalf in force under this Act.

(2) If the plaintiff fails to comply with the terms of sub-section (1), the plaint shall be rejected.

(3) The rejection of the plaint on any of the grounds hereinbefore mentioned shall not of its own force preclude the plaintiff from presenting a fresh plaint in respect of the same cause of action.

(4) Nothing in this section applies to the High Court of Judicature at Bombay.

19. *Power of entry.*—For the purpose of any enquiry under section 14 or section 16, the controller, or any person duly authorised by him in writing either generally or specifically in this behalf, or any member of the committee, may enter any building or land with or without any assistants :

Provided that no building used for human occupation shall be so entered, except with the consent of the occupier thereof, without giving such occupier at least twenty-four hours' previous notice in writing.

20. *Controller or committee not a court.*—Nothing in this Act shall be deemed to constitute the controller or the committee to be a court.

21. *Legal proceedings barred.*—No order of the controller or committee under this Act shall be called in question in any court, and no suit, prosecution or other legal proceeding shall lie against any person for anything which is in good faith done or intended to be done under this Act.

PENALTIES.

22. *Rent which should not have been paid may be recovered.*—(1) Where any sum has, whether before or after the commencement of this Act, been paid on account of rent, being a sum which is by reason of the provisions of this Act irrecoverable, such sum shall at any time within a period of six months after the date of payment, or, in the case of a payment made before the commencement of this Act, within six months after the commencement thereof, be recoverable by the tenant by whom it was paid from the landlord who received the payment or his legal representative, and may without prejudice to any other method of recovery be deducted by such tenant from any rent payable within such six months by him to such landlord.

(2) In this section the expression "legal representative" has the same meaning as in the Code of Civil Procedure, 1908, and includes also,

[Appendix 5—*contd.*]

in the case of joint family property, the joint family of which the deceased person was a member.

23. *Penalty for recovering rent in excess of standard rent.*—(1) Whoever knowingly receives whether directly or indirectly on account of the rent of any premises of which the standard rent has been fixed under section 14 of this Act, any sum in excess of such standard rent, shall on conviction by a magistrate be punishable, in the case of a first offence, with fine which may extend to one thousand rupees, or in the case of a second or a subsequent offence in regard to the same or any other premises of which the standard rent has been fixed, with fine which may extend to two thousand rupees.

(2) A person shall be deemed to receive a sum in excess of the standard rent if he receives any consideration representing money value in excess of such standard rent.

(3) Nothing in this section shall apply to any rent accruing due before the standard rent has been fixed.

24. *Consequences of non-user or non-occupation of premises of which possession has been restored to landlord.*—Where any order for the recovery of possession of any premises has been made under sub-section (2) of section 11 on the ground that the premises are reasonably and *bona fide* required by the landlord either for the erection of buildings or for his own occupation or for the occupation of any person for whose benefit the premises are held and the premises are not used for the erection of buildings or occupied by the aforesaid persons within six months of the date when possession has been obtained or are re-let within the same period to any person other than the original tenant, the court by which the order was made may on an application by the original tenant made within nine months of such date place him in occupation of the premises on the original terms and conditions and if in the opinion of the court the premises were not reasonably and *bona fide* required by the landlord for the aforesaid purposes, direct payment to him by the landlord of such compensation as the court may think fit.

25. *Penalty for disturbance of easements and tampering with things provided for use with premises.*—Whoever, save for the purposes of effecting repairs or complying with any municipal requisitions, wilfully disturbs any easement annexed to any premises covered by this Act, the standard rent of which has been fixed, or removes, destroys or renders unserviceable anything provided for permanent use therewith or discontinues any supply or service comprised in such rent shall be punishable, in the case of a first offence, with fine which may extend to one thousand rupees, or, in the case of a second or subsequent offence in regard to the same or any other premises of which the standard rent has been fixed, with fine which may extend to two thousand rupees.

[Appendix 5—*contd.*]

MISCELLANEOUS.

26. *Appointment of controller.*—The Governor in Council may by notification appoint a controller for any area in which this Act is in operation.

27. *Rent deemed to accrue from day to day.*—For the purposes of sub-section (1) and sub-section (2) of section 3 and sections 14, 16, 22 and 23, rent shall be deemed to accrue from day to day.

28. *Rules by Governor in Council.*—(1) The Governor in Council may by notification make rules for the purpose of giving effect to the provisions of this Act.

(2) Without prejudice to the generality of the foregoing provisions, such rules may prescribe—

(a) the manner in which notices under sections 14 and 16 shall be given ;

(b) the manner in which the persons selected by the controller to form a committee shall be selected ; and

(c) the manner in which and the agency by which the controller may enforce the attendance of witnesses and compel the production of documents for the purposes of this Act, and may also provide for the charging or remission of fees.

29. *Rules by High Court.*—(1) The High Court may, with the approval of the Governor in Council, make by notification such rules as it thinks fit for the purpose of giving effect to the provisions of this Act.

(2) Without prejudice to the generality of the foregoing provisions, such rules may

(a) prescribe the practice and procedure to be followed in the proceedings under this Act ;

(b) provide for the charging and remission of fees.

(3) Except as may be otherwise directed by rules under this section, the court shall in proceedings under this Act follow the practice and procedure followed in suits and proceedings of a civil nature.

STATEMENT OF OBJECTS AND REASONS.

The unprecedented economic situation caused, *inter alia*, by trade depression is, it is stated, largely responsible for the heavy taxation proposals of the Government of India and the Government of Bombay and has not, it is further stated, left unaffected the financial position of the statutory public bodies, such as municipalities, port trusts, etc. To restore the budgetary equilibrium the Central and the Local Governments and the statutory public bodies have been and are making herculean efforts to reduce expenditure and increase revenue. Retrenchment and taxation have become the order of the day. There is hardly any department of Government, statutory bodies or commercial firms, any industry, trade or occupation where staff has not been and is not

[Appendix 5—*contd.*]

being cut down—thereby creating serious unemployment or under-employment or both. Simultaneously with or following this step, cuts in salaries and wages without any regard to the ability of the people to bear them, have been and are being made. Grades or scales of salaries for new entrants have been or are being reduced ; and with this reduction the purchasing power of the people is steadily going down. On the top of all this, has come the heavy taxation, direct and indirect, from the Government of India. In addition to this all-India taxation the people of this Presidency will have, it is apprehended, to face additional taxation of the Government of Bombay and also, perhaps, of some of the local bodies. They have, however, already begun to feel, in the shape of increased expenditure on education of children, medicine charges, etc., the effects of the reduction in grants to these nation-building activities. This extraordinary situation has been causing a serious disturbance in the social and economic life of the people, particularly of the salaried classes and the wage-earners and enormously reduced their purchasing and spending power. Under these circumstances it is almost impossible for them to bear, in a city like Bombay and its suburban area, the heavy rent charges which take away a disproportionately heavy slice from their reduced earnings. Since the Bombay Rent Acts ceased to operate, the rents in Bombay have, in a vast majority of cases, gone up and it is highly desirable that, having regard to the present situation, they should be brought down so as to conform, to the extent to which it is possible, to the economic position of the people. Moreover, when every one has been asked to make large sacrifices in every direction, it is only fair that the landlords also should be asked to make similar sacrifices and be content with a reduction in their earnings through rents.

2. This is the justification for the introduction of this Bill. The Bombay Municipal Corporation has, by passing a resolution in favour of the 25 per cent. reduction in rents, given a lead in this behalf. The Bill is largely modelled on the Bombay Rent (War Restriction) Acts, Nos. II and VII of 1918, with this important difference that, whereas the said Acts were applicable to all premises, irrespective of their rent, this Bill restricts its scope only to those premises the standard rent of which does not exceed two hundred rupees a month. It applies, in the first instance, to the city of Bombay and the municipal and notified areas in the Bombay Suburban and Thana Districts ; but the Governor in Council has been given the power to extend all or any of its provisions to any local area in the Bombay Presidency. The Bill, when passed into law, will remain in operation for five years. It includes, subject to their standard rent not exceeding Rs. 200 a month, all premises, business and residential, as the business community is, it is believed, likewise affected ; but "small premises" are separately defined as premises the standard rent of which, without any increase allowed for in the case of other premises, does not exceed fifty rupees a month. The procedure laid down in fixing the standard rent of small premises and the method of doing it are different from and simpler than that laid down for other premises. The standard rent is defined, in the case of

[Appendix 5—concl'd.]

premises other than small premises, as rent which shall be less by 25 per cent. than the rent at which the premises were let on the first day of January 1930 or shall be first let between this day and the day of the commencement of the operation of this Bill when it becomes law; and in the case of small premises, as rent fixed by the controller, appointed for this purpose, having regard to the provisions of this Bill. A smaller reduction of fifteen and ten per cent. in rents is prescribed for premises let on lease extending respectively to less than ten years and ten years and more. The operative part of the Bill is clause 3 which makes irrecoverable any rent above the standard rent and does not give retrospective effect to any rent accrued due before the first day of January 1932. Provision is made in the case of premises other than small premises for a reasonable increase in rent above the standard rent on account of any improvements or alterations and of any increase in municipal rates, cesses or taxes in respect of such premises. The payment of fine or premium in consideration of the grant, renewal or continuance of any tenancy is made illegal and provision is made for the recovery of such payment. The Court is given the power to determine the standard rent in certain cases. No order for ejection can be made so long as the tenant pays or is willing to pay the full allowable rent within thirty days after it falls due. Distress warrant in the case of premises the monthly rent of which does not exceed twenty-five rupees, is barred in the city of Bombay. In the case of small premises, the controller fixes the standard rent. To determine the objections against any order of the controller, a committee of three persons including the controller is provided and its decisions are final. Legal proceedings against any person for anything done or intended to be done in good faith under the Bill are barred.

3. The Bill provides for the recovery of rent which under its provisions should not have been paid; and in the case of small premises, a fine is imposed for recovering rent in excess of the standard rent. A similar penalty is imposed for the disturbance of easements or for tampering with things provided for permanent use or discontinuing any supply or service in respect of all premises covered by this Bill. Provision is made for rules to be framed by the Governor in Council and the High Court to give effect to the provisions of the Bill.

R. R. BAKHALE.

APPENDIX 6.

BILL No. II OF 1934.

A Bill further to amend the Bombay Finance Act, 1932.

(As published in the "Bombay Government Gazette" of the 19th January 1934.)

Bom. II
of 1902.

WHEREAS it is expedient further to amend the Bombay Finance Act, 1932, for the purposes hereinafter appearing; And whereas the previous

[Appendix 6—*contd.*]

sanction of the Governor General required by sub-section (3) of section 80A of the Government of India Act and the previous sanction of the Governor required under section 80C of the Government of India Act have been obtained for the passing of this Act; It is hereby enacted as follows :

1. *Short title and commencement.*—(1) This Act may be called the Bombay Finance (Amendment) Act, 1934.

(2) It shall come into force on the 31st day of March 1934.

2. *Amendment of section 2 of Bom. II of 1932.*—The provisions of Part II of the Bombay Finance Act, 1932, hereinafter called the said Act, relating to the levy of duty on consumption of electrical energy, the amendments made in the Court Fees Act, 1870, in its application to the Presidency of Bombay by the provisions of Part III of the said Act, and the amendments made in the Indian Stamp Act, 1899, in its application to the Presidency of Bombay by the provisions of Part IV of the said Act, are hereby continued in operation for a further period of one year by the substitution of the word “three” for the word “two” in sub-section (3) of section 2 of the said Act.

STATEMENT OF OBJECTS AND REASONS.

Parts II, III and IV of the Bombay Finance Act, 1932, relating to the levy of duty on the consumption of electrical energy, of enhanced court-fees and stamp duties are, under section 2 (3) of the said Act, to remain in operation till 31st March 1934. The enhanced rates of court-fees and stamp duties have been in force since 1922. The present financial position makes it necessary that the operation of Parts II, III and IV of the Bombay Finance Act, 1932, should be extended to a further period of one year. This Bill is intended to carry out the above object.

24th December 1933.

(Signed) GHULAM HUSSAIN HIDAYATALLAH.

APPENDIX 7.

STATEMENT OF DEMAND FOR A SUPPLEMENTARY GRANT.

The Honourable Khan Bahadur D. B. COOPER.

TRANSFERRED 1. *Extension of the Pleaders' Chambers in the compound of the District and Sessions Court Buildings, Ahmedabad.*

The work in question is estimated to cost Rs. 12,053, and is being constructed at the cost of the pleaders on certain conditions.

[Appendix 7—contd.]

One of the conditions is that the pleaders should advance money for the work which would be ultimately repaid by Government, the pleaders occupying the chambers rent-free till the money is repaid. Thereafter rent is to be charged. Accordingly, the pleaders have deposited Rs. 12,053 with Government to defray the cost of the work. The Accountant General, Bombay, is however of the opinion that, since no date is fixed by Government for repayment of the advance, it should be credited to Provincial revenues under the head "XXX—Civil Works" and the cost met from funds under the head "41-Civil Works—Provincial," like other Government works. Government accept the opinion of the Accountant General. This involves provision of funds to the extent of Rs. 12,000 under the head "41-Civil Works—Provincial," which is only for accounts purposes as corresponding revenue will accrue on the receipt side. The amount required will be provided by Government from savings under the major head "41-Civil Works—Provincial". As however the expenditure on the work will be of the nature of a new service, sanction of the Legislative Council is requested to the demand for the grant of a token sum of Rs. 10.

Demand voted and now increased.

"41-Civil Works—Provincial" (partly Reserved and partly Transferred.)

Rs. 1,24,69,010 + Rs. 10.

FINANCE DEPARTMENT :

Bombay Castle, 23rd January 1934.

APPENDIX 8.

STATEMENT OF DEMAND FOR A SUPPLEMENTARY GRANT.

The Honourable Dewan Bahadur S. T. KAMBLI.

TRANSFERRED 2. *Grant to the Regional Committee for the exhibition of modern Indian Art in London.*

The India Society, London, intend to hold in 1934 an exhibition in London of modern Indian Art, with a view to show to the public in England, and funds permitting, also on the Continent, a selection of the best work done by Indian artists in modern times in painting and drawing, sculpture and architecture. With a view to select the best type of exhibits, the India Society have suggested that Regional Committees should be formed in the different provinces of India comprising representatives of the Schools of Art and Art Societies of the provinces concerned. As far as Bombay is concerned, with its conspicuous art traditions and its very important place in the art of India, it has been felt

[Appendix 8—contd.]

that the fullest advantage should be taken of the proposed exhibition in the interests of the artists of Bombay to bring their work to the notice of the Western Countries, and with this end in view a strong and representative Regional Committee has been formed of which His Excellency the Governor has consented to be the patron. The Honourable Sir Phiroze Sethna, Member of the Council of State, is the Chairman.

The Regional Committee has applied to Government for a grant towards its expenditure and Government are satisfied that if the Committee is to conduct its work satisfactorily and collect the best examples of work on this side of India, it will have to be properly financed. The Committee has represented that they are making efforts to collect donations from well-to-do art lovers and from ruling princes, but that in the face of an estimated expenditure of about Rs. 8,000, they would require a grant of Rs. 2,500 from Government. Government have however postponed the consideration of what precise amount would be adequate as a grant, but have decided that if an amount of Rs. 750 is paid immediately it would enable the Committee to start work at once. The expenditure is debitable to the head "30-Scientific Departments" and will be met by reappropriation. As however this is a new service the sanction of the Legislative Council would be required, and the Council is therefore requested to sanction a token grant of Rs. 10.

Demand voted and now increased.

"30-Scientific Departments."

Rs. 91,000 + Rs. 10.

FINANCE DEPARTMENT :

Bombay Castle, 23rd January 1934.

APPENDIX 9.

STATEMENT OF DEMAND FOR A SUPPLEMENTARY GRANT.

The Honourable Khan Bahadur D. B. COOPER.

TRANSFERRED 3. *Asphalting Sholapur-Osmanabad Road.*

The work is estimated to cost Rs. 80,428 and consists of 2 sections :—

	Estimated cost
	Rs.
(i) Asphalting the portion from the Railway Station, Sholapur, to the Panjrapol	49,081
(ii) Asphalting the portion near the Municipal Water Works Pumping Station	31,347
Total	80,428

[Appendix 9—*contd.*]

On account of the very heavy traffic of motor cars, lorries and bullock-carts these sections of the road are badly cut up and the dust nuisance is considerable. Asphalting of these sections is therefore considered to be essential both for the health and amenities of the town. The Sholapur Municipality is also very anxious to have this work carried out as soon as possible and, with this end in view, has promised a contribution of Rs. 37,454 (Rs. 27,454 for the first section and Rs. 10,000 for the second section). Out of this, a sum of Rs. 15,000 is being paid during the current financial year and the balance of Rs. 22,454 will be paid early next year. Thus, the net cost to Government will be Rs. 42,974 only. The Sholapur Municipality has also agreed to exempt all through traffic on provincial roads within the Municipal limits from payment of tolls. Work on both the sections is being undertaken during the current financial year and financed from the Municipal contribution of Rs. 15,000. The Government share of the cost, viz., about Rs. 42,000 is being provided for in the Budget of 1934-35 from the petrol tax fund. As the expenditure on the work is of the nature of a new service, sanction of the Legislative Council is requested to the demand for the grant of a token sum of Rs. 10.

Demand voted and now increased.

“41, Civil Works—Provincial (partly Reserved and partly Transferred).”
Rs. 1,24,69,010+Rs. 10.

FINANCE DEPARTMENT :

Bombay Castle, 25th January 1934.

APPENDIX 10.

STATEMENT OF DEMAND FOR A SUPPLEMENTARY GRANT.

The Honourable Khan Bahadur D. B. COOPER.

TRANSFERRED 4. *Creation of a temporary appointment of additional Assistant Director of Public Health for the Central Registration District.*

When the post of Director of Public Health for the Government of Bombay fell permanently vacant in December 1932 on account of the death of Dr. A. Da Gama, Government decided not to fill the post pending decision on the question of its abolition which was then under their consideration as a result of one of the recommendations made by the Reorganisation Committee and they directed the Assistant Director of Public Health, Central Registration District, to do the duties of the Director in addition to his own. It was then anticipated that a decision on the question of the abolition of the post of Director would be reached soon. As, however, the abolition of the post involved the transfer of the duties pertaining to it to the Surgeon General, and as another recommendation made by the Reorganisation Committee, viz., the cancellation of the reservation of one appointment in the Public Health Department to

[Appendix 10—contd.]

Indian Medical Service officers, was linked with this question, Government were advised that the sanction of the Secretary of State for India was necessary before the combined proposals could be put into effect. The Government of India were addressed by the Local Government on 18th April 1933 and requested to obtain the sanction of the Secretary of State, but the requisite sanction has not yet been received. Meanwhile plague broke out in a virulent form in Poona and the adjoining districts and attacks of cholera were also reported in almost all the districts of the Central Registration District, and the Assistant Director of Public Health, Central Registration District, who was carrying on the duties of the post of Director of Public Health in addition to his own, found it impossible to continue to perform the double duties any longer. Government could have appointed one of the Assistant Directors to act as Director of Public Health, as a temporary measure, but they thought it better not to fill the post even temporarily pending the orders of the Secretary of State. They therefore decided to keep the post vacant and to give relief to the Assistant Director of Public Health, who had also to carry on the duties of the Director of Public Health, by appointing an additional Assistant Director of Public Health in the Central Registration District as a temporary measure. Mr. R. V. Shiveshwarakar, one of the Assistant Directors of Public Health who was on leave, was specially recalled to duty and appointed to this post on his own pay, viz., Rs. 1,066-11-0 per mensem less the emergency cut with effect from the 26th October 1933. This arrangement will continue till the orders of the Secretary of State are received on the proposal to abolish the post of Director of Public Health. The expenditure on account of this post will be met from the savings in the provision made in the current year's budget under the head "33, Public Health—Transferred." As this expenditure relates to a new service the sanction of the Legislative Council is requested to the demand for a grant of a token sum of Rs. 10.

Demand voted and now increased.

"33, Public Health—Transferred."

Rs. 24,14,000 + Rs. 10.

FINANCE DEPARTMENT:

Bombay Castle, 31st January 1934.

APPENDIX 11.

STATEMENT OF DEMAND FOR A SUPPLEMENTARY GRANT.

The Honourable Dewan Bahadur S. T. KAMBLI.

TRANSFERRED 5. *Expenditure in connection with the continuance of the appointment of Special Officers for the recovery of dues of co-operative societies.*

At the February-March session of 1933 the Legislative Council sanctioned a grant of Rs. 17,000 for the employment up to 31st July 1933 of 18 Special Officers with their staff in connection with the

[Appendix 11—*contd.*]

scheme devised for the systematic and speedy recovery of dues of co-operative societies through the revenue agency. An additional special officer was subsequently entertained for work in the Broach and Panch Mahals District. Up to 31st July 1933 the special staff had recovered about Rs. 10,90,000 and more than Rs. 50,00,000 still remained to be recovered. It was therefore considered necessary to continue the special staff throughout the current financial year. It is likely that the staff will be required during the financial year 1934-35. Requisite steps have been separately taken to obtain the sanction of the Legislative Council to the employment of the staff in the next year. It is proposed to meet the additional expenditure incurred in continuing the special staff during the current year from the anticipated savings in the grants under the head "34, Agriculture." Sanction of the Legislative Council is requested to the demand for a grant of a token sum of Rs. 10.

Demand voted and now increased.

"34, Agriculture (Transferred)."

Rs. 24,08,050 + Rs. 10.

FINANCE DEPARTMENT :

Bombay Castle, 1st February 1934.

APPENDIX 12.

STATEMENT OF DEMAND FOR A SUPPLEMENTARY GRANT.

The Honourable Sir GHULAM HUSSAIN HIDAYATALLAH.

RESERVED 6. *Expenditure on Flood Relief.*

Since April 1933, applications were received by Government for the allotment of funds for flood relief expenditure for which no provision was made in the current year's budget.

2. The heavy rains of August last caused floods in some parts of the Kaira District. The Waghri and Bhangi colony in Nadiad suffered considerably as their katcha houses were damaged. It was necessary to provide gratuitous relief to those who were in urgent need of it. An allotment of Rs. 2,000 was placed at the disposal of the Collector for the purpose. Relief on a large scale was not however found to be necessary. Only Rs. 562 were required and nearly the whole of this expenditure was met from the District Famine Charitable Relief Fund, with the result that the amount that had to be spent from the above allotment was insignificant (Rs. 10).

3. The occurrence of floods, in the Nerbudda in August last owing to the very heavy rain locally and in the upper reaches of the river caused some distress in the riverain villages of the Broach District. Government, therefore, sanctioned a grant of Rs. 2,000 for emergency flood relief, boat hire and other necessary measures. An amount of

[Appendix 12—*contd.*]

Rs. 1,727 was spent on the provision of such relief, out of which a sum of Rs. 1,056 was met from the allotment mentioned above. The balance was made available from the public contributions.

4. As the money appeared to be urgently required in both cases, sanction to the expenditure was accorded by Government in anticipation of the sanction of the Legislative Council. The approval of the Legislative Council is now required to the expenditure of Rs. 1,066 under the head '43-A, Famine Relief.'

Demand voted and now increased.

43-A, Famine Relief—Reserved.

Nil plus Rs. 1,066.

FINANCE DEPARTMENT :

Bombay Castle, 2nd February 1934.

APPENDIX 13.

STATEMENT OF DEMAND FOR A SUPPLEMENTARY GRANT.

The Honourable Khan Bahadur D. B. COOPER.

TRANSFERRED 7. *Payment of grant-in-aid to the Nasik Municipality in connection with the expenditure incurred by it on Sinhast arrangements.*

In the year 1931, Government had sanctioned a loan of Rs. 75,000 to the Nasik Municipality at a rate of 7 per cent. per annum as interest to enable it to make sanitary arrangements during the last Sinhast Fair. The Municipality has repaid a sum equal to the original amount of the loan but has requested Government that as the actual receipts from the pilgrim tax had fallen by more than 50 per cent. of the anticipated yield, some relief might be afforded to it in connection with the payment of interest on the loan. In the circumstances explained by the Municipality and having regard to the fact that the maintenance of sound health conditions during the Sinhast fair is not a merely municipal concern but of interest to the whole Presidency, Government have decided to sanction, as a special case, a grant-in-aid of Rs. 1,000 to the Municipality by re-appropriation from savings in the provisions for grants-in-aid to Municipalities made in the current year's budget under "33-Public Health—B." As the expenditure in question relates to a new service, the sanction of the Legislative Council is requested to the demand for a token sum of Rs. 10.

Demand voted and now increased.

"33-Public Health—Transferred".

Rs. 24,14,000+Rs. 10.

FINANCE DEPARTMENT :

Bombay Castle, 2nd February 1934.

APPENDIX 14.

STATEMENT OF DEMAND FOR A SUPPLEMENTARY GRANT.

The Honourable Khan Bahadur D. B. COOPER.

TRANSFERRED 8. *Expenditure in connection with Village Improvement Scheme.*

His Excellency the Governor, Sir Frederick Sykes, recently inaugurated a scheme for village improvement, the details of which have been published in the brochure "Village Improvement" and in the "Manual of Village Improvement". In pursuance of this scheme Government have decided to appoint District Executive Committees under the chairmanship of the Collectors and to attach to these committees, Secretaries one for each district of the Presidency proper. This organisation is intended to supply an agency which shall co-ordinate the work in villages, prevent waste of effort and give definite directions to the various activities of the village improvement scheme. The appointments of District Secretaries will be made by the Chairman of the several district executive committees. The Chairman will be free to choose their secretaries either from amongst subordinate Government servants of any Department or non-official workers attached to any organisation functioning in the district. The Commissioners have been requested to ascertain and inform Government in which districts it will be necessary to appoint stipendiary secretaries and whether in each of these it will be necessary to appoint them from the start or only later. If the Chairman of any committee considers that no secretary will be needed or that he will be able to find a non-official or a member or an employee of some unofficial organisation able and willing to carry out satisfactorily the duties of secretary to the committee without the work falling on the Collector's staff, so much the better. Otherwise the Collectors will be authorised to appoint a special stipendiary secretary of the Aval Karkun's grade. The secretaries will receive their pay and allowances from the District Executive Committees which will be given an equivalent grant-in-aid from Government for a period of one year as an experimental measure.

2. The cost on account of the district secretaries, if taken from Government service, will be about Rs. 105 per mensem each, including travelling allowance. The scheme has been started in six districts of the Presidency, viz., (1) Ahmedabad, (2) Surat, (3) Nasik, (4) West Khandesh, (5) Satara, (6) Sholapur and Government have sanctioned the appointments of stipendiary secretaries for the District Executive Committees in these districts. The expenditure during the current year is estimated at Rs. 650 and as no savings are anticipated in the grant under the major head "37-Miscellaneous Departments—Transferred" (to which the expenditure on this account is debitable) a supplementary grant to this extent is required. During the ensuing year it is estimated that an expenditure of Rs. 23,000 in round figures

[Appendix 14—contd.]

will be incurred in connection with the scheme and a provision of this amount has been made in the budget for that year.

Demand voted and now increased.

37-Miscellaneous Departments—Transferred.

Rs. 29,000 + Rs. 650.

FINANCE DEPARTMENT :

Bombay Castle, 2nd February 1934.

APPENDIX 15.

STATEMENT OF DEMAND FOR A SUPPLEMENTARY GRANT.

The Honourable Khan Bahadur D. B. COOPER.

TRANSFERRED 9. *Expenditure incurred on account of the Maharashtra University Conference held at Poona on the 7th and 8th July 1933.*

His Excellency the Governor accompanied by the Honourable Minister for Education received on April 3rd last a deputation led by Mr. M. R. Jayakar which asked Government to undertake early legislation for the establishment of a University at Poona with jurisdiction over all the Marathi-speaking parts of the Presidency except Bombay City. The proposal involved far-reaching issues which included the future position of the University of Bombay and the question whether some form of relief was required by it. Government considered therefore that it was advisable, before determining their policy, to convene a conference to which all heads of colleges affiliated to the University, representatives of the interests of the Bombay University, head masters of selected high schools, ex-Ministers of Education, certain heads of departments and educational officers of Government, and representatives of special interests, e.g., the Backward Classes were invited. A conference was accordingly held in Poona on the 7th and 8th July 1933, which was opened by His Excellency the Governor and presided over by the Honourable Minister for Education. The upshot of the discussions that took place was summarised in a press note issued on July 27th, 1933. An expenditure of Rs. 2,654 was incurred on account of the travelling allowance of the non-official members who were invited to the conference. The charge is debitable to the head "47-Miscellaneous—Transferred". No provision on account of this expenditure was made under this head, and it is proposed to sanction the expenditure from the savings anticipated under this major head. Since, however, the expenditure relates to a new service, the sanction of the Legislative Council is requested to a token demand of Rs. 10.

Demand voted and now increased.

"47-Miscellaneous—Transferred."

Rs. 4,89,000 + Rs. 10.

FINANCE DEPARTMENT :

Bombay Castle, 2nd February 1934.

APPENDIX 16.

STATEMENT OF DEMAND FOR A SUPPLEMENTARY GRANT.

The Honourable Khan Bahadur D. B. COOPER.

TRANSFERRED 10. *Expenditure in connection with the Panchgani Town Planning Scheme No. III (Final).*

The Panchgani Town Planning Scheme No. III (Final) has been sanctioned and takes effect from 1st January 1934. Under section 40 (2) of the Bombay Town Planning Act, 1915, Government, like other plot holders in the scheme, have to pay their share of the contributions under section 18 of the Act. The Revenue Department's contribution amounts to Rs. 7,854, and that of the Public Works Department is Rs. 4,318. Savings are available under the respective budget heads '5, Land Revenue' and '41, Civil Works', to which the charges are ultimately debitable. The expenditure being in connection with a public health scheme, the demand is made under "33, Public Health", but the ultimate debit to this head will be *nil*. As the expenditure relates to a new service, the sanction of the Legislative Council is requested to the demand for a token sum of Rs. 10.

Demand voted and now increased.

"33—Public Health—Transferred."

Rs. 24,14,000 + Rs. 10.

FINANCE DEPARTMENT :

Bombay Castle, 3rd February 1934.

APPENDIX 17.

STATEMENT OF DEMAND FOR A SUPPLEMENTARY GRANT.

The Honourable Dewan Bahadur S. T. KAMBLI.

TRANSFERRED 11. *Expenditure in connection with the purchase of a sugar-making set for demonstration of sugar-making by open pan process.*

The Co-operative Conference held at Poona in June 1933 considered the steps to be taken for improving the economic condition of members of rural societies in canal areas and elsewhere. The general consensus of opinion was to erect centrifugal plants for the manufacture of sugar

[Appendix 17—*contd.*]

by the open pan process. On account of the low prices of gul, the sugar-cane growers in the Deccan are undergoing loss by the manufacture of gul, and if sugar-making by the open pan process is introduced, there is every possibility of the cane-growers realising a fair margin of profit. The Bombay Provincial Co-operative Bank agreed to co-operate in the matter by erecting one or more sets, provided Government opened a centrifugal pan and erected machinery for demonstration purposes. The arrangement was that the cane should be supplied by the cultivators without getting any price. The manufacture of sugar and gul and their sale was to be undertaken by the Agricultural Department. The actual working cost and commission on sale was to be deducted from the price and the balance was to be handed over to the cultivators. The work was undertaken on the condition that the cultivators did not interfere with the working and supplied the cane according to the requirements of the plant. As the matter was urgent, Government authorised the purchase of a sugar-making apparatus and machinery at a cost not exceeding Rs. 7,500 for demonstrating the manufacture of sugar by the open pan process, in anticipation of the sanction of the Legislative Council. It is proposed to meet the expenditure from the anticipated savings in the provisions for pay of establishment and contingencies under the head "34-A, Agriculture—Agriculture in Sind". As the expenditure in question relates to a new service, the sanction of the Legislative Council is requested to the demand for a grant of a token sum of Rs. 10.

34, Agriculture (Transferred).

Rs. 24,08,050 + Rs. 10.

FINANCE DEPARTMENT :

Bombay Castle, 3rd February 1934.

APPENDIX 18.

STATEMENT OF DEMAND FOR A SUPPLEMENTARY GRANT.

The Honourable Sir GHULAM HUSSAIN HIDAYATALLAH.

RESERVED 12. *Payment of a part of the remuneration to the Secretary, Western India Turf Club, for collecting the betting tax due for the year 1932-33.*

Since the year 1932-33 the remuneration to the Secretary, Western India Turf Club, for collecting the betting tax has been fixed at the rate of 2 per cent. of the yield of the tax subject to a minimum of Rs. 6,000 per annum. Part of the remuneration for 1932-33 was paid in that year

[Appendix 18—*contd.*]

but the bill for the month of March 1933 was received late and thus the balance of the remuneration *viz.*, Rs. 2,682, was paid on 1st April 1933. The payment has thus been debited to the grant sanctioned for the purpose during the current year which in consequence will be exceeded. Out of the amount of Rs. 2,682 a sum of about Rs. 182 can be met by reappropriation from savings in other items under the head "9 A, Scheduled Taxes". A supplementary demand for Rs. 2,500 is accordingly asked for. Steps have been taken to see that such bills are received in proper time in future.

Demand voted and now increased.

"9-A, Scheduled Taxes—Reserved."

Rs. 34,000 + Rs. 2,500.

FINANCE DEPARTMENT :

Bombay Castle, 3rd February 1934.

APPENDIX 19.

STATEMENT OF DEMAND FOR A SUPPLEMENTARY GRANT.

The Honourable Sir GHULAM HUSSAIN HIDAYATALLAH.

RESERVED 13. *Expenditure under "47-Miscellaneous—Provincial (Reserved)"*.

The following paragraphs explain the total excess of Rs. 15,27,000. under this head.

2. *I. Donations for charitable purposes.*—A provision of Rs. 41,310 was made in the current year's budget estimate for the payment of grants-in-aid to the Societies for the Prevention of Cruelty to Animals at Bombay, Ahmedabad, Surat, Poona, Hyderabad, Sukkur, Shikarpur and Bandra. 90 per cent. of the actual receipts from fines is paid as grants-in-aid to the societies at Bombay, Ahmedabad, Poona, Shikarpur and Bandra, while 50 per cent. is paid to the societies at Surat, Hyderabad and Sukkur. The provision in the current year's budget was made on the basis of past actuals. The latest actuals of receipts from fines show that larger amounts than those provided for will have to be paid to the societies at Bombay and Ahmedabad as grants-in-aid for the current year as shown below :—

		Provision 1933-34. Rs.	Payments ex- pected to be made 1933-34. Rs.
Bombay Society	.. ..	32,400	39,600
Ahmedabad Society	.. ..	4,800	12,770

[Appendix 19—*contd.*]

The actual receipts from fines in 1932-33 so far as the Bombay and Ahmedabad societies were concerned showed that over and above the amounts of Rs. 33,720 and Rs. 2,285 paid to them in 1932-33, further amounts of Rs. 723 and Rs. 1,574 respectively were due as grants-in-aid for that year. These amounts have already been paid to the societies from the provision made in the budget estimate of the current year. The total provision of Rs. 41,310 will be exceeded by Rs. 17,000 due to the reasons mentioned above and small variations between the provisions for and the payments to be made to the societies other than those at Bombay and Ahmedabad.

3. *II. Rewards for the destruction of wild animals.*—The current year's grant for the payment of rewards for the destruction of wild animals under the head "47-Miscellaneous—Reserved" is Rs. 200. Having regard to the fact that most of the claims for rewards come from the Kanara District, the whole of the provision was allotted to that District. In the latter half of 1933 the Collector of Kanara represented that this allotment was insufficient to meet the claims received by him for the payment of rewards for the destruction of wild elephants, the killing of each full grown elephant carrying a reward of Rs. 100 and that of a half grown elephant Rs. 50 unless the tusks are retained by the shikari when the rewards are reduced by half. The Collector therefore applied for an additional grant of Rs. 3,400 for the settlement of these claims. In view of the ravages of wild elephants in the District and the consequent necessity of protecting life and crops, the Collector was authorized to incur the expenditure.

4. *III. Petty establishments.*—The provision on account of establishment for collection of the tobacco duty in the city of Bombay is made under this head. The contributions received from the Bombay Municipality on account of establishment and supervision charges and those received from Messrs. D. Macropolo & Company were formerly credited to this head by *deduct* entry. It has now been decided that the contributions should be credited to the receipt head "XXXV" instead of crediting them by *deduct* entry under this head. The current year's budget estimate is —11,700 Rs. This is made up of Rs. 77,100 for establishment charges *minus* Rs. 88,800 credited as contributions. Against the amount of Rs. 77,100 for establishment charges the revised estimate is Rs. 84,300. Since the contributions are now credited to the receipt head "XXXV", the net excess will amount to Rs. 96,000.

The above amount of Rs. 84,300 for establishment charges includes an amount of Rs. 6,300 for establishments in the districts. The issue of licences under the Bombay (District) Tobacco Act, 1933, and the work of assessment of the licence fee and its realisation have been assigned to the district staff under the Collector. In some areas where the number of licences issued is large the work was found to be beyond the capacity of the existing staff and it was necessary to strengthen it temporarily. Each case was considered carefully and the staff entertained is detailed

[Appendix 19—*contd.*]

in the accompanying statement which also shows certain establishment in respect to which proposals are under examination. This is a new service which will be continued temporarily during the next year also and there is no provision in the current year's budget on this account.

5. *IV. Special Commissions of Enquiry.*—In March 1933 Government appointed a Committee to inquire into the care of destitute children and young offenders. The Committee held several meetings in Bombay and Poona and examined witnesses. A sub-committee consisting of three members also visited the Borstal School and allied institutions at Dharwar with a view to studying the conditions there. The Committee submitted its report (Part I), copies of which were supplied to the Members of the Legislative Council. The recommendations of the Committee are at present under the consideration of Government and effect will be given to them gradually as funds permit. The Committee is now considering the subject in its relation to the beggar and *mavali* problems in the City of Bombay.

A sum of Rs. 1,270 has already been sanctioned by Government to meet the miscellaneous expenditure and travelling and daily allowances on account of the visit of the sub-committee to Dharwar and of the visits to Bombay of the mofussil members appointed on the Committee. It is estimated that a sum of about Rs. 130 more will be required during the remainder of the current year. The net amount required will be Rs. 1,400.

5. *V. Irrecoverable temporary loans written off.*—The budget estimate for the current year for this item which is made on the basis of past actuals is Rs. 18,600. The latest actuals show that an amount of Rs. 22,000 will be required. The excess anticipated comes to Rs. 3,400.

7. *VI. Contributions.*—*Payment to the Bombay Municipality by way of grant of the net proceeds of the tobacco duty collected under Bombay Act IV of 1857 as amended by Bombay Act I of 1932.*—Realisations under the Tobacco Duty (Town of Bombay) Act IV of 1857, as amended by Act I of 1932, are provincial revenue and consequently they are credited to the Government account under the receipt head "XXXV-Miscellaneous". As was done in previous years, the amount representing the net receipts from the tobacco duty (inclusive of licence fees, fines, warehouses, rents, etc.), after deduction of the whole expenses of collection, is payable to the Bombay Municipality as a state contribution to it. Three quarters of the sum which is granted by Government to the Corporation are to be credited in the Improvement Trust budget (*vide* rule 5 (5) of the Rules in Schedule B and section 41 (ii) of the City of Bombay Municipal (Amendment) Act, XIII of 1933).

The total net proceeds derived from the tobacco duty from 1st April 1933 to the end of December 1933 after deducting expenses, amounted

[Appendix 19—*contd.*]

to Rs. 10,41,200, while those during the remaining quarter of the year are estimated at Rs. 3,24,900. The total net receipts for the year are accordingly estimated at Rs. 13,66,100. In addition to the current year's receipts, a sum of Rs. 31,004-11-9 had to be paid to the Bombay Municipality for credit to the Improvement Trust budget on account of arrears of the past year. The total payments will, it is estimated, amount to about Rs. 13,97,105.

As under the account rules the necessary provision is required to be made in the current year's budget under the head "47-Miscellaneous—Reserved" to which the charge is debitable, and as no provision is made on this account, the amount required for this item comes to Rs. 13,97,000 in round figures.

8. *VII. Miscellaneous compensations.*—The talukdars of the village of Bawaliari, taluka Dhandhuka, district Ahmedabad, are in receipt of an annual cash allowance of Rs. 931 as compensation for the abolition of certain dues, under Act XIX of 1844 (an Act for abolishing town duties and mukats and all taxes upon trades and professions within the Presidency of Bombay). The practice hitherto has been to adjust the allowances by credit against the jama due from the talukdars. Government have now decided to stop the present practice and to bring the allowance on the printed cash alienation list and pay it in cash to the talukdars. The allowance has been in arrears for two years and has also to be paid for the current year 1933-34. A sum of Rs. 2,793 is thus required, for which no provision exists in the current year's budget.

9. *VIII. Miscellaneous Darbar charges.*—

(i) The last Darbar for the Sardars of Gujarat was held by His Excellency the Governor in December 1932. Since then nine new Sardars have been admitted to the rank, and it was necessary to present them and one Sardar, who was enrolled in the list of Sardars in 1930 but who could not attend the last Darbar, with their Dresses of Honour. This presentation of Poshaks could only be done at a Darbar and since it was not certain when His Excellency the Governor would visit Ahmedabad, the Commissioner, Northern Division, was authorised to hold a Darbar and distribute the Dresses of Honour. As the provision of Rs. 150 made for "Darbar Presents" under this minor head is not likely to be utilised, the net additional amount required is Rs. 875. It has not been found possible to meet this extra charge from savings under this major head.

(ii) *Darbars held by His Excellency the Governor in the cause of Village Improvement.*—In the past there has been no co-ordinating agency in this Presidency for village improvement work. Various non-official agencies have been working but without any settled and co-ordinated plan. The officers of Government whose work takes them into villages have done what they could, but the attention they could

[Appendix 19—*contd.*]

devote to this work was necessarily limited by more pressing administrative needs which are now becoming increasingly complex. It has become clear to Government for some time past that the existing policy of village improvement needs the mobilization of all possible resources and the exertion of the fullest possible effort. Government accordingly decided to secure close collaboration between the agencies of Government on the one hand and the actual cultivator on the other not by launching a new scheme and starting new agencies but by reshaping the existing mechanism and initiating a new method of approach. The method is one which seeks to enlist the help of the villager himself and of the whole public, including the local self-governing bodies and associations, in doing what is within the power of all in spreading greater material welfare and with it greater contentment among the agricultural population. To explain this problem and to inaugurate his scheme His Excellency the Governor held Darbars at Belgaum, Ahmednagar and Surat to which patils of as many villages as possible were invited, as also representatives of local bodies and other people who have already shown interest in village improvement work. The expenditure on the three darbars amounted to Rs. 11,230 out of which only Rs. 450 could be provided from the saving anticipated under the head "47-Miscellaneous—Miscellaneous Darbar Charges—Grants at the disposal of Commissioners". Thus the net excess under this item comes to Rs. 10,780.

10. IX. *Expenditure in connection with electricity duty.*—

(i) Government have sanctioned a general rebate of one per cent. of the amount of electricity duty collected by Electric Supply Companies on behalf of Government to compensate them for the work involved in the collection. On this basis a provision of Rs. 8,000 has been made in the current year's budget for grant of rebate but it has been found to be insufficient. It is estimated that the total expenditure on account of rebate during the current year will amount to Rs. 11,730 thus causing an excess of Rs. 3,730 over the provision of Rs. 8,000.

(ii) The Huzur Deputy Collector, Karachi, is an Inspecting Officer under section 8 of the Bombay Finance Act, 1932, for the purpose of inspection of accounts of electric licensees. In the course of his inspection he has to go about Karachi a good deal. In order that he may not be out of pocket in the discharge of his duty Government have allowed him to draw actual expenses incurred by him on this account with effect from 1st September 1932, subject to a maximum of Rs. 3 per day and Rs. 45 per mensem. The Huzur Deputy Collector is assisted in this work of inspection of accounts, etc., by the Treasury Head Munshi, for whom Government have sanctioned a conveyance allowance of Rs. 15 per mensem. The total extra expenditure on this account, including the Treasury Head Munshi's conveyance allowance during the current year is estimated at Rs. 861.

[Appendix 19—*contd.*]

11. The excess under the above-mentioned items amount to Rs. 15,37,239 and after taking into account the saving of Rs. 10,489 under "Refunds", it comes to Rs. 15,26,750. As it is not possible to meet the charge from savings, the Legislative Council is requested to sanction a grant of Rs. 15,27,000 to meet the above-mentioned excesses.

Demand voted and now increased.

47-Miscellaneous—(Reserved).

Rs. 7,16,000 + Rs. 15,27,000.

FINANCE DEPARTMENT :

Bombay Castle, 3rd February 1934.

STATEMENT REFERRED TO IN PARAGRAPH III OF THE STATEMENT OF SUPPLEMENTARY DEMAND.

Statement showing the details of the temporary establishment sanctioned by Government and that proposed to be sanctioned during the year 1933-34 together with its cost, in connection with the working of the Bombay (District) Tobacco Act 1933.

1	Establishment already sanctioned by Government.								Total. 10	Remarks.
	Number of		Rates of pay.		Period for which sanctioned.		Expenditure.			
	Clerks. 2	Peons. 3	Clerks. 4	Peons. 5	Clerks. 6	Peons. 7	Clerks. 8	Peons. 9		
			Rs.	Rs. a.	Y. m. d.	Y. m. d.	Rs.	Rs.	Rs.	
1. Ahmedabad ..	1	1	35*	12 4†	1 0 0	1 0 0	194	64	258	*Appointed from 15th September 1933. †Appointed from 25th September 1933.
2. Kaira ..	5	..	35	..	0 3 0	....	525	..	525	
3. Panch Mahals ..	1	..	35‡	..	0 6 0	....	134	..	134	‡Appointed from 8th November 1933.
4. Broach ..	1	..	45§	..	0 6 0	....	252	..	252	§Appointed from 13th September 1933.
5. Surat ..	1	1	45||	15 0¶	Up to 3	1-3-34	246	60	306	||Appointed from 17th September 1933. ¶Appointed from 1st November 1933.
	1	..	35	..	0 3 0	....	105	..	105	
6. East Khandesh ..	6	..	35	..	0 3 0	....	630	..	630	

7. West Khandesh	2	..	35	..	0 2 0	.....	} 210	..	210
	1	..	35	..	0 2 0			
8. Bombay Suburban	2	2	50**	17 8††	Up to 3	1st March 1934.	515	175	690
9. Poona	1	..	35	..	0 3 0	.....	105	..	} 194
	1	1	35	18 0	0 1 0	0 3 0	35	54	
10. Ahmednagar	1	..	35	..	0 4 0	.....	140	..	140
11. Satara	10	..	35	..	0 2 0	.....	} 385	..	385
					0 1 0			
12. Sholapur	2	..	35	..	0 2 0	.....	140	..	140
13. Dharwar	7	..	35	..	0 1 0	.....	} 315	..	315
	1	0 2 0			
14. Belgaum	2	..	35M	..	Up to 3	1st March 1934.	297	..	297
15. Bijapur	1	..	35	..	0 2 0	.....	70	..	70
16. Karachi	1	1	35+P 10 O.A.	17+ 2 P.L.A.	0 5 0	0 5 0	175 +50	85 +10	320
17. Hyderabad	1	..	35P	..	0 5 0	.....	175	..	175
Total	..	..	..	..	.....	.....	4,698	448	5,146

**One clerk from 26th September 1933 and one from 29th September 1935.
††Appointed from 1st October 1933.

M 1 clerk employed from 27th October 1933 and another from 22nd October 1933.

P Appointed from 1st October 1933.

[Appendix 19—cont.]

Appendices

STATEMENT REFERRED TO IN PARAGRAPH III OF THE STATEMENT OF SUPPLEMENTARY DEMAND—*contd.*

	Additional establishment required during the year.								Total.	Grand Total.	Remarks.
	Number of		Rates of pay		Period for which required.		Expenditure.				
	Clerks.	Peons.	Clerks.	Peons.	Clerks.	Peons.	Clerks.	Peons.			
11	12	13	14	15	16	17	18	19	20		
Ahmedabad	Rs.	Rs. a.	Y. m. d.	Y. m. d.	Rs.	Rs.	Rs.	Rs.	258
2. Kaira	525
3. Panch Mahals	134
4. Broach	252
5. Surat	1	45	15 0	From 18th February 1934.	From 20th November 1933.	18	51	69	480	
6. East Khandesh	1	30	..	0 1 0	35	..	35	605	

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[Appendix 19—*contd.*]

Appendices

7. West Khandesh	210
8. Bombay Suburban	690
9. Poona	1	1	85	18 0	0 2 0	0 3 0	170	54	294	488	N Employed from 1st January 1934.
	1N	..	95	..	0 3 0	..	70	..	..	..
10. Ahmednagar	..	..	..	..	..	..	..	..	..	..	140
11. Satara	..	..	..	..	..	..	..	..	..	..	385
12. Sholapur	2R	..	35	..	0 4 0	..	210	..	210	350	R. Appointed from 1st December 1933.
13. Dharwar	2	..	35	..	0 1 0	..	70	..	70	385	
14. Belgaum	..	..	..	..	..	..	..	..	..	..	297
15. Bijapur	..	..	..	..	..	..	..	..	..	..	70
16. Karachi	..	..	..	..	..	..	..	..	..	..	320
17. Hyderabad	..	..	..	..	..	..	..	..	..	..	175
Total	..	..	..	..	..	..	573	105	678	5,824	

[Appendix 19—concl.]

Appendices

The Honourable Dewan Bahadur S. T. KAMBLI.

TRANSFERRED 14. *Expenditure in connection with the scheme for the development of fisheries.*

With a view to developing the local fishing industry Government have decided to demonstrate to the fishing community the advisability of using motor boats for collecting the fish caught in their sail boats and bringing the same to the ports quickly. At present the fishing boats, which are all sailing boats, stay at sea for a comparatively short period because it is necessary for them to bring the fish quickly to the port before it deteriorates. If oil engine driven boats are used as collecting boats, to collect the catches and bring them to land at intervals, the sailing boats will be able to stay at sea for much longer periods than at present. The supply of fish will thus be considerably increased. To demonstrate to the fishing community the great advantage of such an arrangement it has been decided to construct two boats fitted with powerful engines, each boat being capable of carrying a net weight of 3 tons. The boats will be 35 feet long 11 feet wide and 4 feet deep. The cost of construction of two boats is estimated at Rs. 23,200. These boats will be used as collecting boats to bring the catches to market. Besides accelerating the transport of catches of fish this experiment is intended to provide training to fishermen in the handling of motor boats and to this end three stipends of the value of Rs. 20 each have been offered, to be raised to five, when the two motor boats are ready. Government have sanctioned the entertainment of the following establishment in connection with the scheme of training of fishermen in the use of motor boats.

	Pay per mensem.	
		Rs.
Fisheries Officer	.. 300—15—450	<i>plus</i> conveyance allowance of Rs. 20.
Peon	.. 21	<i>plus</i> bicycle allowance of Rs. 3.

The demonstration boats will be in the immediate charge of the Fisheries Officer and the demonstration work and the training of fishermen will be carried out under his direct supervision.

The scheme involves a non-recurring expenditure of Rs. 23,200 on account of the cost of two motor boats. The recurring

[Appendix 20—contd.]

expenditure is estimated at Rs. 14,082 per annum as shown below :—

	Rs.
Fisheries Officer's pay at Rs. 300—15—450 ..	4,700
Peon on pay of Rs. 21 per mensem.	252
Conveyance allowance to the Fisheries Officer at Rs. 20 per mensem	240
Bicycle allowance to the peon at Rs. 3 per mensem ..	36
Two mechanic drivers for two launches at Rs. 60—5/2—90	1,864
Two tindals at Rs. 50—2—60.. .. .	1,360
Two boatmen at Rs. 30 for eight months' season ..	480
Five stipends for pupils for training in handling motor boats at Rs. 20 per mensem	1,200
Fuel oil, etc., for two boats for eight months' season..	2,250
Insurance for two boats	500
Miscellaneous such as maintenance, repairs and other incidental expenditure	1,200
	14,082

The boats will be constructed in this country but it will be necessary to import oil engines from England. In order to start the demonstration work from the commencement of the fishing season the Flag Officer Commanding and Director of the Royal Indian Marine was approached for the loan of a launch till Government boats could be built and made ready. That officer has placed at the disposal of the Department of Industries one power-driven launch for a period of six months on the conditions that this Government pay all the running expenses including wages of the men necessary for manning the boat, cost of petrol and all other incidental expenses. Government have sanctioned the entertainment of the following crew for the working of the Royal Indian Marine launch—

	Rs.
Mechanic driver	75
Tindal	50
Boatman	30

The scheme has been started from November 1933. The launch will be in operation for five months in the current year. The total expenditure—

[Appendix 20—concl'd.]

during the current financial year will amount to Rs. 4,863 as shown below :—

	Rs.
Fisheries Officer's pay	1,140
Pay of peon	84
Pay of crew	645
Conveyance allowance of Fisheries Officer at Rs. 20 per mensem	80
Bicycle allowance to peon at Rs. 3 per mensem	12
Petrol	1,640
Miscellaneous	500
Travelling allowance	100
Stipends	212
Contingencies	450
	4,863

It is proposed to meet the expenditure from the savings anticipated in the current year's budget grants under the head "35, Industries". As the expenditure in question relates to a new service, the sanction of the Legislative Council is requested to the demand for a grant of a token sum of Rs. 10.

35, *Industries (Transferred)*.

Rs. 3,60,010 + Rs. 10.

FINANCE DEPARTMENT :

Bombay Castle, 3rd February 1934.

APPENDIX 21.

STATEMENT OF DEMAND FOR A SUPPLEMENTARY GRANT.

The Honourable Khan Bahadur D. B. COOPER.

TRANSFERRED 15. *A special grant-in-aid of Rs. 3,000 to the Bombay Presidency Baby and Health Week Association, for the purchase of a cinema outfit for health propaganda in rural areas.*

The Bombay Presidency Baby and Health Week Association has, since 1924, the year of the inauguration of the Baby Week in India, been

[Appendix 21—*contd.*]

carrying on an organised propaganda for mass education in the elementary principles of health and hygiene and maternal and infant welfare. In recognition of the aims and objects of the Association, Government have, year after year, been giving that body grants-in-aid as shown below :—

	Rs.
1924	18,000
1925	16,000
1926 to 1931	10,000 annually.

In 1932 Government had to curtail their expenditure in all directions and the grant-in-aid of Rs. 10,000 which the Association had been receiving from Government since 1926, had to be reduced to Rs. 5,000. In 1933, though the grants to several other bodies were further reduced by Government owing to the financial stringency, this grant of Rs. 5,000 to the Association was maintained because Government recognised the very useful work carried on by the Association and that a further reduction in its grant would seriously handicap it.

Government have, at present, under contemplation a scheme for improving rural medical relief but it will be some time before the lines of definite action are settled. In the meantime, they consider that they should avail themselves to the utmost of the services of such bodies as the Bombay Presidency Baby and Health Week Association which are already in the field, by giving them all reasonable facilities and financial aid. The Bombay Presidency Baby and Health Week Association has recently asked for a special grant of Rs. 3,000 to enable it to equip itself with a new cinema outfit to be utilised mainly for rural health propaganda. In view of the work already done by the Association in this direction and of the work which it is proposing to do, Government propose to sanction to that body the special grant asked for from savings in the current year's budget under the head "33-Public Health—Transferred". As this expenditure relates to a new service the sanction of the Legislative Council is requested to the demand for a grant of a token sum of Rs. 10.

Demand voted and now increased.

"33-Public Health—Transferred."

Rs. 24,14,000 + Rs. 10.

FINANCE DEPARTMENT :

Bombay Castle, 13th February 1934.

APPENDIX 22.

STATEMENT OF DEMAND FOR A SUPPLEMENTARY
GRANT.

The Honourable Mr. R. D. BELL.

RESERVED 16. *Grant-in-aid to the Mayor's Earthquake Relief Fund Committee, Bombay, equal to (a) the amount of the entertainment, totalisator and betting taxes in connection with the extra race day held on the 12th February 1934, in aid of that Fund, and (b) 1/3rd of the amount of the entertainment tax in connection with the first performance of Carl Hagenbeck's Circus held on the 27th January 1934, for the same purpose.*

At the request of the Mayor's Earthquake Relief Fund Committee and with the approval of Government, the Western India Turf Club, Limited, agreed to hold an extra race meeting on the 12th February 1934, for the benefit of the Mayor's Earthquake Relief Fund. At the request of the same Committee, the Proprietor of Carl Hagenbeck's Circus also agreed to give 1/3rd of the proceeds of the first performance held on the 27th January 1934 in aid of that Fund. It has been decided to hand over to the Mayor's Earthquake Relief Fund Committee (a) the amount of the entertainment, totalisator and betting taxes collected on the extra race day and (b) 1/3rd of the entertainment tax collected on account of the Circus performance given in aid of that Fund. The total amount of the taxes likely to be credited to Provincial Funds is estimated at Rs. 42,741-5-9. As, however, moneys so credited to Provincial Funds are not available for expenditure without the necessary provision in the budget estimates, the total amount to be paid to the Mayor's Earthquake Relief Fund Committee has to be treated as a grant-in-aid to the Committee and will be debited to the Budget head "47-Miscellaneous—Reserved—Donations for Charitable Purposes". The payment of this grant does not involve any extra burden on Government as the taxes collected will be credited to Provincial Funds and an equal amount paid to the Committee. The sanction of the Legislative Council is requested to a supplementary demand of Rs. 42,800 in round figures to cover the excess over the total voted grant under the head "47-Miscellaneous Reserved".

Demand voted and now increased.

47-Miscellaneous—Reserved.

Rs. 7,16,000 + Rs. 42,800.

FINANCE DEPARTMENT :

Bombay Castle, 23rd February 1934.

APPENDIX 23.

STATEMENT OF DEMANDS FOR SUPPLEMENTARY
GRANTS.

The Honourable Sir GHULAM HUSSAIN HIDAYATALLAH.

RESERVED 17. *Superannuation allowances and pensions.*

The latest revised estimate of expenditure during the year 1933-34 under the head "45-Superannuation allowances and pensions" (including refunds) amounts to Rs. 83,56,000 (voted) against the sanctioned grant of Rs. 78,44,000. The excess of Rs. 5,12,000 has been caused mainly by an abnormal increase of expenditure under the minor heads "Superannuation and retired allowances" partly owing to pensions charges not having reached their peak and partly owing to an increase in the number of pensioners as the result of reductions in establishments. The Legislative Council is requested to sanction an additional grant of Rs. 5,12,000.

Demand voted and now increased.

45-Superannuation allowances and pensions (Reserved).

Rs. 78,44,000 + Rs. 5,12,000.

APPENDIX 24.

The Honourable Sir GHULAM HUSSAIN HIDAYATALLAH.

RESERVED 18. *Commutation of pensions financed from ordinary revenue.*

The latest revised estimate under the head "45-A, Commutation of pensions financed from ordinary revenue" amounts to Rs. 1,58,000 (voted) against the budget estimate of Rs. 1,33,000. The excess of Rs. 25,000 is due to the increase in the rate of pensionary charges (see paragraphs 225 and 226 of the Budget—Preliminary Issue—for 1934-35). The Legislative Council is requested to sanction an additional grant of Rs. 25,000.

Demand voted and now increased.

"45-A, Commutation of pensions financed from ordinary revenue—Reserved."

Rs. 1,33,000 + Rs. 25,000.

APPENDIX 25.

The Honourable Sir GHULAM HUSSAIN HIDAYATALLAH.

RESERVED 19. *Expenditure on leave salaries and travelling allowances of retrenched personnel.*

The latest revised estimate (including refunds) under the head "52-Extraordinary charges" during the year 1933-34 amounts to Rs. 2,97,000 (voted) against the budget estimate of Rs. 2,59,000. The excess of Rs. 38,000 is mainly due to staff having been retrenched more quickly than was anticipated at the time of framing the budget and larger refunds (viz., Rs. 9,000) of deposits recovered in advance in respect of lands in the Lloyd Barrage area in the case of sales subsequently not sanctioned by the Revenue Officer, Lloyd Barrage Scheme. The Legislative Council is requested to sanction a further grant of Rs. 38,000.

Demand voted and now increased.

"52-Extraordinary charges—Reserved."

Rs. 2,59,000 + Rs. 38,000.

APPENDIX 26.

The Honourable Sir GHULAM HUSSAIN HIDAYATALLAH.

RESERVED 20. *Payments of commuted value of pensions charged to capital.*

The latest revised estimate under the head "60-B, Payments of commuted value of pensions" is Rs. 14,85,000 (voted) against the budget estimate of Rs. 8,03,000. The excess of Rs. 6,82,000 is partly due to the desire of Government to meet in the current year, as far as possible, all claims received for the commutation of pensions and partly to the acceptance of the recommendation of the Reorganization Committee to allow commutation up to one-half of the amount of pension admissible, provided that the residue is not reduced below Rs. 20 per mensem. The Legislative Council is requested to sanction an additional grant of Rs. 6,82,000.

Demand voted and now increased.

60-B, Payments of commuted value of pensions—Reserved.

Rs. 8,03,000 + Rs. 6,82,000.

FINANCE DEPARTMENT :

Bombay Castle, 23rd February 1934.

APPENDIX 27.

STATEMENT OF DEMAND FOR A SUPPLEMENTARY GRANT.

The Honourable Mr. R. D. BELL.

RESERVED 21. *Improvements to the Begari Canals.*

Since the opening of the Lloyd Barrage Canals the Begari Canal has surplus water in the tail reaches owing to the closure of the Edanwah and Sirwah and the transfer of certain areas from the old tail portion of the Begari Canal to the Barrage System. Considerable difficulty has in consequence since been experienced during the abkalan season in disposing of the surplus water. Provision has had to be made as a special emergent measure for passing this water off through the Barrage Canals, resulting in temporary disorganization of that system over a large area. Even so breaches occurred last year in the tail reaches of the Begari and in the Mirpur Distributary causing some flood damage and involving an expenditure of Rs. 2,500 in repairing these breaches.

There are long reaches of the Begari Canal in which water levels are uncontrolled in the absence of cross regulators and a large number of direct karias take off in these uncontrolled reaches. Regulation has to be effected in consequence at the head and at the few existing cross regulators to prevent surplus supply flooding out the tail, with the unavoidable result that water supply is deficient in the direct karias. This is particularly the case between the 19th and 38th miles of the canal and again from the 47th mile to the 56th mile. It is therefore necessary to carry out certain improvements to the canal in order to obtain efficient control and equitable distribution of water. Besides improving the distribution of supplies these measures will be effective in the prevention of water-logging which is a serious menace in existing conditions and has already caused damage in the vicinity of Jacobabad. The improvements will consist of—

- (a) Constructing a distributary ex mile 19 Begari Canal Left Bank.
- (b) Constructing a distributary ex mile 28 Begari Canal Left Bank.
- (c) Converting 28th mile Road Bridge into a Cross Regulator.
- (d) Constructing a cross regulator over the Begari Syphon in mile 56.

The work is classified under the head "55—Construction of Irrigation, Navigation, Embankment and Drainage Works" and is estimated to cost Rs. 76,337 for "works" and Rs. 1,05,704 including all charges.

The improvements are expected to be highly remunerative. The total area to be cultivated annually under the improved conditions will be 19,963 acres as compared with the average cultivation of 8,707

[Appendix 27—*contd.*]

acres during the 10 years ending 1931-32. An additional area of 11,256 acres will therefore be brought under cultivation annually and the net extra revenue anticipated therefrom will be Rs. 22,858, as shown below :—

	Rs.
Gross revenue at existing rates	43,192
<i>Deduct</i> —possible remissions at 5 per cent. ..	— 2,159
	41,033
Irrigation share at 9/10th of Rs. 41,033	36,929
<i>Deduct</i> —Working expenses	—14,071
	22,858

In addition to this extra annual revenue from the present kabuli area, it is expected that a sum of Rs. 2,62,980 will be realised as the sale-proceeds of Government land (8,766 acres) estimated at the conservative rate of Rs. 30 per acre. There is every reason to anticipate that this area will be taken up readily when an assured supply of water is provided for it. Nine-tenths of the interest on this amount (Rs. 2,62,980) or Rs. 13,160, will be credited to the project. Thus the total net annual revenue anticipated from the project is Rs. 36,018, representing a return of 34 per cent. on the capital investment of Rs. 1,05,704.

In view of the urgency of the work, particularly from the point of view of the prevention of water-logging and the resultant damage likely to occur therefrom, it was considered most desirable to complete it before the abkalanis of 1934. The Chief Engineer in Sind was accordingly authorised to commence the work in November last. It is expected that about Rs. 37,000 will be spent during the current financial year and this sum will be met from savings on the current year's voted grant under the head "55" for works other than the Lloyd Barrage and Canals Construction Project. As, however, the expenditure in question relates to a new service, the sanction of the Legislative Council is requested to the demand for the grant of a token sum of Rs. 10.

Demand voted and now increased.

“ 55—Construction of Irrigation Works—Reserved (except Lloyd Barrage and Canals Construction).”

Rs. 7,08,000 + Rs. 10.

FINANCE DEPARTMENT :

Bombay Castle, 26th February 1934.

APPENDIX 28.

STATEMENT OF DEMAND FOR A SUPPLEMENTARY GRANT.

The Honourable SIR GHULAM HUSSAIN HIDAYATALLAH, K.C.S.I.

RESERVED 22. *Changing over of the electric installation in Government House, Ganeshkhind, to the Poona Electric Supply Company's mains.*

Government House, Ganeshkhind, and its attached buildings are at present supplied with electrical energy from the Government Power House at Ganeshkhind. Government have had for some time under consideration the proposal to take electrical energy from the Poona Electric Supply Company and to close down their own generating station as a measure of economy. This proposal involves a change over from the existing D. C. installation to the A. C. supply of the Company. The initial cost of this change over is Rs. 27,895 and the resulting saving accruing after the change over will be about Rs. 6,400 per annum. An amount of about Rs. 13,000 expected from the sale-proceeds of the old plant, etc., will be credited to Government as a revenue receipt. In consideration of the initial expenditure required to be incurred, this proposal has been deferred from time to time in view of the prevailing financial stringency. The Electrical Engineer to Government has, however, recently reported that, if the change over is to be further deferred, a sum of about Rs. 20,000 will be required to be spent at a very early date on immediately necessary renewals and replacements. To avoid this, Government have issued orders sanctioning the change over and requiring it to be completed before 1st April 1934. Out of the amount of Rs. 27,895 required, a sum of Rs. 11,895 will be made available by effecting savings in the current year's grant under the head 41, Civil Works—Provincial (Reserved). The balance, Rs. 16,000, cannot, however, be met from available grants and hence sanction of the Legislative Council is requested to the demand for a supplementary grant to that extent.

Demand voted and now increased.

41, Civil Works—Provincial (Reserved).

Rs. 2,25,000 + Rs. 16,000.

FINANCE DEPARTMENT :

Bombay Castle, 26th February 1934.

APPENDIX 29.

BILL No. XXVII OF 1933.

A Bill to prevent the dedication of women to service in Hindu temples in the Bombay Presidency.

(As introduced on the 14th August 1933 and published in the "Bombay Government Gazette" of the 13th September 1933.)

WHEREAS the practice of dedicating women as Devadasis for service in Hindu temples exists in the Bombay Presidency ;

AND WHEREAS such practice, however ancient and pure its origin, invariably serves at present as an initiation to a life of prostitution and results in such women adopting the profession of prostitution ;

AND WHEREAS steps have been taken in some other Provinces and Native States to discontinue such practice and it is now desirable and expedient to terminate it wherever it exists in the Bombay Presidency ;

AND WHEREAS the enfranchisement of lands held by such women on condition of service in temples will be an effective step in termination of such practice ;

5 & 6
Geo. V,
c. 61.

AND WHEREAS the previous sanction of the Governor General of India required by sub-section (3) of section 80A and of the Governor of Bombay required by section 80C of the Government of India Act has been obtained for the passing of this Act ; It is hereby enacted as follows :—

1. *Short title, extent and commencement.*—(1) This Act may be called the Prevention of Dedication of Devadasis Act, 1933

(2) It extends to the whole of the Bombay Presidency.

(3) It shall come into force on the first day of 1933

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

(a) the expression "Devadasi" shall mean any Hindu unmarried woman who is dedicated to service in a temple ; and

(b) the expression "temple" shall mean any place of worship, public or private.

3. *Illegality of dedication of a Hindu woman as a Devadasi.*—The performance, within the precincts of a Hindu temple or outside of any ceremony under whatever name or description, with reference to a Hindu woman, with or without her consent, intended or having the effect to dedicate her for service as a Devadasi in a Hindu temple, is hereby declared illegal and of no effect.

4. *Marriage by a Devadasi.*—Subject to the provisions of the laws by which she may be otherwise governed, a Devadasi may contract a marriage and the same shall be regarded as valid, notwithstanding any law or custom declaring such marriage to be invalid by reason of her subjection to the ceremony mentioned in section 3.

[Appendix 29—*contd.*]

5. *Punishment.*—Whoever performs, or permits, takes part in or abets the performance of any ceremony mentioned in section 3, shall be punished with imprisonment of either description for a term which may extend to one year, or with fine or with both.

6. *Liability to punishment under other laws.*—Nothing in this Act shall be construed to prevent any person from being liable under section 372 of XLV of the Indian Penal Code, or under any other law, to any other or higher 1860. punishments than is provided by this Act.

7. *Enfranchisement of lands held by Devadasis.*—(1) Where the remuneration for any service to be rendered by a Devadasi in a temple consists in whole or in part, of lands, or assignments of the revenue of lands, granted or continued by Government, shall enfranchise the said lands, from the condition of such service, and substitute an adequate quit rent therefor, under such rules as it may prescribe in this behalf and such enfranchisement shall take effect from the date to be fixed as hereinafter provided.

(2) Where the remuneration for such service consists, in whole or in part, of lands or the produce of lands, not falling under sub-section (1) the Government of Bombay shall direct the Collector of the District in which such lands are situate, to determine the amount of rent payable in respect of such lands. The Collector shall, thereupon, after notice to the parties concerned, hold an inquiry and determine the amount of such rent.

(3) The Government of Bombay shall prescribe rules not inconsistent with the provisions of this Act, providing for the holding of such inquiry, the determination of the said rent, the payment of the costs of the proceedings, and all other matters relating thereto. The said rules shall be published in the Government Gazette, and within six months of such publication, shall be submitted for the approval of the Legislative Council and will become operative on receiving such approval, with or without amendments.

(4) The order fixing the quit rent under sub-section (1) or the rent under sub-section (2) shall be communicated to the parties concerned and published in the Government Gazette, and subject to any appeal which the rules to be prescribed by the Bombay Government under sub-section (3) may allow, the said order shall be final and shall not be liable to be contested in any Court of Law.

(5) The order fixing the quit rent or rent as aforesaid shall specify a date from which the order shall take effect, and the said lands shall be deemed to have been enfranchised from the condition of such service as and from the said date.

(6) From and after the said date :—

(a) the quit rent imposed under sub-section (1) shall be payable to the temple concerned and subject to such payment, the Devadasi concerned shall hold the land as her own; and

[Appendix 29—*contd.*]

(b) the assignment of revenue in respect of lands enfranchised under sub-section (2) as the case may be, shall be payable to the Devadasi concerned during her life and after her death to the temple concerned.

(7) From and after the said date, no obligation to render such service to the said temple shall be enforceable against the Devadasi concerned.

(8) No order passed under sub-section (1) or (2) shall operate as a bar to the trial of any suit or issue relating to the right to enjoy the land on which the quit rent has been fixed as aforesaid.

STATEMENT OF OBJECTS AND REASONS.

The practice of dedicating girls to Hindu temples for purpose of service to the idol exists in the Bombay Presidency. This is done in various ways, and under different names. The common notion, however, which influences the practice, is that the girl should become a "servant of God" (Devadasi) at a young age, remain unmarried for life, and devote herself to the service of the idol. Doubts have been expressed by experts whether this practice has any sanction in Vedic Hinduism. Many ascribe it to an aboriginal origin. But whatever its source or original purity, there is no doubt that, in recent times, the practice has degenerated mainly into a method of initiating young women to a life of immorality and prostitution, which in many cases, become compulsory by reason of the cruel custom that a girl so dedicated cannot contract a valid marriage.

It is therefore highly desirable and expedient to terminate this practice and permit the girl to contract a valid marriage. Attempts have been made in the past to put an end to this practice, but they have been more or less indirect, and have not produced the desired results. Experience shows that the provisions of sections 372 and 373 of the Indian Penal Code have been evaded. Consequently, a few provinces in British India like Madras and the United Provinces of Agra and Oudh, have been compelled to adopt legislative measures directly dealing with this evil. Likewise, the Mysore Government, after consulting expert opinion from the point of view of Hindu Shastras, thought it necessary to pass orders, as early as 1909, directing the exclusion of Devadasis from service in temples in the State and also laying down the manner in which the cash emoluments or Inam lands attached to the said service should be treated. Similar provisions for the enfranchisement of such lands and emoluments have been adopted at Madras, and it is high time that such measure dealing with this evil is passed in the Bombay Presidency.

The Mysore Government observed in their order referred to above, that whatever might be the euphemism by which the true nature of the (dedication) ceremony was concealed, it had an intimate connection with the profession of a prostitute or dancing girl. They were therefore not prepared to allow the performance of such a ceremony in the State temples and were satisfied from the depositions and the opinions of the authorities concerned that no hardship would be caused by the prohibition of such ceremonies in temples. This is indeed very high and valuable

[Appendix 29—concl'd.]

testimony, proceeding as it does from a Government over which an enlightened Hindu Ruler presides, and which has singular opportunities of consulting Shastric authorities and the Hindu sentiment relating thereto. Similarly Her Highness the Dowager Maharani of Travancore State has passed order to prohibit Devadasis from service in temples in the State; His Highness the Chief of Sawantwadi State has passed an Act in 1931 making illegal the dedication of girls to temples and prohibiting such women from service in temples in the State; and the Portuguese Government of Goa has also passed an Act in 1930 making illegal the practice of dedicating women to temples in the Portuguese territory.

Since the passing of the foregoing orders public opinion has more strongly insisted on the suppression of this evil, and several appeals have been addressed to Government and the moral sense of the Hindu community by men and women associations, including a few in which enlightened members of the Devadasi community whole-heartedly joined.

S. K. BOLE, M.L.C.

APPENDIX 30.

BILL No. XVI OF 1933.

(*A Bill to amend the Bombay Maternity Benefit Act, 1929.*)

REPORT OF THE SELECT COMMITTEE.

We, the members of the Select Committee appointed to consider Bill No. XVI of 1933 (*A Bill to amend the Bombay Maternity Benefit Act, 1929*), have the honour to report as under:—

We have carefully considered the provisions of the Bill. We have deleted the sub-clause (a) in clause 3 of the Bill, for we consider a flat rate of annas eight a day for maternity benefit not to be excessive wherever the woman may be employed and to be preferable to a varying rate dependent upon local wages. Clause 2 has therefore also been deleted as a consequential amendment.

We considered and rejected a proposal that the method of payment of the maternity benefit should be dependent upon the wishes of the woman concerned, for we were of the opinion that, as the liability to pay was upon the employer, he was entitled to pay according to a method which was practicable and which he thought would most assist the woman.

We have added a sentence to clause 7 to make it clear that a woman entitled to benefit under the present Act should continue to be entitled to the same benefit for the period specified.

The clauses of the Bill have been renumbered consequential upon the alterations made.

[Appendix 30—*contd.*]

We recommend that the report of the Select Committee, with the minutes of dissent, if any, and the Bill as amended should be published in Marathi, Gujarati, Kanarese and Urdu in the *Bombay Government Gazette* and in Sindhi in the *Sind Official Gazette*.

(Signed) R. D. BELL

(subject to a minute of dissent).

(„) C. W. A. TURNER

(subject to a minute of dissent).

(„) G. DAVIS

(subject to a minute of dissent).

(„) D. B. COOPER

(subject to a minute of dissent).

(„) W. ELLIS JONES

(subject to a minute of dissent).

(„) R. S. ASVALE.

(„) S. K. BOLE.

(„) B. S. KAMAT

(subject to a minute of dissent).

(„) R. R. BAKHALE

(subject to a minute of dissent).

(„) PESTANSHAH N. VAKIL.

(„) SYED MUNAWAR

(subject to a minute of dissent).

(„) JEHANGIR B. PETIT.

(„) M. K. DIXIT.

(*Joint Minute of Dissent by the Honourable Mr. R. D. Bell, C.S.I., C.I.E., I.C.S., M.L.C.; Mr. C. W. A. Turner, C.S.I., C.I.E., I.C.S., M.L.C.; Mr. G. Davis, I.C.S., M.L.C.; and Khan Bahadur D. B. Cooper, M.L.C.*)

We dissent from the decision of the Select Committee to strike out clause 3 (a) of the bill as originally drafted. The effect of the decision, if approved by the Legislative Council, would be to continue the maternity benefit at a flat rate of 8 annas in the mofussil. This rate is almost invariably greater than the average daily earnings of women who draw maternity benefit in the mofussil.

2. The decision in the Select Committee was made on the casting vote of the chairman who gave it in accordance with the principle that when the voting is equal the chairman's casting vote should be recorded in

[Appendix 30—*contd.*]

favour of maintaining the *status quo ante*. On the merits of the proposal, the chairman, however, supports this minute of dissent.

3. We are in favour of retaining clause 3 (a) of the original bill together with consequential clauses on the ground that, if employers are not convinced of the fairness of the rates imposed, they will discharge their women employees as soon as the latter are likely to become liabilities. We are informed that the experience of the Act up to date indicates that employers in some factories in the mofussil are already evading payments when the earnings are less than eight annas. At present it is difficult to enforce the Act in some areas. Although women will lose in some areas if clause 3 (a) in the bill as originally drafted is retained, they will gain in other areas.

4. Apart from this consideration, it is understood that there is no country in the world where a sick or maternity benefit exceeds the employee's full remuneration when at work.

5. Under the present Act, the maternity benefit in Bombay, Karachi and Ahmedabad is almost invariably less than the employee's full remuneration, but it is almost invariably in excess of the full remuneration in the mofussil. There is, therefore, unfair discrimination at present against employers in the mofussil.

6. The Central Provinces Maternity Act provides for maternity benefit at the rate of the woman's average daily earnings or at the rate of eight annas a day whichever is less. The Royal Commission on Labour in India stated in their Report that "this seems suitable for general application". It was on this recommendation of the Royal Commission that clause 3 (a) was included in the bill as originally drafted. The flat rate of 8 annas has been retained in the cities of Bombay, Ahmedabad and Karachi for reasons of convenience since the wages of women workers in these cities are seldom less than this amount.

(Signed) R. D. BELL.

(") C. W. A. TURNER.

(") G. DAVIS.

(") D. B. COOPER.

(Minute of Dissent by Major W. Ellis Jones, M.L.C.)

In my opinion the period of employment to qualify should be extended to 12 months; this would make it case of genuine employment, and would meet employer's case, rather than the present compromise, and I am opposed to the alteration from 6 to 9 months in clause 2, sub-clause (a). The extension to 9 months is in my opinion a compromise which is likely to cause dissatisfaction among the workers, and thus undo any possible advantage that may accrue to the employers from the extension.

(Signed) W. ELLIS JONES.

[Appendix 30—contd.]

(Minute of Dissent by Mr. B. S. Kamat, M.L.C.)

I cannot agree with the decision of the Select Committee to pay women workers throughout the mofussil areas maternity benefit at a flat rate of annas eight per day. The decision was arrived at not on merits of the case but owing to the accident that there was an equality of votes over the question of a flat rate *versus* average daily earnings of the women workers, and the Chairman gave his casting vote on the principle of retaining the *status quo ante*. The effect of this will be that employers will have to pay maternity benefit at a uniform rate of annas eight a day though, in the mofussil, the average earnings of a woman are much less. There is no virtue in uniformity and I do not see why the legislature should pass such a palpably unjust law which, by placing a premium on attaining motherhood, will, I fear, ultimately defeat itself since employers, if compelled to pay at eight annas a day, are likely to turn away women workers as soon as they notice them to be heavy liabilities on their hands.

(Signed) B. S. KAMAT.

(Minutes of Dissent by Mr. R. R. Bakhale, M.L.C., and Mr. Syed Munawar, M.L.C.)

I regret I have to disagree with the majority of the Select Committee on the following points:—

(1) The main idea underlying the system of maternity benefit is that the woman should receive financial assistance at the time of her confinement. It is, therefore, desirable that, when the law lays down alternative methods of payments of such benefit and if the benefit is to be of real assistance to her, she should be given the discretion to choose such alternative method of payment as would suit her financial circumstances which she alone, and certainly not the employer, is expected to know best. Clause 3 lays down three alternative methods of payment which the Select Committee consider to be "practicable"; and I suggest that the woman should be given the choice of selecting one of the three alternative methods. The mere fact of her, and not the employer, being given the discretion of the choice, does not make the alternative method, which is already considered to be practicable, an impracticable one.

(2) The proviso to clause 3 lays down the time limit of six months within which the maternity benefit can be claimed. The present Act lays down no such limit. I consider that, if a time limit is to be put at all, that of six months is too short. Many women go to their villages for confinement and do not return to their places of work soon after their confinement. In their case, there is the risk of their forfeiting the benefits altogether. I, therefore, suggest that the time limit should be of at least twelve months, if not more.

[Appendix 30—*contd.*]

I may add that I keep to myself the liberty to move amendments seeking to base the rates of maternity benefit on the daily earnings of the women employed in Bombay, Ahmedabad and Karachi if an attempt is made to revive the original clause 3 (a) which the Select Committee have now deleted.

(Signed) R. R. BAKHALE.

(„) SYED MUNAWAR.

LL No. XVI OF 1933.

A Bill to amend the Bombay Maternity Benefit Act, 1929.

(As amended by the Select Committee.)

WHEREAS it is expedient to amend the Bombay Maternity Benefit Act, 1929, for the purposes hereinafter appearing; And whereas the ^{Bom. VII} previous sanction of the Governor-General required by sub-section (3) of section 80A of the Government of India Act has been obtained for ^{5 & 6} the passing of this Act; It is hereby enacted as follows:— ^{Geo. V, c. 61.}

1. *Short title.*—This Act may be called the Bombay Maternity Benefit (Amendment) Act, 1933 .

2. ~~Amendment of section 3 of Bom. VII of 1929.~~ After ~~clause (e) of section 3 of the Bombay Maternity Benefit Act, Bom. 1929, hereinafter called the said Act, the following shall be~~ ^{Bom. VII of 1929.} inserted, namely:—

~~“(d) ‘wages’ includes the money value of any earned grain concession, and any money paid to cover high cost of living but does not include a bonus given for regular attendance.”~~

3. 2. *Amendment of section 5 of Bom. VII of 1929.*—In section 5 of ^{Bom. VII} the said Act *Bombay Maternity Benefit Act, 1929, hereinafter called the* ^{of 1929.} *said Act*—

~~(a) in sub-section 1, after the word “day” the words, figures and brackets “in the cities of Bombay, Ahmedabad and Karachi, and elsewhere at the rate of her average daily wage calculated to the nearest quarter of an anna on the total wages earned during a period of three months immediately preceding the date on which she gives notice under sub-section (1) of section 6, or at the rate of eight annas a day, whichever is less” shall be inserted;~~

(b) (a) in the proviso to sub-section (1),—

(i) for the word “six” the word “nine” shall be substituted; and

(ii) for the words “notifies her intention” the words “gives notice” shall be substituted; and

[Appendix 30—*contd.*]

(e) (b) in sub-section (2), for the words "seven" and "three" the words "eight" and "four" respectively shall be substituted.

4. 3. *Amendment of section 6 of Bom. VII of 1929.*—For sub-section (3) of section 6 of the said Act, the following shall be substituted, namely :—

"(3) Maternity benefit shall be paid by the employer to the woman entitled thereto in any one of the following three ways, namely :—

(i) for four weeks—within forty-eight hours of the production of a certificate signed by a registered medical practitioner certifying that the woman is expected to be confined within one month next following, and for the remainder of the total period for which she is entitled to maternity benefit under sub-section (2) of section 5—within forty-eight hours of the production of a certified extract from a birth register stating that the woman has given birth to a child ; or

(ii) for the period up to and including the day of delivery—within forty-eight hours of the production of a certified extract from a birth register stating that the woman has given birth to a child, and for the remainder of the total period for which she is entitled to maternity benefit under sub-section (2) of section 5—punctually four weeks after the production of such certified extract from a birth register ; or

(iii) for the entire period for which the woman is entitled to maternity benefit under sub-section (2) of section 5—within forty-eight hours of the production within six weeks of her delivery of a certified extract from a birth register stating that she has given birth to a child ;

Provided that no woman shall be entitled to any maternity benefit or any part thereof the payment of which is dependent upon the production of a certified extract from a birth register under the provisions of this sub-section unless such extract has been produced within six months of the day of her delivery."

5. 4. *Amendment of section 14 of Bom. VII of 1929.*—In sub-section (2) of section 14 of the said Act, for clause (a) the following shall be substituted, namely :—

"(a) the preparation and maintenance of a muster roll or register or a combined muster roll and register and the particulars to be entered in such muster roll, register or combined muster roll and register or in the register kept or deemed to have been kept under section 35 of the Indian Factories Act, 1911."

XII of
1911.

6. 5. *Amendment of section 15 of Bom. VII of 1929.*—In section 15 of the said Act,—

(a) for the words "A copy" the words "An abstract" shall be substituted ;

(b) for the word "place" the word "manner" shall be substituted ; and

[Appendix 30—concl.]

(c) after the word "every" the words "part of a" shall be inserted.

7. *Savings*.—Nothing in sections 2 and 3 and 4 of this Act shall apply for a period of six months from the date when this Act comes into force to any woman who shall have been employed on the said date and who shall continue to be employed by the same employer for a period of six months thereafter.

Such woman shall be paid the maternity benefit to which she is entitled under the said Act in accordance with the provisions thereof, as if this Act had not been passed.

APPENDIX 31.

BILL No. V OF 1934.

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

(As published in the "Bombay Government Gazette" of the 10th March 1934.)

WHEREAS it is expedient further to amend the City of Bombay Municipal Act, 1888, for the purpose hereinafter appearing; and whereas the previous sanction of the Governor required under section 80C of the Government of India Act for the passing of this Act has been obtained; It is hereby enacted as follows:—

Bom. III of 1888. 5 & 6 Geo. V, c. 61.

1. *Short title and commencement*.—(1) This Act may be called the City of Bombay Municipal (Amendment) Act, 1934.

(2) It shall come into force on the 1st day of April 1934.

2. *Repeal of sections 195A and 195B and sub-sections (7) and (8) of section 195C of Bom. III of 1888*.—Sections 195A and 195B and sub-sections (7) and (8) of section 195C of the City of Bombay Municipal Act, 1888, hereinafter called the said Act are hereby repealed.

Bom. III of 1888.

3. *Amendment of sub-section (1) of section 195C of Bom. III of 1888*.—In sub-section (1) of section 195C of the said Act, for the words, letter, figures and brackets "allotted under sub-section (2) of section 195B to the provision of such tenements" the words, figures and letter "which have been paid to them by the Corporation from the town-duty levied on raw cotton under section 195A, now repealed, and allotted to the provision of tenements for the working classes in the City of Bombay, as constituted on the 1st day of October 1920;" shall be substituted.

4. *Amendment of section 195D of Bom. III of 1888*.—In section 195D of the said Act,

(1) the words "for such schemes of improvement or," the words "for such schemes or" and the words "as the case may be" shall be omitted; and

[Appendix 31—*contd.*]

(2) for the words, figures, letter and brackets “ (2) of section 195B ” the words, figures, letter and brackets “ (1) of section 195C ” shall be substituted.

STATEMENT OF OBJECTS AND REASONS.

It is considered necessary to abolish, with effect from the 1st day of April 1934, the town-duty which is being levied under section 195A of the City of Bombay Municipal Act, 1888, on raw cotton imported into the City of Bombay, since the passing of the City of Bombay Municipal and Improvement (Amendment) Act, 1920. The reasons for the proposed abolition of the duty are : firstly, this duty assists the increasing diversion from the City of Bombay of the trade in the export of raw cotton ; and secondly, in view of the prevailing low prices of raw cotton it is desirable, in the interests of the grower, to remove as far as possible every hindrance to the demand for Indian cottons.

GHULAM HUSSAIN HIDAYATALLAH.

10th March 1934.

APPENDIX 32.

BILL No. I OF 1934.

A Bill further to amend the Bombay Borstal Schools Act, 1929.

(As published in the “ Bombay Government Gazette ” of the 15th January 1934.)

Bom.
XVIII
of
1929.
5 & 6
Geo. V,
c. 61.

WHEREAS it is expedient further to amend the Bombay Borstal Schools Act, 1929, for the purposes hereinafter appearing ; And whereas the previous sanction of the Governor-General required by sub-section (3) of section 80A of the Government of India Act has been obtained for the passing of this Act ; It is hereby enacted as follows :—

1. *Short title.*—This Act may be called the Bombay Borstal Schools (Amendment) Act, 1934.

Bom.
XVIII
of
1929.

2. *Amendment of section 11 of Bom. XVIII of 1929.*—For section 11 of the Bombay Borstal Schools Act, 1929, hereinafter referred to as “ the said Act ”, the following shall be substituted, namely :—

“ 11. *Transfer from prison to Borstal school.*—(1) If the Inspector-General is satisfied that a person undergoing transportation or imprisonment in consequence of a sentence passed either before or after the commencement of this Act, being within the limits of age within which persons may be ordered to be detained in a Borstal school, by reason of his criminal habits or tendencies, or association with persons of bad character, might with advantage be detained in a Borstal school, the Inspector-General may by order in writing direct such person to be transferred from prison to a Borstal school and to be detained in such

[Appendix 32—contd.]

school, in lieu of the unexpired residue of his sentence, for such period as together with the period of transportation or imprisonment already undergone will not exceed the maximum period for which such person could have been ordered to be detained by a Court under section 6 :

Provided that the Inspector-General shall not, without the previous sanction of Government, direct such person to be detained in a Borstal school for a period which including the period of imprisonment or transportation undergone exceeds the period of imprisonment or transportation to which such person has been sentenced.

(2) A person transferred to a Borstal school under sub-section (1) shall upon transfer to such school be deemed to be an offender ordered to be detained by a Court under the provisions of section 6 and the provisions of the Act shall apply to such person accordingly."

3. *Amendment of section 12 of Bom. XVIII of 1929.*—To clause (b) of sub-section (1) of section 12 of the said Act, the following shall be added, namely :—

"or ordered to be transferred to and detained in such school by the Inspector-General."

4. *Insertion of new section 17A in Bom. XVIII of 1929.*—After section 17 of the said Act, the following section shall be inserted, namely :—

"17A. *Discharge from Borstal school.*—The Governor in Council may at any time order any person detained in a Borstal school to be discharged from such school, either absolutely or on such conditions as may be imposed."

5. *Amendment of section 18 of Bom. XVIII of 1929.*—In section 18 of the said Act, after the word and figures "section 14", the words "or has committed a breach of any of the conditions imposed under section 17A" shall be inserted.

6. *Amendment of section 19 of Bom. XVIII of 1929.*—In sub-section (2) of section 19 of the said Act, after clause (k), the following clause shall be added, namely :—

"(l) the conditions on which an offender may be discharged under section 17A."

STATEMENT OF OBJECTS AND REASONS.

Under section 11 of the Bombay Borstal Schools Act, 1929, the Inspector-General of Prisons has power to order the transfer of a juvenile prisoner to a Borstal school, but a prisoner so transferred is not, as the law now stands, in the same position as a juvenile offender ordered to be detained under section 6 by a Court ; for the order of transfer by the Inspector-General does not affect the length of the sentence of imprisonment or transportation which the juvenile offender has been ordered by a Court to undergo. It is considered that a juvenile offender if considered suitable by the Inspector-General for transfer to a Borstal school should

[Appendix 32—concl.]

on transfer to such school be treated in all respects as a juvenile offender ordered to be detained by a Court and the period of imprisonment or transportation for which he has been sentenced by a Court should be replaced by the order of transfer and detention passed by the Inspector-General and which will be governed by the provisions of section 6. Clause 2 of the Bill is therefore intended to empower the Inspector-General to transfer, in suitable cases, juvenile offenders from prison to a Borstal school to be detained for a period not exceeding five years but in cases where the period of detention will exceed with the period of imprisonment or transportation already undergone, the sentence passed by the Court, the sanction of Government to such order of the Inspector-General is necessary. Clause 2 also makes it clear that all other provisions of the Act apply to a juvenile offender ordered to be transferred by the Inspector-General under section 11.

Clause 3 of the Bill is consequential on the amendment in clause 2 and applies the provisions of section 12 to persons transferred to a Borstal school under section 11.

The Act contains no provision under which Government can sanction the discharge of an inmate of a Borstal school on account of sickness or for other reasons. Clause 4 of the Bill is intended to make the necessary provision.

Clauses 5 and 6 make other necessary and consequential amendments.

27th November 1933.

(Signed) R. D. BELL.

APPENDIX 33.

BILL No. VI OF 1934.

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

(As published in the "Bombay Government Gazette" of the 12th March 1934.)

WHEREAS it is expedient further to amend the City of Bombay Municipal Act, 1888, for the purposes hereinafter appearing; And whereas the previous sanction of the Governor required by section 80C of the Government of India Act has been obtained for the passing of this Act: It is hereby enacted as follows:—

1. *Short title and commencement.*—(1) This Act may be called the City of Bombay Municipal (Amendment) Act, 1934.

(2) This Act shall come into force on the 1st day of April 1934.

2. *Amendment of section 109 of Bom. III of 1888.*—In clause (b) of section 109 of the City of Bombay Municipal Act, 1888, hereinafter called the said Act, after the word "taxes" the words "and any sum or tax in lieu of property taxes" shall be added,

Bom. III of 1888.
5 and 6 Geo. V, c. 61.

Bom. III of 1888.

[Appendix 33—contd.]

3. *Amendment of section 140 of Bom. III of 1888.*—In clause (a) of section 140 of the said Act, for the words “with reference to the expenses of” the word “for” shall be substituted.

4. *Amendment of section 143 of Bom. III of 1888.*—To clause (b) of sub-section (1) of section 143 of the said Act, the following explanation shall be added, namely :—

“*Explanation.*—Government House and buildings and lands in the compound thereof and buildings or lands or parts thereof, as the case may be, used for the purposes of Post or Telegraph offices shall be deemed to be buildings or lands used solely for public purposes and not used or intended to be used for purposes of profit within the meaning of this clause.”

5. *Amendment of section 144 of Bom. III of 1888.*—In section 144 of the said Act—

(1) in sub-section (1)—

(i) after the word “annually” the words “in two half-yearly instalments” shall be inserted; and

(ii) after the letter and brackets “(b)” the words, figure and brackets “of sub-section (1)” shall be inserted;

(2) in sub-section (2)—

(i) for the words “the buildings and lands in the City vesting in Her Majesty and” the words “such buildings and lands when” shall be substituted; and

(ii) for the words “the buildings and lands vesting in Her Majesty in the City” the words “such buildings and lands” shall be substituted; and

(3) in sub-section (3)—

(i) for the word “annually” the words, figure and brackets “under sub-section (1)” shall be substituted; and

(ii) after the word “Council” the words, figure and brackets “in respect of buildings and lands of which the rateable value is fixed under sub-section (2)” shall be inserted.

6. *Amendment of section 146 of Bom. III of 1888.*—To sub-section (1) of section 146 of the said Act, the following proviso shall be added, namely :—

“Provided that property-taxes due in respect of the tenements for the working classes provided by Government and referred to in sub-section (2) of section 195B shall be leviable primarily from Government.”

7. *Amendment of section 169 of Bom. III of 1888.*—After sub-section (1) of section 169 of the said Act, the following new sub-section shall be inserted, namely :—

“(1A) The provisions of sub-section (1) shall not apply to the four sets of tenements provided by Government for the working classes at Worli, Naigaum, Sewri and DeLisle Road.”

[Appendix 33—*contd.*]

8. *Amendment of section 170 of Bom. III of 1888.*—For section 170 of the said Act the following shall be substituted, namely :—

“ 170. *Government and the Port Trust to be charged for water by measurement.*—(1) If, in respect of any premises (other than public parks, gardens and open spaces) used solely for public purposes and not used or intended to be used for purposes of profit or for residential, charitable or religious purposes, water tax would be leviable under this Act from the Secretary of State for India in Council, the Commissioner, in lieu of levying such tax, shall charge for the water supplied to such premises, by measurement, at such rate as shall have been prescribed by the Standing Committee in this behalf in the preceding official year. Such rate shall not exceed the minimum rate charged in the said year under clause (a) of sub-section (1) of section 169 to any other person and shall not also exceed the cost to the Corporation of the supply to the City in the said year of the quantity of water for which the rate is prescribed plus twenty per centum of such cost.

(2) If, in respect of any premises water tax would be leviable under this Act from the Trustees of the Port of Bombay, the Commissioner, in lieu of levying such tax, shall charge for the water supplied to such premises, by measurement, at such rate as shall be prescribed by the Standing Committee in this behalf, not exceeding the maximum rate, at the time being charged under clause (a) of sub-section (1) of section 169 to any other person.

(3) Charges leviable under sub-sections (1) and (2) shall be recoverable as provided in sub-section (3) of section 169.”

9. *Amendment of section 172 of Bom. III of 1888.*—For sub-section (2) of section 172 of the said Act, the following sub-section shall be substituted, namely :—

“ (2) The halalkhore-tax payable by the Secretary of State for India in Council in respect of premises used solely for public purposes and not used or intended to be used for purposes of profit or for residential or charitable or religious purposes and the halalkhore-tax payable by the Trustees of the Port of Bombay in respect of any premises shall be fixed by the Commissioner at a special rate approved as aforesaid.”

10. *Insertion of a new section 179A in Bom. III of 1888.*—After section 179 of the said Act, the following new section shall be inserted, namely :—

“ 179A. *Deductions in lieu of drawback and refund in certain cases.*—The Commissioner shall allow from time to time in lieu of drawback under sub-section (2) of section 158 and of refund under section 175, such deduction on account of vacancies in each of the four sets of tenements provided by Government for the working classes at Worli, Naigaum, Sewri and DeLisle Road and regarded as four separate properties as having regard to the provisions of the said sections he may deem fit. Such deduction shall be made in the bills for property taxes leviable for the-half year following that in which the vacancies

[Appendix 33—*contd.*]

have occurred and shall not be less than the actual percentages of vacancies as ascertained from the accounts of Government for the half year preceding that in which the vacancies have occurred.”

11. *Amendment of section 181 of Bom. III of 1888.*—In section 181 of the said Act, for clause (e) the following shall be substituted, namely:—

“(e) vehicles and animals belonging to His Majesty and used solely for public purposes and not used or intended to be used for purposes of profit, or vehicles and animals belonging to the Corporation ;

If a question arises whether any vehicle or animal belonging to His Majesty is or is not used solely for a public purpose it shall be referred for decision to the Local Government whose orders shall be final.”

STATEMENT OF OBJECTS AND REASONS.

The question of removing some of the difficulties and anomalies in the working of the sections of the City of Bombay Municipal Act, 1888, dealing with the assessment of Government properties to municipal taxes has been engaging the attention of the Corporation for a long time. At the instance of the Municipal Commissioner for the City of Bombay, a Committee of experts was appointed by Government to discuss what changes should be made in the system under which municipal taxes are assessed on Government properties in Bombay in order to adapt it to the present position of Government, which has altered in certain important respects, since the Act was passed in 1888. The Committee recommended—

(1) that Government residential properties including military officers' rentable quarters should be made legally liable for water tax and halalkhore tax on value,

(2) that charitable and religious institutions owned by Government should be made eligible for the same concessions in respect of water charges as private institutions of the same nature,

(3) that the properties of State-owned Railways should be excluded from section 143 (1) (b), (this has been done by Bombay Act X of 1928),

(4) that a special section corresponding to section 85 of the City of Bombay Improvement Trust Transfer Act of 1925 should be enacted for the taxation of Development Department Chawls referred to in section 195B (2) and that these chawls should also be liable to pay water tax and halalkhore tax as private properties.

The main provisions of this Bill have been drafted in the light of the recommendations of the Committee which have to a large extent been accepted by the Corporation. The following notes on clauses explain the objects of the Bill:—

Notes on Clauses.

Clause 2.—The object of the amendment in this clause is to include for the purposes of section 109 (b) the rateable value of premises assessable under section 144 to a lump payment in lieu of the general tax.

[Appendix 33—*contd.*]

Clause 3.—Under section 140 (a), as it stands, the Corporation is precluded from making a profit on its water-tax. Such a binding provision is not considered desirable. The amendment is intended to make it clear that the Corporation is not precluded from making a profit on its water-tax, if it so chooses.

Clause 4.—Post and Telegraph offices are not exempt at present from the general tax like other Government offices under section 143 (1) (b), because these Departments are run for the purposes of trade and profit even though they may not be self-supporting. They are, however, not on exactly the same footing as either Government residential bungalows from which rent is derived or railway premises which are used for business purposes. Also, the Government House and buildings are not rented like other residential buildings and cannot, therefore, be said to be used, or intended to be used, for purposes of profit, simply because they are used for purposes of residence. Since, however, the decision of the question as to which Government properties are exempt or not exempt under section 143 (1) rests with the valuer appointed to assess the rateable value of buildings under section 144 (2), it is considered desirable that a specific provision should be made exempting Government House buildings from the general tax, similarly to Government offices under section 143 (1) (b) and bringing them under the provisions of section 144. The proposed explanation makes the position clear as regards these two classes of premises.

Clause 5.—(1) A private rate-payer has to pay his dues in advance in two instalments, i.e. on April 1st and October 1st each year. At present, Government pay their dues in arrears at the end of the year. The proposed amendment gives effect to the arrangement that dues of Government should be paid in two half-yearly instalments in arrears, one in September and one in March. A corresponding amendment has been made in section 144 (3) also.

(2) It is not considered necessary to repeat the description “vesting in Her Majesty in the City” in sub-section (2) of section 144. The sub-section deals only with those buildings which are exempt from general tax under section 143 (1) (b) and are beneficially occupied.

Clause 6.—Under section 146 as it stands when a room in a Development Department Chawl or a flat in a Government residential property is let, the occupier and not Government is responsible for the municipal taxes, whereas if the premises are vacant, Government as the person in whom the right to let them vests is so responsible. As it has been proposed in clause 10 of the Bill that Development Department Chawls should be taxed in the manner similar to the properties of the Improvement Trust, the proposed proviso enacts that the property taxes on Development Department Chawls shall not be leviable from the tenant occupiers but from Government.

Clause 7.—The object of this amendment is to enable the water-tax on the Development Department Chawls to be levied under section 141, read with section 140 (a).

[Appendix 33—concl'd.]

Clause 8.—Water tax which was formerly levied on hospitals and such other charitable buildings owned by Government at a compounded rate is now levied at the minimum rate prescribed by the Standing Committee for water charged for by measurement. The proposed amendment will do away with this anomaly and will enable the Corporation to charge for the water used both for charitable buildings owned by Government and on open spaces, e.g., the Maidans, Charni Road Garden, Back Bay Reclamation ground maintained by Government at similar concessional rates to those charged on open spaces maintained by the Corporation. Also it is proposed that any rate prescribed and chargeable to Government for water supplied by measurement shall not have any operation till after the expiry of the official year in which it is prescribed. Further in order to protect Government from being overcharged it is proposed that the rate charged under section 169 (1) (a) shall not exceed by more than 20 per cent. the average cost of the supply of water to the City in the preceding year.

Clause 9.—Under section 172, as it exists, the Municipal Commissioner has to fix a special rate of halalkhore tax for Government properties with reference to the cost of collection, removal and disposal by the agency of municipal halalkhores of excrementitious matter. Private owners similarly situated pay halalkhore tax under section 140 (b) limited to 3 per cent. on the rateable value. As far as ordinary public buildings are concerned, the existing method of taxation for halalkhore services is reasonable and adequate. It is intended not to apply this method to charitable institutions such as hospitals. The amendment is intended to secure for such Government institutions the same concessional rates as are charged to similar private institutions.

Clause 10.—Section 85 of the City of Bombay Improvement Trust Transfer Act, 1925, which has since been repealed by Bombay Act XIII of 1933, provided that the allowance for vacancy is to be calculated with respect to each Trust estate. The Corporation accordingly have proposed that the Development Department Chawls should be treated similarly, each set of chawls being taken as one unit. The amendment is intended to meet the views of the Corporation.

Clause 11.—The object of this amendment is to give effect to the recommendation of the Corporation that section 181 (e) should be amended so as to make the railway and other commercial departments of Government liable to the payment of the tax on vehicles and animals which are not used solely for public purposes but are used or intended to be used for purposes of profit. The amendment proposed is on the lines of proviso (a) to section 73 (xv) of the Bombay Municipal Boroughs Act, 1925.

D. B. COOPER.

10th March 1934.

APPENDIX 34.

STATEMENT OF DEMANDS FOR SUPPLEMENTARY GRANTS.

The Honourable Sir GHULAM HUSSAIN HIDAYATALLAH.

RESERVED 23. *Payments of gratuities to retrenched personnel.*

The latest revised estimate under the head "61, Payments to retrenched personnel" amounts to Rs. 58,000 (voted) against the budget estimate of Rs.—30,000. As the net budget estimate was a minus figure a token demand of Rs. 1,000 was sanctioned by the Legislative Council. The latest revised estimate shows an excess of Rs. 88,000 (voted) over the budget estimate. The increase is mainly due to larger payments of gratuities having been sanctioned owing to retrenchment of staff being carried out more quickly than was anticipated at the time of framing the budget. The Legislative Council is requested to sanction a grant of Rs. 87,000 in addition to the demand of Rs. 1,000 already voted.

Demand voted and now increased.

"61, Payments to retrenched personnel (Reserved)."

Rs. 1,000 + Rs. 87,000.

APPENDIX 35.

The Honourable Sir GHULAM HUSSAIN HIDAYATALLAH.

RESERVED 24. *Refund of stamp duty on a deed of exchange of lands between the G. I. P. Railway and the Bombay Port Trust.*

Certain exchanges of lands between the G. I. P. Railway and the Bombay Port Trust were agreed upon in 1913. The details of the areas of the several pieces of land to be exchanged between the parties were settled in 1931 and a deed of exchange was thereafter drawn up to legalise the transaction. The Superintendent of Stamps, Bombay, determined the stamp duty on the deed of exchange at Rs. 1,34,857-8-0 to be paid half and half by the parties. The duty was paid in 1932-33 but the authorities of the G. I. P. Railway protested that the deed was exempt from stamp duty under item No. 85 in the Government of India, Finance Department (Central Revenues), Notification, No. 6, dated 12th September 1931. The Superintendent of Stamps, Bombay, made a reference to the High Court of Judicature, Bombay, under section 57 of the Indian Stamp Act and the Court have recently decided that the deed of exchange is exempt from stamp duty as contended by the G. I. P. Railway. A refund of the amount of Rs. 1,34,857-8-0 is, therefore, to be paid. Out of this amount a sum of Rs. 5,857-8-0 can be paid from

[Appendix 35—contd.]

savings in the current year's grant under 7, Stamps and VII—Stamps—Refunds. The sanction of the Legislative Council is now requested to a supplementary grant for Rs. 1,29,000.

Demand voted and now increased.

“7, Stamps—Reserved.”

Rs. 4,62,000 + Rs. 1,29,000.

APPENDIX 36.

The Honourable Mr. R. D. BELL.

RESERVED 25. *Additional funds required for the Lloyd Barrage and Canals Construction Project.*

An excess of Rs. 6,17,000 is anticipated on the current year's voted grant for the Lloyd Barrage and Canals Construction Project under the head “55, Construction of Irrigation Works” as shown below :—

Minor Head.	Existing grant (Voted).	Revised estimate (for votable expenditure).	Excess (+) or saving(—) on the grant.
	Rs.	Rs.	Rs.
Works	51,04,000	65,04,200	+14,00,200
Establishment (special)	2,22,700	3,72,600	+ 1,49,900
Pensionary charges	1,23,600	1,47,000	+ 23,400
Tools and Plant (special) .. .. .	....	14,000	+ 14,000
Suspense	— 20,000	—5,91,000	— 5,71,000
Less—Receipts on capital account	—2,00,000	—6,00,000	— 4,00,000
Add or Deduct—For rounding	— 300	+ 200	+ 500
	52,30,000	58,47,000	+ 6,17,000
Add—Token grant for Drainage (Division sanctioned in August 1933)	10		
	52,30,010		

It will be seen that the excess is mainly due to excesses under “Works” and “Special Establishment”, partly counterbalanced by savings under “Suspense” and “Receipts on capital account”. Reasons for the excesses are explained below.

[Appendix 36—*contd.*]

Works.—The additional sum of Rs. 14 lakhs is required for the items mentioned below :—

	Rs. (in lakhs).
(i) Payment of bills which could not be paid in the last financial year	5
(ii) Carrying out works to deal with excessive seepage from the Rohri Canal in its upper reach and the consequent rise of sub-soil water levels in this area. The necessity for this could not be foreseen when the current year's budget was framed	2·57
(iii) More expenditure than anticipated on construction of water courses	1
(iv) Adjustment on account of surplus stone lying in Rohri Quarries by debit to "Works" and credit to "Suspense"	5·43
	14·00

Establishment (Special).—The additional sum required for establishment is Rs. 1,49,900 as under :—

Rs.

52,900

to meet the cost of the establishment of the Drainage Division and of the Special Officer appointed in the office of the Chief Engineer in Sind to compile the Completion Report of the Lloyd Barrage and Canals Construction Project. The Drainage Division with four sub-divisions was opened last November and a token demand therefor was obtained from the Legislative Council on the 12th August 1933. As it was then too early to arrive at a reliable estimate of the amount of savings or excesses on grants for the several items under the head, only a token sum was asked for from the Council.

Provision for the establishment of the Special Officer was made for only two months in the current year's budget as sanction accorded to his appointment expired then. However, the period of the appointment has had to be extended up to the 30th April 1934 as it has been found that the work could not be completed before that date. Sanction of the Legislative Council to the creation of the appointment was obtained by asking for a token demand in its September-October session of 1932.

The additional amount required is Rs. 61,200. The non-barrage canals in Sind will derive some benefit from the operations carried out by the Drainage Division. It has therefore been decided to debit $\frac{1}{2}$ th of the cost of that Division and the cost of one

[Appendix 36—concl'd.]

Rs.

sub-division for 4 months to the head "XIII". It amounts to Rs. 7,700. A small saving of Rs. 600 is available on the voted grant for English expenditure. Thus the extra amount required is reduced by Rs. 8,300.

97,000 to meet the debit to be raised against the Lloyd Barrage and Canals Construction Project on account of leave allowances of the ordinary establishments for the period of such leave as has been earned by them by their services on the Project. The decision to this effect was arrived at after the current year's budget was framed.

1,49,900

Pensionary charges.—The additional sum of Rs. 23,400 is required on account of increase in the rate for calculating these charges. In the budget provision was made for these charges at the rate of 7.25 per cent. of the provision for ordinary establishment. This rate was based on the then prevailing rate of interest, viz. 5½ per cent. As the rate of interest has since been fixed at 4½ per cent., the pensionary charges have been calculated at 8.899 per cent. of the provision for establishment.

Tools and Plant.—The additional sum of Rs. 14,000 is required for (a) urgent and necessary repairs and overhauls to tools and plant in Plant Division and (b) tools and plant required for the newly opened Drainage Division.

A supplementary grant of Rs. 6,17,000 is now required to cover the anticipated excess on the total voted grant and the sanction of the Legislative Council is requested thereto.

Demand voted and now increased.

"55, Construction of Irrigation Works—Reserved—Lloyd Barrage and Canals Construction."

Rs. 52,30,010 + Rs. 6,17,000.

APPENDIX 37.

The Honourable Mr. R. D. BELL.

RESERVED 26. *Additional expenditure on Irrigation Works under the heads XIII and 15.*

An excess of Rs. 5,73,500 is anticipated on the current year's voted grant under the heads "XIII—Working Expenses" and "15—Other Revenue Expenditure financed from ordinary revenues" as shown below:—

	Rs.
XIII	.. 3,63,000
15 (P. W. D.)	.. 1,71,000
15 (Civil)	.. 39,500
	5,73,500

[Appendix 37—*contd.*]

2. The additional sum of Rs. 3,63,000 under the head "XIII" is required for the items noted below :—

- | Rs. | |
|--------------|--|
| (a) 1,44,200 | for repairing the damage to canals in Sind caused by heavy rains and floods. |
| (b) 1,37,700 | for supplementing the current year's budget grants for ordinary maintenance and repairs of certain canals in Sind. |
| (c) 27,600 | for carrying out investigations in connection with water-logging in the Begari Canals area. |
| (d) 39,000 | for meeting the share of expenditure on retrenched personnel debitable to the Irrigation Department. |
| (e) 14,500 | for pensionary charges. |

3,63,000

Item (a).—The heavy rains and abnormally high inundation during 1933 caused considerable damage to canals in certain areas in Sind and therefore an additional expenditure of Rs. 1,44,200 had necessarily to be incurred in this connection, as the ordinary maintenance and repairs grants were not sufficient to meet this unforeseen and essential expenditure. The sum demanded is required for distribution as follows :—

<i>Begari Canals Division.</i>				Rs.
Unharwah	..	..	..	12,200
<i>Shikarpur Canals Division.</i>				
Canals in Rohri	..	..	..	9,000
Sind Canal	..	..	..	10,000
Rajib, Chitti and Garang Canals	..	..	..	6,000
<i>Khirtar Division.</i>				
North-Western Canal System	..	..	..	6,200
<i>North-Western Canal Division.</i>				
North-Western Canal System	..	..	..	12,000
<i>Barrage Division.</i>				
North-Western Canal System	..	..	..	1,500
Rice Canal	..	..	..	1,500
<i>Warah Division.</i>				
North-Western Canal System	..	..	..	30,300

[Appendix 37—contd.]

<i>Northern Dadu Division.</i>		Rs.
Dadu Canal .. .. .	.. .. .	12,700
<i>Southern Dadu Division.</i>		
Dadu Canal .. .. .	.. .. .	13,100
<i>Hyderabad Division.</i>		
Rohri Canal System .. .. .	.. .. .	9,200
<i>Dadu Division.</i>		
Rohri Canal System .. .. .	.. .. .	15,000
<i>Khipro Division.</i>		
Eastern Nara System .. .. .	.. .. .	5,500
		1,44,200

Item (b).—The current year's budget grants for ordinary repairs to the Rohri Canal and Eastern Nara Systems were found to be inadequate, and an additional sum of Rs. 1,37,700 (Rs. 1,17,000 for Rohri Canal plus Rs. 20,700 for the Eastern Nara System) was required for carrying out certain urgent items of repairs which could not be postponed without running a grave risk of breaches and endangering the stability of masonry works.

Item (c).—The investigations in connection with water-logging in the Begari Canals area, which were estimated to cost Rs. 34,687, were commenced during last financial year after obtaining the approval of the Legislative Council by a token grant in the February-March session of 1933. An expenditure of Rs. 2,500 was incurred on this work during last financial year. As the immediate necessity for these investigations became apparent after the budget items for the current year had been settled, no provision could be made for the work in this year's budget. A sum of Rs. 31,500 is required for expenditure during the current year out of which Rs. 3,900 have been met from savings, and the balance required is therefore Rs. 27,600.

Item (d).—The current year's budget provision for the share of expenditure on retrenched personnel debitable to the Irrigation Department is Rs. 10,000. At the time of framing the current year's budget the method of distributing the expenditure on retrenched personnel in the Public Works Department between the Roads and Buildings and Irrigation Branches had not been settled and the provision made was therefore only approximate. It was decided during the course of the current financial year that the expenditure in question should be distributed between the Irrigation and Roads and Buildings Branches in the proportion which the ordinary establishment charges of the Irrigation

[Appendix 37—*contd.*]

Branch bears to those of the Roads and Buildings Branch after those charges have been distributed *pro rata*, and further that the share of the Irrigation Branch should be debited to the head "XIII" only and it should not be distributed among other Irrigation heads. The amount required according to this method of calculation is estimated at Rs. 87,000 out of which Rs. 49,000 are "Voted" and Rs. 38,000 are "Non-voted", and thus an additional sum of Rs. 39,000 for votable expenditure is required.

Item (e).—In the budget provision for pensionary charges was made at the rate of Rs. 7·25 per cent. of the provision for ordinary establishment. This rate has since been increased to 8·899 per cent., and in consequence an additional amount of Rs. 14,500 is required.

3. The additional sum of Rs. 1,71,000 under the head "15, P.W.D." is required for the items noted below :—

Rs.	
(a) 77,000	for repairing the damage caused to bunds in Sind by the heavy rains and abnormally high inundation during 1933.
(b) 48,000	for raising and strengthening certain bunds in Sind.
(c) 41,900	for improvements to the Sukkur Begari Bund.
(d) 4,100	for pensionary charges.
1,71,000	

Item (a).—A total sum of Rs. 1,05,500 was required for meeting the expenditure incurred on repairing the damage to the bunds and of this, Rs. 28,500 having been met from savings, an additional sum of Rs. 77,000 only is required.

Item (b).—During the course of the abkalani season of 1933 abnormally high river levels were recorded throughout considerable lengths of the river bunds. Consequently it was absolutely necessary to raise and strengthen these bunds and bring them to the standard Indus River Commission specification. A list of the works involved, together with complete explanations therefor, is attached.

Item (c).—The work of improvements to the Sukkur Begari Bund, estimated to cost Rs. 4,68,000, was commenced in 1932-33 after obtaining the approval of the Legislative Council on 3rd December 1932. The current year's budget provision for the work is Rs. 2,03,000 only. As the progress on the work has been greater than was anticipated at the time of framing the budget, an additional sum of Rs. 41,900 is required for expenditure during the current year.

Item (d).—The additional sum of Rs. 4,100 for pensionary charges is required for the same reason as given for item (e) in paragraph 2 above.

[Appendix 37—*contd.*]

4. The additional grant of Rs. 39,500 under "15, Civil" is required in connection with the construction of a dam on the Jhore Malukshah Creek ex River Ochito in the Karachi District. The river Indus bifurcates at its delta into two branches, the Ochito and Haidari rivers. The Jhore Malukshah Creek takes off from the former about 35 miles below the bifurcation. It was only 25 feet wide at its off-take about 10 years ago, but has recently increased in width to 160 feet and carries to waste about 60 per cent. of the total discharge of the Ochito. This large withdrawal has rendered the irrigation of the area dependent on the Ochito below the off-take of the creek very precarious. It has also caused a serious situation in regard to the supply of drinking water to Keti Bunder town, which is situated lower down the Ochito, 25 miles below the off-take of the creek, and depends entirely for its supply of drinking water on the river. Closure of the head of the creek by ordinary measures of throwing across an earthen bund proved ineffective in the working season of 1932. The expenditure then incurred amounted to Rs. 5,886 (inclusive of Establishment and Tools and Plant charges) debitable to the head "15-A, Irrigation Works—Civil". A second attempt was therefore made in May 1933 to dam the head of the creek in order to provide continued supply to established cultivation on the Ochito below the off-take of the creek, and also to restore the assured supply of drinking water to Keti Bunder town.

In this second attempt to dam the head of the creek, 40-foot interlocking steel sheet piles were driven across the channel by means of special heavy power plant brought down the Indus from the Lloyd Barrage at Sukkur, and this piling was backed by gunny bags filled with earth, and the slopes banked up in support. The large cut-off due to high spring tides and consequent scour outflanked the dam and it failed. The attempt had then to be abandoned due to the rise of the river at the commencement of the abkalan of 1933. The total expenditure incurred on the work amounted to Rs. 42,500 against the estimate of Rs. 55,063. Of this amount, the share of the Revenue Department debitable to the head "15-A, Irrigation Works—Civil" is Rs. 39,352 plus Rs. 10,625 establishment and tools and plant charges, i.e., Rs. 49,977 in all. A portion of the charge of Rs. 49,977 to the extent of Rs. 10,482 will be met from savings under "Works" under the head "15-A, Civil" leaving an uncovered excess of Rs. 39,495, or Rs. 39,500 in round figure.

It is now proposed to make a third attempt to close the creek, if local conditions appear favourable to its success and if it is established definitely that the interests involved justify the incurring of further expenditure. Meanwhile an amount of Rs. 39,500 is required to meet the uncovered excess.

[Appendix 37—contd.]

5. A supplementary grant of Rs. 5,73,500 is thus required to cover the total anticipated excess under the head "XIII" and "15," and the sanction of the Legislative Council thereto is requested.

Demand voted and now increased.

"XIII-Deduct Working Expenses, 15, Other Revenue Expenditure financed from Ordinary Revenues and Refunds of Revenue under the heads XIII and XIV—Reserved."

Rs. 72,95,020+Rs. 5,73,500.

Statement showing the new works in connection with the protective bund system in Sind commenced during the current year on account of the abnormally high inundation of the River Indus in 1933.

Name of work.	Amount required.	Explanation.
<p>15-A, IRRIGATION WORKS (2) WORKS FOR WHICH NEITHER CAPITAL NOR REVENUE ACCOUNTS ARE KEPT.</p> <p>EXTENSIONS AND IMPROVEMENTS.</p> <p><i>Northern and Southern Dadu Divisions.</i></p> <p>Raising and strengthening Nara Bunds</p>	<p>Rs.</p> <p>35,000</p>	<p>As a result of the high river in 1933, a very serious state of affairs existed along the Western Nara Bunds particularly in the length from mile 88 to 101. At some of the most dangerous places in this reach, e.g. from mile 94 to 99, the river was 1·7 feet higher than the previously recorded highest flood level and in consequence the free-board at one place was reduced to 0·63 feet. The situation was thus critical and breaches were prevented only with the greatest difficulty. It was therefore essentially necessary to raise and strengthen these bunds and to provide a free-board of 4 feet above the highest recorded flood levels before the abkalanani of 1934. Orders to commence the necessary work were accordingly issued in November last. The estimated cost is Rs. 70,578 out of which Rs. 35,000 will be spent during the current financial year and the balance next year.</p>

[Appendix 37—concl.]

Name of work.	Amount required.	Explanation.
<p><i>Begari Canals Division.</i></p> <p>Raising and strengthening Haibat Loop ..</p>	<p>Rs.</p> <p>5,000</p>	<p>The Haibat Loop, the last line of defence in this area, is at present very weak, and is aligned through several reaches of bad soil. The urgency of the work immediately necessary has increased greatly as a result of the developments in the river in this vicinity which occurred at the end of the abkalani of 1933. Heavy erosion started downstream of the Unharwah head and was threatening the safety not only of this canal but also of the front bund, viz. the Ghoraghat Bund. If this erosion continues unabated on a rising river in the current year, it is quite probable that the Ghoraghat Bund will be eroded in a considerable length. In that event, the Haibat Loop would become the one and only line of defence north of Kotri and if this bund is not brought up to standard section, there is a serious danger of it being breached or overtopped by the river floods. A breach in the Haibat Loop would be impossible to control or close as the depth of water passing through the breach would exceed 12 feet, and the consequences to the country at large would be very serious. The direct loss to Government caused by damage to Irrigation works and loss of kharif revenue would not be less than Rs. 8 lakhs in addition to costs involved on account of expenditure on relief measures, takavi, etc., while the loss to the people on account of damage to crops, buildings, etc., might conceivably amount to one crore of rupees. In view of the extreme urgency of the work, orders to commence this item were issued in December 1933. The estimated cost is Rs. 37,003 out of which Rs. 5,000 will be spent during the current financial year and the balance the next year.</p>
<p><i>Dad Division.</i></p> <p>Raising and strengthening Suhagin Herbert Bund, Herbert Rein Bund and Mikaro Rein Bund ..</p>	<p>8,000</p>	<p>During the abkalani of 1933 great difficulty was experienced in maintaining these bunds as they were under standard section, and in certain lengths the free-board was reduced to 1·6 feet. It was therefore absolutely essential to raise these bunds to standard section before next abkalani, and orders to commence the necessary work were accordingly issued in November 1933. The estimated cost is Rs. 24,717 out of which Rs. 8,000 will be spent during the current financial year and the balance next year.</p>
	<p>48,000</p>	

APPENDIX 38.

BILL No. III OF 1934.

A Bill further to amend the Bombay Primary Education Act, 1923.

(As published in the "Bombay Government Gazette" of the
24th January 1934.)

Bom. IV
of 1923. WHEREAS it is expedient further to amend the Bombay Primary Education Act, 1923, for the purpose hereinafter appearing; It is hereby enacted as follows:—

1. *Short title.*—This Act may be called the Bombay Primary Education (Amendment) Act, 1934.

Bom. IV
of 1923. 2. *Amendment of section 3 of Bom. IV of 1923.*—In section 3 of the Bombay Primary Education Act, 1923—

(i) in sub-section (1), for the words "backward classes, and depressed classes" the words "intermediate classes, and backward classes" shall be substituted; and

(ii) in the *Explanation* to the said sub-section (1), for the words "Backward and depressed classes" the words "Intermediate and backward classes" shall be substituted.

STATEMENT OF OBJECTS AND REASONS.

The Depressed Classes and Aboriginal Tribes Committee, appointed by Government in 1928 in pursuance of a resolution moved by Dr. P. G. Solanki and passed by the Legislative Council recommended, in paragraphs 8 to 12 of their report published in 1930—

(1) that the term "untouchables" as describing the classes to which it is applied at present is offensive and that they should henceforth be officially designated as "Depressed Classes"—a designation which will be in consonance with the existing practice; and

(2) that, as the term "Depressed Classes" used in Schedule A to the Bombay Primary Education Rules, 1924, made under the Bombay Primary Education Act, 1923, has given rise to confusion of thought inasmuch as it has assumed a much wider meaning than it bears in common parlance, and includes, in addition to the untouchables, the Aboriginal Tribes, the Criminal Tribes and other wandering and backward castes, the nomenclature of the classifications hitherto adopted in the Bombay Primary Education Rules, 1924, should be changed, the classes therein shown as "Backward" and "Depressed" being re-named "Intermediate" and "Backward" respectively. Government have accepted these recommendations of the Committee and have decided that the revised nomenclature should be adopted for all purposes including the grant of educational privileges and representation on public bodies. To implement this decision of Government, it is proposed by this Bill to amend sub-section (1) of section 3 of the Bombay Primary Education Act, 1923,

[Appendix 38—*contd.*]

and the "Explanation" subjoined to the sub-section, by substituting the words "intermediate" and "backward" for the words "backward" and "depressed" respectively. The proposed amendment does not deprive any class of the privileges it now possesses.

15th January 1934.

(Signed) S. T. KAMBLI.

APPENDIX 39.

BILL No. IV OF 1934.

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

(As published in the "Bombay Government Gazette" of the 7th March 1934).

WHEREAS it is expedient further to amend the City of Bombay Municipal Act, 1888, for the purpose hereinafter appearing; It is hereby enacted as follows:— Bom. III of 1888.

1. *Short title.*—This Act may be called the City of Bombay Municipal (Amendment) Act, 1934.

2. *Amendment of section 39 of Bom. III of 1888.*—In sub-section (1) of section 39 of the City of Bombay Municipal Act, 1888, and in the Explanation to the said sub-section (1), for the word "backward" wherever it occurs the word "intermediate" and for the word "depressed" wherever it occurs the word "backward" shall be substituted. Bom. III of 1888.

STATEMENT OF OBJECTS AND REASONS.

The Depressed Classes and Aboriginal Tribes Committee appointed by Government in 1928 recommended that the term "untouchables" is offensive and that the classes so described should hereafter be designated as "Depressed Classes" and consequently in order to avoid confusion the term "Depressed Classes" used in Schedule A to the Bombay Primary Education Rules, 1924, should be altered to "Backward", and the Backward Classes, therein named, should be renamed "Intermediate Classes". Government having accepted these recommendations decided that the revised nomenclature should be adopted for all purposes including representation on public bodies. Bill No. III of 1934 proposes to amend sub-section (1) of section 3 of the Bombay Primary Education Act, 1923, and the Explanation thereto by substituting the words "Intermediate" and "Backward" for the words "Backward" and "Depressed", respectively. Under the Explanation to sub-section (1) of section 39 of the City of Bombay Municipal Act, 1888, "backward classes" and "depressed classes" mean the backward classes and depressed classes respectively as defined

[Appendix 39—*contd.*]

for the time being by Government in Rules made under the Bombay Primary Education Act, 1923. After Bill No. III of 1934 is passed into law, the expressions "backward classes" and "depressed classes" will be replaced in the rules made under the Bombay Primary Education Act, 1923, by the expressions "intermediate classes" and "backward classes" respectively. This Bill therefore introduces the revised nomenclature in section 39 of the City of Bombay Municipal Act, 1888.

5th March 1934.

D. B. COOPER.

APPENDIX 40.

AGENDA.

Supplementary Agenda for the First Session of the Bombay Legislative Council which commenced on Monday the 19th February 1934.

[*Vide* Standing Order X, 1 (1) (d).]

DISCUSSION OF MATTERS OF GENERAL PUBLIC INTEREST.

Resolution by Dr. P. G. Solanki, M.L.C.

1. "This Council recommends to Government that they should be pleased to create two branches in the Backward Classes Office, one solely for the "Scheduled" or untouchable classes and the other for the aboriginals and criminal tribes and other backward Hindus, which should work independently of each other under respective immediate superiors who will be responsible to and under the control of the Backward Classes Officer."

Resolution by Sardar Rao Bahadur B. R. Naik, M.L.C.

1. "This Council recommends to Government that they should be pleased to grant to the agriculturists of the Surat district remission in the current year's land revenue which will be adequate, taking into consideration the loss sustained by them on account of the serious damage to crops caused by the recent frost and severe cold wave."

Resolution by Khan Bahadur Vali Baksh A. Patel, M.L.C.

1. "This Council recommends to Government that they should be pleased to sanction two sets of standards for the Urdu girls' schools in Gujarat, as in the case of Urdu boys' schools, to enable the Muhammadan girls in villages to have the option of receiving the primary education through their mother-tongue with Urdu as a secondary subject."

[Appendix 40—contd.]

Resolution by Mr. G. M. Kalbhor, M.L.C.

1. "This Council recommends to Government that they should be pleased to grant relief to the agriculturists of the Presidency proper by—

(a) giving remission of 25 per cent. to holders of land assessed at Rs. 10 and under ;

(b) giving remission of 12½ per cent. to holders of land assessed at Rs. 50 and under ;

(c) suspending the recovery of takavi loans in the case of agriculturists holding land assessed at Rs. 50 and under ;

(d) suspending the recovery of arrears due to co-operative societies in the case of agriculturists holding land assessed at Rs. 50 and under."

Resolutions by Mr. Syed Miran Mahomed Shah, M.L.C.

1. "This Council recommends to Government to issue orders to the Commissioner in Sind to regrant the lands held by zamindars, within non-Barrage areas, on panjsalo (5 years) and yaksalo (one year) tenures which have been recently resumed by Government."

2. "This Council recommends to Government to grant a remission of 25 per cent. in the land assessment to the zamindars in Sind to alleviate their present economic distress."

3. "This Council recommends to Government to allot one-third of the grant reserved for the encouragement of literature under Primary Miscellaneous Education—General, for the purpose of encouraging literature in Sindhi language and grant the same to Professor H. M. Gurbuxani, M.A., Ph.D. (London) for doing research work in connection with Shahjorasalo."

Resolution by Mr. V. N. Jog, M.L.C.

1. "This Council recommends to Government that in the interest of the agriculturists of the Presidency, they should be pleased to take immediate steps to formulate a scheme for the purpose of taking over the liability of the holders and owners of land, on the security of their land, by offering to their creditors in full satisfaction of the loan advanced to them, a sum to be arrived at by negotiation, either in cash or in the form of Government promissory notes or loan bearing interest at 4½ per cent., payable half yearly, and repayable after 30 years but within 40 years, the landholders remaining indebted to the Government to the extent to which Government undertake to pay their creditors on agreeing to repay the loan within 50 years at a rate of interest not exceeding 6 per cent. by annual instalments."

Resolution by Mr. A. N. Surve, M.L.C.

1. "This Council recommends to Government to appoint a committee of non-official members to inquire into the incidents which have given rise to the controversy between the two communities of Khopoli in the

[Appendix 40—concl'd.]

Kolaba district, and to submit a report to this House on their respective rights to offer worship at the spot in dispute.”

Resolution by Mr. P. R. Chikodi, M.L.C.

1. “This Council recommends to Government that they should be pleased to grant immediate relief to the agriculturists of the Presidency by—

- (a) remitting all the past arrears of land revenue and grazing fees ;
- (b) giving remission to the extent of 40 per cent. in the current year's land revenue and grazing fees ;
- (c) not taking any steps or measures for the relief of the agriculturists which are likely to affect prejudicially the length of the period for which the assessments are now guaranteed, namely, 30 years, under the Land Revenue Code ;
- (d) not holding sales of immoveable property and not adopting coercive measures for the collection of land revenue or the execution of decrees, so long as the present economic depression continues ;
- (e) declaring, by means of legislation, that all debts and loans borrowed by the agriculturists shall have half the value of the amount borrowed or lent ; and
- (f) requiring the landlords, if necessary, by legislation, in the matter of collecting rents from and granting relief to the tenants, to adopt measures and policy similar to those that may be adopted by Government from time to time in the collection of their dues under the Land Revenue Code.”

Resolution by Rao Bahadur S. N. Anqadi, M.L.C.

1. “This Council recommends to Government that they should take immediate steps to give relief to the agriculturists of the Presidency by granting them remission to the extent of at least 25 per cent. in the land revenue for the year 1933-34 and by the revaluation of their indebtedness in terms of the prevailing prices of agricultural produce.”

Resolution by Mr. B. P. Wadke, M.L.C.

1. “This Council recommends to Government that they should take strict and early steps to stop further recruitment to all provincial services under their control of persons born and domiciled outside the Bombay Presidency and in Indian States or Portuguese territory.”

G. S. RAJADHYAKSHA,

Secretary to the Legislative Council
of the Governor of Bombay.

Bombay, 9th March 1934.

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Second speech—

After a Government member gives a reply to points raised in a discussion, ordinarily he has no right of a second speech, but if any technical points are raised thereafter by members speaking after him, he may be given a chance of speaking again in order to reply to those technical points

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Finance Bill Debate—

When a taxation bill is before the House, it is in order to refer to certain grievances which should be remedied before such taxation is asked for, but a matter of a general nature such as land revenue policy or its administration and the manner how it works in the various branches, is not a matter which is relevant when the taxation bill under consideration does not specifically refer to land revenue

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When a taxation bill amending a Finance Act is before the House, reference to such matter as the general financial condition may be relevant. But it would not be relevant to refer to a grievance about non-supply of documents or orders issued by Government

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When a taxation bill amending a Finance Act which affects or deals with various Acts is before the House for amendment, only those portions of such Acts which are included in the Finance Act are before the House

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Adjourned Debate—

If a resolution is moved at one session and adjourned to the next session, the mover of the resolution (if he has already spoken at some length in moving it) cannot make a second speech at such next session, except for replying to the debate

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General—

If any matter such as a wage cut is pending adjudication between millowners and labourers, it would not be proper for the Council to discuss it although it is not actually *sub judice* in a court of law 1013 (*See p. 992 also.*)

Debate Etiquette—

The rule that when a member makes certain points in his speech, he should be present in the House to hear replies that may be made to them by members on the opposite side, applies both to official as well as non-official members

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Documents and Correspondence: References to—

The practice regarding the supply of the copies of Acts to members is that when there are any particular Acts before the House for amendment, copies of those Acts are made available to members in the House. Other Acts which are not specifically under consideration by the House are not kept in the House, but can be had by the members from the Council Library

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As the Chair has to regulate the debate, the speeches should be made loud enough to be properly heard by the Chair as well as by the rest of the House

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No question should be asked in regard to a matter about which information can be had from sources available to a member

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If an individual has a grievance, such individual may approach Government in an ordinary manner. The procedure by way of interpellation is not a proper procedure

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General—

Members or Ministers should stand in their places while answering questions

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General—concl'd.

The publication of questions (in the Press, etc.) without their replies is not a fair and proper practice, and should not be followed, as far as possible

Although a question is admitted by the President and sent to the department of Government concerned, it is open to the department to point out to the President subsequently that the question appears inadmissible for reasons which may not be known to the President when it was admitted, e.g. that the matter was *sub judice*, and, if the President agrees with the department, the question has to be disallowed, although it was admitted in the first instance. The publication of questions without their answers, is, in those circumstances, a very awkward and undesirable practice. It is, therefore, best to establish a convention (as in the House of Commons) that until the questions are answered in the House, they should await publicity in the Press 1534-36, 1537, 1538

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