



SUPPLEMENT  
TO THE  
BOMBAY GOVERNMENT GAZETTE.

Published by Authority.

FRIDAY, 9TH JANUARY 1863.

**PROCEEDINGS OF THE LEGISLATIVE DEPARTMENT, BOMBAY.**

THE following Bill, which it is intended to introduce into the Council of the Governor of Bombay for the purpose of making Laws and Regulations, is, together with Statement of Objects and Reasons accompanying it, published for general information :—

*A Bill to regulate the Burial or Disposal of the Dead in the Town and Suburbs of Bombay.*

WHEREAS it is expedient to regulate the Burial and Disposal of the Dead within the Town and Suburbs of Bombay; It is enacted as follows :—

I. In case it appears to the Governor in Council that for the protection of the Public Health the opening of any new Burial Ground or Vault, or of any new Ground or Place for the Burning or Exposure of the Dead within the Town and Suburbs of Bombay, save with the previous approval of the Governor in Council, should be prohibited, or that Burials in any Burial Grounds, Vaults, or Places of Burial within the Town and Suburbs of Bombay, or that Burning of the Dead in any Grounds or Places

within the limits aforesaid, set apart or used for that purpose, or that Exposure of the Dead in any Towers, Grounds, or Places within the limits aforesaid, set apart or used for the Exposure of the Dead should be wholly discontinued or should be discontinued subject to any exception or qualification: It shall be lawful for the Governor in Council to order that no new Burial Ground or Vault, or that no new Ground or Place for the Burning or Exposure of the Dead shall be opened within the limits aforesaid, without such previous approval or (as the case may require) that after a time mentioned in the order Burials in such Burial Grounds, Vaults, Places of Burial or Burning in any such Grounds or Places set apart or used for the Burning of the Dead, or Exposure of the Dead in any such Towers, Grounds, or Places set apart or used for the Exposure of the Dead, shall be discontinued wholly or subject to any exceptions or quali-

cations mentioned in such order and so from time to time as circumstances may require. Provided always that such order shall be published with translations in Murathee and Guzarathee in the *Bombay Government Gazette* as soon as practicable after such order shall have been made, and that copies of such order with such translations as aforesaid shall be affixed on the doors of the Police Chowkies or on such other conspicuous places within the said Town and Suburbs of Bombay as shall be deemed expedient.

II. It shall not be lawful after the time mentioned in any such order for the discontinuance of Burials, Burnings, or Exposure, to Bury, Burn, or Expose the Dead in any

Burial Ground, Vault, Ground or Place or elsewhere within the parts to which such order extends or in the Burial Grounds, Vaults, or Places of Burial Grounds, or Places of Burning, Towers, Grounds or Places of Exposure (as the case may be) in which Burials, Burnings, or Exposure have by any such order been ordered to be discontinued except as in this Act or in such order excepted, and every Person who shall after such time as aforesaid Bury, Burn, or Expose any body, or in any wise act or assist in the Burial, Burning, or Exposure of any body contrary to this enactment, shall be guilty of an offence against this

See Chapter XV. of the Indian Penal Code.

term which may extend to ( ) years, or with fine, or with both.

III. When by any such order of the Governor in Council as aforesaid it is ordered that no new Burial Ground, Vault or Ground, or Place for the Burning or Exposure of the Dead shall be opened within the Town and Suburbs of Bombay, without the previous approval of the Governor in Council, no new Burial Ground, Vault, or Ground or Place for the Burning, or Exposure of the Dead shall be provided, opened, or used within the limits aforesaid without such previous approval.

IV. It shall be lawful for the Governor in Council from time to time to make such Rules and orders as may be necessary to carry this Act into effect, and from time to time to vary, amend, or repeal the same as occasion may require. Provided that such Rules shall be immediately published with translations in Murathee and Guzarathee in the *Bombay Government Gazette*.

V. The Town and Suburbs of Bombay mentioned in this Act comprise whatever has been hitherto included within the limits generally known as the Islands of Bombay and Colaba, together with all land or ground now or which hereafter may be reclaimed from the Sea or Harbour.

Extent of the Act.

#### STATEMENT OF OBJECTS AND REASONS.

The practice of disposing of the Dead in the midst of crowded Cities and large Towns has been long acknowledged to be injurious to the Public Health.

The evils resulting from such a system in England, and which are of tenfold force in a Tropical climate, were so notorious some years ago, that the subject was continually being pressed upon Her Majesty's Government, and at length Burial Acts were passed by which the system of intramural burial was totally suppressed. (Vide 13 and 14 Vict. C. 52, 15 and 16 Vict. C. 85, and 16 and 17 Vict. C. 134).

The over-crowded state of the Bombay Grave-yards, the ever increasing population and the existing arrangements for disposing of the dead are well known, and a remedy is urgently required for a very great and pressing evil. Thousands of persons die annually on the Island whose bodies are interred, burnt, or exposed in situations directly to windward of the most crowded parts of the Native Town.

The accompanying Bill proposes to give power to the Governor in Council to regulate the opening of New Burial Grounds or places for the disposal of the dead, and to close any Burial Ground or places hitherto used for the disposal of the dead within the Town and Suburbs of Bombay which may be considered obnoxious to the Public Health or Public Decency.

The Bill is framed upon the model of the Statute 16 and 17 Victoria C. 134, "An Act to amend the laws concerning the Burial of the Dead in England beyond the limits of the Metropolis and to amend the Act concerning the Burial of the Dead in the Metropolis."

The Bill to be translated into the Murathee and Guzarathee Languages and published in the *Bombay Government Gazette*.

(Signed) W. B. TRISTRAM.

Bombay, 7th January 1863.

R. WEST,

Officiating Under-Secretary to Government.