



SUPPLEMENT
TO THE
BOMBAY GOVERNMENT GAZETTE.

Published by Authority.

FRIDAY, 27TH MARCH 1863.

PROCEEDINGS OF THE LEGISLATIVE DEPARTMENT, BOMBAY.

The following Report of the Select Committee of the Council of the Governor of Bombay for the purpose of making Laws and Regulations, together with the Bill as altered by them, is published for general information:—

*Report of the Select Committee appointed to consider and report upon a
“Bill for taking a Census of the Bombay Presidency.”*

The Select Committee beg to report, that in addition to some verbal alterations, the object of which will be apparent on a perusal of the amended draft, they have made the following substantial changes in the Bill.

Section I. has been altered so as to require the Notice of a Census to be published, not only in the languages of the Presidency Town, but in those of every Town or District concerned. It has also been provided that the notice shall be proclaimed by beat of drum as well as by publication in the newspapers.

It appeared to the Committee necessary to guard against the possible case of a person fined under Section V. or Section VI. pleading that punishment as a discharge from his obligation to fill in the Census Return and still refusing to supply the requisite information. With this view they have added to each of these Sections a provision that contumacy may be punished by the offender's detention in custody until he furnishes a correct Return.

The provision as to procedure in Section V. has been struck out, as Section VII., with a slight alteration, seemed to make it superfluous. An addition has also been made to Section VII., confining the power of detention conferred by Sections V. and VI. as amended to Magistrates authorised to inflict fines.

With these changes the Committee beg to recommend the Bill for adoption.

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A Bill for taking a Census of the Bombay Presidency.

WHEREAS it is expedient that arrangements should be made for facilitating the enumeration

Preamble.
of the inhabitants of the Presidency Town of Bombay, and of the Districts, Towns, and places subordinate thereto; It is hereby enacted as follows:—

I. The Governor in Council of the Presidency of Bombay may, from time to time, as he may deem necessary, authorise and direct an enumeration to be made of the inhabitants of the

Appointment of Officers to superintend enumeration, and publication of such appointments.

Town and Suburbs of Bombay, or of any of the Districts, Towns, or places within the limits of the said Presidency, or subordinate thereto, and may appoint any date or dates upon, or within which such enumeration shall be made, and may appoint any Officer or Officers to superintend the same. Provided always that one clear month previous to such enumeration being commenced, Notice of the intention to make the same with the date or dates upon, or within which it is intended to be made, the name or names of the Officer or Officers appointed to superintend the same, and all other necessary particulars, shall be published in the *Bombay Government Gazette*, and in such Newspapers published in the English Language and in the Language of the Town or District as to the Governor in Council shall seem fit, and that the said Notice shall be proclaimed by beat of drum or Battakee in every Town, Village and Quarter in which the said enumeration is to be made.

II. Any Officer or Officers appointed to

Duties of Officers so appointed. superintend any such enumeration shall, in accordance with the instructions of the Governor in Council appoint such Enumerators, and make such arrangements generally as may to him or them appear necessary for the purposes of such enumeration.

III. Each Enumerator or other Subordinate

Schedules to be left at dwelling houses, and occupants to fill up the Schedules, and sign and deliver them to the Enumerators.

Officer appointed under this Act shall, agreeably to his instructions, leave at each house or place of residence within his respective District, four days at least before the time appointed for the collection of the completed Returns or Census, a blank Schedule or Return, of such form, and containing such particulars, as Government may approve, to be duly filled up and signed by the owner,

tenant, or principal occupant of the said house or place of residence.

IV. Every Census, Schedule or Return issued under the authority of

Schedules to bear the name of Superintending Officers. this Act, shall bear the name or names of the

Officer or Officers authorised by Government to direct or superintend the enumeration of the population of the District, Town or place in which such Schedule or Return shall be issued.

V. Any person wilfully neglecting or refusing correctly to fill

Penalty for neglecting or refusing correctly to fill up and sign Schedules. up and affix his signature to any such Schedule or Return so left at his

house or place of residence, or who shall neglect or refuse to return the same to the Enumerator or other Officer when called upon so to do, shall be liable to a penalty not exceeding Rs. 200, and may also be detained in custody until he shall have correctly filled up and signed the said Schedule or return.

VI. Any Enumerator or other Subordinate

Schedules defectively filled up to be returned: Officer employed in the collection of such Schedules or Returns, if he

shall find any of the same defective, or in any respect improperly filled in, shall return the same to the occupant of the house or residence to which they relate; together with a written or printed notice requiring that the same be duly filled in or amended within 24 hours, and

and then to be amended under a penalty. if such occupant shall then fail so to fill in, or amend any such Schedule

or Return, he shall, on conviction, be liable to a fine of Rs. 200, and may also be detained in custody until he shall correctly fill in or amend the said Schedule or Return.

VII. The mode of procedure against any

Mode of Procedure under this Act. person or persons for any offence under this

Act, and for enforcing the payment of any penalty inflicted under its provisions, shall, within the Town and Island of Bombay, be in accordance with the mode prescribed in Act XIII. of 1856 and Act XLVIII. of 1860, and in the Districts in which the Code of Criminal Procedure shall be in operation, by complaint before any Magistrate and in such Districts, the rules prescribed by the said Code, and by the Indian Penal Code, as to the levy and commutation of fines, shall be applicable to fines inflicted under this Act, and the detention of any person under the provisions of Sections V. and VI. shall take place only upon the order of a Magistrate empowered to inflict the fines prescribed by this Act.

By order of His Excellency the Governor in Council,

R. WEST,

Officiating Under-Secretary to Government.

Bombay, 26th March 1863.