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PART V.

PROCEEDINGS OF THE LEGISLATIVE DEPARTMENT, BOMBAY.

The following Bills, together with the Statements of Objects and Reasons accompanying them, are published in accordance with Rule 15 of the Rules for the Conduct of Business at Meetings of the Council of His Excellency the Governor of Bombay for making Laws and Regulations:—

Bill No. 2 of 1873.

A Bill to amend the Law relating to Hereditary Village Offices.

WHEREAS difficulties have arisen in the administration of Village Offices under the provisions of Act XI. of 1843, it is hereby enacted:—

I.—*Clause 1.* All hereditary village officers of whatever denomination shall, in consideration of their respective Wuttuns, render such extent and kind of service as may have been usual, and may, subject to the general orders of Government, be required from them by the Collector.

Clause 2. All the records of the official duties and acts of hereditary village officers and their pre-

decessors are declared to be the property of Government, and all hereditary village officers shall be legally bound to produce such records on demand by the Collector.

II.—When a Wuttun has lapsed, either from long abeyance, or confiscation, or other cause, and Government deem it expedient to constitute a new Wuttun, it shall be lawful for Government to nominate some person or family to hold office hereditarily, in the manner referred to in Section XXIV., Clause (b) of this Act, and to assign to such Wuttun such emoluments as may appear fit and the person or family so nominated shall thereafter be entitled to the benefits and be subject to the provisions of this Act.

III.—It shall be the duty of the Collector to fix the emoluments of officiators

Emoluments. appointed under this Act, and for this purpose he may assess upon each Wuttun held for the performance of similar service, or upon each and every share of such Wuttun, such amount, not exceeding the full value of such Wuttun or share, as may be sufficient to make up the emoluments so fixed, and the Collector may set aside out of such Wuttun lands and allowances for the remuneration of officiators.

IV.—When all or any of the emoluments of a Wuttun consist of

Appointment of Panchayet. hucs levied direct from the villagers in cash or kind, it shall be lawful for the Collector to cause the nature and amount of such hucs, and the parties liable to pay them, to be defined in writing by a Panchayet of five persons, of whom two shall be appointed by the villagers, two by the Wuttundars, and one, who shall be Sir-Punch, by the Collector. And in the

Proviso. event of failure to make any such appointment on the part of either the villagers or the Wuttundars or both, within a certain specified time to be fixed by the Collector, the Collector shall appoint such members as may be necessary to constitute the Panchayet. The opinion of the majority of the members shall determine the decision of the Panchayet. Should a decision not be given within a reasonable time, to be fixed by the Collector, he shall himself arbitrate in the matter. The decision of the majority of the members of such Panchayet or of the Collector, as the case may be, shall be binding on all parties, and the amount so settled may be levied by the Collector from the parties so indicated as a revenue demand.

V.—Whenever the emoluments of an hereditary office are of fluctuating amount, it shall be lawful for the Collector to settle an amount on an average of past years, and either to assess on the Wuttun, or pay to officiators and others, such fixed amount for a certain period, and at the expiration of such period to strike a fresh average.

VI.—It shall be lawful for the Collector to combine two or more Wuttuns of small amount held for the performance of similar service, and to treat such combined Wuttuns as a single one. Provided that, in such case, the right to officiate shall be exercised

in rotation by one representative of each of the previously distinct Wuttuns. Combinations made in the spirit of this Section prior to the passing of this Act shall have the same force as if made under this Act.

VII.—*Clause 1.* Lands and allowances

Lands and allowances already set aside for the official remuneration of officiators are not liable to process in any Civil Court, and the Court shall remove any attachment which it may have placed upon any such lands or allowances upon receipt of a certificate signed by the Collector, stating that such lands or allowances are so set aside. Lands and allowances so set aside are not alienable without the sanction of Government, which sanction may be given or withheld at discretion.

Clause 2. If any land already so set aside has, before the date of the passing of this Act, passed into the occupation of other than the person performing the service, such land may be summarily taken possession of by the Collector and made over by him to the officiator; or the land may be assessed by the Collector at such rate in excess of the ordinary Survey assessment as may not exceed the full value, and the proceeds of such assessment shall be paid over to the officiator.

Clause 3. If it should hereafter become necessary or desirable to set aside for the official remuneration of the officiator, any land not so set aside before the date of the passing of this Act, the possession of such land, in the event of its having been made over to any person by order of any Civil Court for a certain period, shall not be resumable as above during the period for which such possession was granted by the Court; but the land itself may be assessed up to the full value as above.

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VIII.—Lands and allowances which have

Lands and allowances not been set aside for the official remuneration of officiators and deputies may be held by a sole proprietor, or by all or any of the members of the family in which the office is vested, but shall not leave the said family without the sanction of Government, which sanction may be given or withheld at discretion.

IX.—*Clause 1.*

Rights and privileges.
Collector to determine
who is the head of a
family or branch of a
family holding Wuttun.

It shall be the duty of the Collector to determine who is the head of a family, or branch of a family holding any Wuttun, or, where the Wuttun is shared among various persons, the number and names of the principal sharers, and the value of their shares in fractions of a rupee.

Clause 2. No one who is not proved to

One not proved to be
the legal heir of a share-
holder, not to be entered
as a principal sharer.

be the lineal heir, or
the authorised adopt-
ed heir of one who has
been recognised as a

shareholder by the Collector on the occasion of previous appointments in any Wuttun, shall be entered as a principal sharer.

Clause 3. When the shares of members

Nomination as principal
sharer when shares
become divided into frac-
tions of less than $\frac{1}{8}$ th of
a rupee.

of the same family or
branch of a family
have become divided
into fractions of less
than one-eighth of a

rupee, the Collector shall call upon such members to nominate one of their number for entry as principal sharer as their representative, and in the event of their failing to do so within a certain time, not less than one month, to be fixed by him, shall himself summarily determine who has the greatest right to be so nominated, and shall forthwith enter his name as the principal sharer. The right of entry as principal sharer shall thenceforward vest hereditarily in the person nominated under this clause, but without prejudice to any right to receive or hold allowances or lands direct which other sharers may possess.

X.—It shall further be the duty of the

Collector to determine
the number of officiators
required, and what per-
sons are entitled to serve.

Collector to determine
how many officiators
are required for the
satisfactory perform-

ance of the duties of any Wuttun, and to increase or diminish the existing number accordingly. The Collector's decision as to the number of officiators required may, from time to time, be modified in accordance with the exigencies of the public service. He shall also determine, in accordance with the following rules, what persons are entitled to serve, and the manner of their service; provided always that no such right to serve shall be admitted in any person who is not a principal sharer.

(a) When the principal sharers, or certain of them, are satisfactorily proved to have served in a fixed order of rotation for a period of not less than 30 years previous

to the date of the passing of this Act, or have spontaneously agreed to adopt such order of rotation, the practice of rotation shall be permanently recognized, and the names of the principal sharers who are entitled to serve, together with the order in which they are henceforth to serve in rotation, shall be determined. The period of rotation shall in no case be less than ten years, and, on the expiration of any such period, the principal sharer next in order shall at once succeed. In the event of any such sharer dying during his period of service, his heir shall be entitled to serve for the remainder of the period.

(b.) Where no practice of service in rotation, as above, is found to exist, or to have been agreed to, the head of the family, or the principal sharer, possessing the sole right to serve, shall be indicated and permanently recognised accordingly. Where more than one officiator is needed, the Collector shall determine whether the person possessing the sole right to serve shall have a right to appoint a sufficient number of deputies, or whether any other principal sharer shall be invested with the right to serve simultaneously.

XI.—All principal sharers, whether entitled

Privilege to principal
sharers to sign Village
Abstract or other papers.

to serve or not,
shall have the privi-
lege of signing, if they
wish to do so, the

Village Abstract of Lands and Revenues, or other village papers on which it may be customary and desirable to take their signatures.

XII.—The Collector shall, as occasion

Collector may call up-
on persons entitled to
serve to officiate or ap-
point a Deputy.

arises, call upon the
person entitled to serve
to officiate, if fit and
willing to do so, or to

appoint a fit and proper person as deputy, and to appoint additional deputies in cases when they may be required. No deputy so appointed shall hold office for less than five years.

XIII.—*Clause 1.* It shall be competent

Collector may refuse
to accept the service in
person of unfit person.

to the Collector to
refuse to accept the
service in person of

any individual entitled to serve, if he shall have reason to think such person unfit physically, mentally, morally, or on account of other occupation or duty, to conduct the duties of the office. Any person so refused shall have the option of nominating a deputy, unless he shall have been convicted of any heinous offence, in which case the nomination shall rest with the Collector.

Clause 2. The Collector may similarly reject any person offered for service as a deputy, and admit another nomination.

Clause 3. A female shall not perform in person the duties of any hereditary office, but may, if entitled so to do under this Act, appoint a Deputy.

XIV.—In the event of the Collector's requisition under Section XII. not being complied with within two months from the date thereof, the Collector shall himself appoint a deputy, or deputies, who shall hold office for five years, at the expiration of which period the requisition shall be repeated. No stranger shall be appointed a deputy if there be a principal or other sharer in the Wuttun fit and willing to take the office.

XV.—*Clause 1.* It shall be competent to the Collector to remove from office any officiator who may become unfit physically, mentally, or on account of other occupation or duty, to conduct the duties. The office so vacated shall be filled by a deputy appointed in accordance with the provisions regarding deputies contained in Sections XII., XIII., and XIV. of this Act.

Clause 2. The period of five years prescribed in Sections XII. and XIV. for the service of deputies shall be subject to the condition that the rights of any deputy shall cease and determine with those of his principal.

XVI.—Upon the death of any head of a family or principal sharer, it shall be the duty of the Collector to recognise by entry in the register, as successor to the deceased his eldest son, or the nearest heir of such son, or, if he have left no son, his nearest of kin; such recognition shall be final unless altered by a certificate of nearest heirship obtained in a Civil Court.

XVII.—Any person who has been recognised by the Collector as a head of a family or principal sharer may, with the permission of the Collector, and on payment of the nuzerana, if any, prescribed by Government, adopt an heir in accordance with such Government rules for adoption as may be in force for the time being.

XVIII.—In the event of any minor becoming entitled to serve, a deputy shall be appointed in accordance with the provisions regarding deputies contained in Sections XII., XIII., and XIV. of this Act, the guardian of the minor being called upon to nominate, and such deputy shall, subject to the provisions of Section XII. and Sections XIV. and XV., continue in office until the expiration of the minority.

XIX.—It shall be lawful for a Collector to punish officiators for misconduct or neglect of duty, by suspension from office for a period not exceeding six months or by fine not exceeding Rupees 5, or not exceeding three months' official emoluments; and the Collector's order in such case shall be final. During suspension the Collector shall appoint as deputy any person whom he may think proper.

XX.—*Clause 1.* It shall further be lawful for the Collector, with the sanction of the Revenue Commissioner, in case of malversation, fraud, or grave misconduct of an officiator, to dismiss such officiator from his office, and to appoint a deputy, in accordance with the provisions of Section XIV. of this Act, as far as they may be applicable, to conduct the duties for the period during which such officiator would otherwise have conducted them. Provided always that in rotation Wuttuns, and, with the sanction of the Revenue Commissioner, in non-rotation Wuttuns also, the Collector may appoint a stranger to be deputy, instead of a principal or other sharer in a Wuttun; should he deem it advisable to do so. Provided also that nothing in this or the preceding Section shall be held to be applicable to Police Officers as such, whose misconduct is provided for in Bombay Act VIII. of 1867.

Clause 2. Any person dismissed under this Section shall be ineligible for re-employment, and if he be a principal sharer in a rotation Wuttun, his duties in the event of his turn recurring shall be performed by a deputy appointed under this Act.

XXI.—All decisions under the two last preceding Sections shall be passed after investigation recorded in writing, and for the purposes of such investigation the Collector shall have the same authority as a Magistrate in com-

PELLING the attendance of parties and witnesses and the production of papers, and in taking evidence.

XXII.—Whenever any officiator shall be convicted in any Criminal Court of any criminal act in the discharge of, or relating to his official duties, or of any heinous crime, the Government may direct the confiscation of the Wuttun, wholly or in part.

XXIII.—All deputies appointed under this Act shall be subject to the same rules and penalties as their principals, and the Wuttun shall be liable to confiscation upon the conviction in any Criminal Court of a deputy appointed by an officiator, in the same manner as it would have been on the conviction of the officiator himself.

XXIV.—The provisions of Sections IX. to XI. and Sections XVII., XIX. and XX. of this Act, shall not apply to village hereditary officers of lower rank than Patel and Koolurnee, and the Collector shall, under the general orders of the Revenue and Police Commissioner or Government, have full authority in respect to hereditary officers of lower grade :—

(a.) To determine whether the Wuttun shall be entered in the names of individual shareholders, or in that of the whole body of Wuttundars.

(b.) To fix, in cases where individual entry is so established, the nature and extent of the rights, duties, and responsibilities of shareholders, and the mode in which officiators shall be appointed, whether by selection by the Collector, or rotation, or election by the Wuttundars, or otherwise, as he may think proper.

(c.) To require, in cases where general entry is so established, the Wuttundars to furnish, within a period fixed at his discretion, one or more fit persons from among their number, or otherwise, to perform the service, and in default of their doing so, to appoint such persons himself; and to provide for the joint responsibility of the whole body for the neglect of duty, connivance, or fraud of any of their number, or their representatives.

(d.) To act generally, in all matters relating to appointment, remuneration, fining, period of service, and dismissal of officiators, the providing of substitutes, the grant of leave of absence, and similar matters, in all which his orders shall be final.

XXV.—It shall be the duty of the Collector to keep a Register of all lands and allowances belonging to hereditary village offices, and this register shall distinguish the lands and allowances held in consideration of service to Government from those the holders of which are liable to service only to the village community by order of Government.

XXVI.—In recording lands and allowances in consideration of the enjoyment of which service may be regulated under the provisions of this Act the Collector shall specify :—

(a.) The value of the Wuttun, that is, the extent of the lands, their full assessment, the quit-rent leviable, if any, and the net amount of alienation; also the amount of the cash allowances, and the sources from which they are payable; and the lands and allowances set aside for the remuneration of officiators.

(b.) The name of the head of the family or, if there be principal sharers, their names and the value of their respective shares.

(c.) The mode in which service is performed, whether by one or more officiators, and whether in rotation or not.

(d.) The person or persons entitled to serve, and if rotation be the practice, the order in which such persons are to succeed each other in office.

(e.) The nature of the settlement of inferior village Wuttuns effected under Section XXIV. of this Act.

(f.) Any other particulars which Government may, from time to time, order to be recorded.

XXVII.—The register prescribed in Section XXV. shall be corrected, as occasion arises, in accordance with any change affecting the Wuttun, or the holders thereof, which may be made in accordance with the provisions of this Act.

XXVIII.—Government may from time to time, frame, for the guidance of the Collector, general rules not inconsistent with the spirit of this Act upon the following subjects, which shall have the force of law :—

(a.) Fixing the emoluments of officiators, and combination of Wuttuns.

(b.) Resumption of illegally alienated land, allowances, or hucs.

(c.) Mode of inquiry and determination as to the number of officiators, and the names, shares, and rights of service of Wuttundars.

(d.) Entry of names of heirs and successors, and admission of adoptions.

(e.) Form of Register prescribed by Section XXV. and additional particulars, if any, to be entered therein.

(f.) Standard of qualification to be required from officiators.

(g.) Mode of regulating promotion (where required), leave of absence, appointment of substitutes, provision for temporary vacancies, and the like.

XXIX.—The decisions of the Collector under Sections X. and

Decision of Collector to be passed after investigation.

XXIV. of this Act shall be passed after investigation recorded

in writing, and the consideration and record of any evidence a claimant may produce; provided always that proceedings need not be

Proviso.

adjourned for the production of such evidence. The reasons for disallowing any claim, or for refusing to accept the service of any person entitled to serve, shall be given in the Collector's own handwriting.

XXX.—The decisions and proceedings of

Decision of Collector subject to control of Revenue Commissioner.

the Collector under this Act, with the exception of Sections

IV., XIII., XIV., and XV. shall be subject to the general control of the Revenue Commissioner under Regulation V. of 1830. Provided always that petitions of appeal

Proviso.

must be presented within sixty days immediately following the day on which the decision or order appealed against was passed, and that the grounds of appeal must be distinctly stated therein. It shall be competent to the Revenue Commissioner to reject the appeal if, on perusal of the petition, it appears to him that there are no sufficient grounds for questioning the decision or order appealed against.

XXXI.—*Clause 1.* It shall be lawful

Power of Government to confer on any person power of Collector or Revenue Commissioner.

for Government to confer on any person within specified limits, all or any of the duties and powers of a Collector or Revenue Commissioner under this Act.

Clause 2. A Collector may delegate all

Collector may delegate his authority to his Assistant or Deputy.

or any of his authority under this Act to any Assistant or Deputy, and all or any of his authority under Sections IV., and XIV. (b.), (c.), (d.), thereof to any Mamlutdar, reserving always to himself the right of revision.

XXXII.—The amount leviable under Recoveries how to be this Act from any made.

Wuttun or share of a Wuttun, whether for the emoluments of officiators, or as composition in lieu of service or liability to serve, or otherwise, as also all fines, shall be recoverable, in the case of lands as a Revenue demand, and in the case of cash allowances, by a deduction from such allowances, or, at the discretion of the Collector, the whole amount so leviable on account of both lands and cash allowances may be recovered from the cash allowances only. Such collections, deductions, and recoveries may, when the money is required for the payment of officiators, be made three months in advance.

XXXIII.—It shall not be competent to

Civil Court not to entertain any Civil Court, to entertain any suit questioning the decision of Collector.

questioning the decisions of the Collector under this Act, or the orders of the Revenue Commissioner or Government thereon, except in so far as the rights of private parties *inter se* to recognition as the holder of any headship of a family or principal share are concerned.

XXXIV.—(a.) The word "Wuttun"

"Interpretation."

shall mean any hereditary village office, and also all landed estate of every description, hucs and cash payments, originally granted to or at present held by any persons, or family, for the performance of the duties of any such office, whether such duties are at present performed or not.

(b.) The words "hereditary village officer" shall mean any person having a beneficial interest, present or prospective, in a Wuttun, but shall not include persons not of the family who assert a title by mortgage or by sale, gift, adoption, or otherwise, effected without the sanction of Government since the introduction of British rule.

(c.) The words "hereditary village officer" shall also include all persons of whatever denomination hereditarily belonging to, or employed in, the management of the land revenue, or in the village police, and all village servants whose Wuttuns were originally granted, or are now held, for the performance of services useful to the village communities, whether those services are at present performed or not.

(d.) The phrase "head of a family" shall mean a sole proprietor of a Wuttun, or a principal sharer having a sole right to serve.

(e.) The phrase "principal sharer" shall mean any Wuttundar who, possessing or

representing a share of not less than one-eighth of one rupee, is decided by the Collector to possess a right to the separate entry of his name as a sharer.

(f.) The word "officiator" shall mean a person appointed to conduct the duties of any hereditary office, and shall include a deputy.

(g.) The phrase "full value" as applied to Wuttun land shall mean the rack rent, or full rent ordinarily paid by sub-tenants for land of similar quality in the same locality.

XXXV.—The provisions of Act XI. of 1843 in so far as they may be at variance with this Act with regard to village Wuttuns are hereby repealed, together with the following Regulations and Act:—

Regulation XVI., 1827, Sections XIX. XX. and XXVII.

Regulation XV., 1831.

Regulation V., 1833.

Bombay Act III., 1862.

XXXVI.—This Act shall be called "The Hereditary Village Officers Act, 1873."

STATEMENT OF OBJECTS AND REASONS.

A Committee, consisting of the two Revenue Commissioners and other experienced Revenue Officers, assembled at Poona in 1870, under instructions from Government, to consider the advisability of legislation with regard to the future relation towards the State, under the changed aspect of affairs now that the operations of the Revenue Survey and Settlement have rendered their services more or less unnecessary, of Hereditary District and Village Officers. This Committee submitted a Draft of an Act for the purpose of placing matters on a more definite and satisfactory footing, and it is on that Draft, omitting the Sections only applicable to the former class of Officers, which subsequent proceedings have to a certain extent done away with the need for enacting, that the present Bill, relating only to Village Offices, is based.

It provides different methods of proceeding with regard to those superior Officers, such as Patels or Village Head-men and Coolkurnies or Accountants, whose rights in their Wuttuns or Hereditary official emoluments, service and dignities, were regulated by Act XI. of 1843, and the inferior classes of village servants, such as watchmen, sweepers, &c., whose services had by the usage of the country come to be rendered hereditarily, but which had never been regulated by any written law.

With regard to the former the provisions of Act XI. of 1843, have been found to be quite inadequate, and to work very unsatisfactorily, especially in the settlement of questions relating to succession and service in Wuttuns in which the right to serve in rotation was claimed by different individuals or families. Section IV. of that Act merely laying down in general terms that when the performance of the duties was claimed in rotation by different sharers they should nominate some one to serve, and in the event of their not so nominating the Collector or other controlling officer should exercise the power of selection, but not providing any rules for fixing the order of rotation, it has become the practice, not unnaturally, for the Collectors to set on foot inquiries to ascertain whose right to succeed or serve was the highest, and as a necessary result of the acknowledgment in the Section quoted of the existence of the right of service in rotation, to determine as far as possible, in the absence of any rules for their guidance, in what cases such right existed, and the order of rotation in such cases. The right of service, although not attended with any great pecuniary profit, is highly prized on account of the social dignity it confers, and is sought for by resort to most unscrupulous means, to the demoralisation of the subordinate revenue officials, and the wasting of the time and patience of their superiors. These evils it is sought to remedy in the Draft Bill by legalizing the preparation of an authentic Register of all Village Wuttuns, by which it shall be determined once for all in which of them the practice of service by rotation shall be recognized, and what and in whom vested shall be the order of such rotation where it is admitted. All the other provisions of the Draft with regard to the Wuttuns of the higher Village Officers are subsidiary to this main end.

With regard to the inferior classes of village servants it is considered advisable to provide means by which they shall be enabled to recover from those by whom their dues or customary emoluments are paid what may be due to them according to village usage, without recourse to the expensive and tedious processes of the Civil Courts. This by Section IV. of the Draft Act will be through a Panchayet or jury of arbitration. Further, while maintaining as far as appears consistent with the public interests the custom of

hereditary service among these classes, it has been considered advisable to place in the hands of the local Officers, who are in the best position to judge of what is required, extensive powers for the regulation of the methods by which succession and service are to be determined. It is hoped that by a combination of the hereditary and stipendiary principles more efficient service will be secured on the part of these very useful, though comparatively humble, classes of officers. Lastly, it is proposed to exempt from liability to question in the Civil Courts any decisions passed by competent authority in matters coming under the provisions of the Act in which the public interests are concerned, such as the regulation of the method of succession, rotation of service, official emoluments, &c., Caving the jurisdiction of those Courts in such as relate to the rights of private parties *inter se* intact. This appeared both reasonable and indispensable, inasmuch as the officers of the State are the most competent to judge what manner and kind of service are required for its purposes, and one of the main objects of the proposed legislation, viz., to settle matters, would be frustrated if finality were not given to the decisions to be passed under it.

(Signed) A. ROGERS.

12th July 1873.

Bill No. 3 of 1873.

A Bill to alter and amend the Bombay Municipal Act of 1872.

Whereas it has been found expedient to hold the Municipal election for the year 1873 in the month of July 1873 ;

And whereas the next Municipal election must therefore, under Section VIII. of Act III. of 1872, be held in 1875 on some date before the 26th July of that year ;

And whereas rate-payers assessed to House, Police, and Lighting rates to the amount of Rupees 50 and upwards have not usually paid the full amount of those rates for the current year by the month of July ;

It is enacted as follows :—

I. Section IV. of Act III. of 1872 is

Section IV. repealed hereby repealed, and section substituted. the following section substituted :—

“The Municipal Corporation of the City of Bombay shall consist of 64 persons to be appointed as hereinafter provided and shall by the name of “the Municipal Corporation of the City of Bombay” be a body corporate and have perpetual succession and a common seal, and have power to hold land and by such name shall sue and be sued. The said 64 persons shall be rate-payers, residents in the City of Bombay, who have attained the age of 25 years and who shall have severally paid before some day to be declared by notice in the Government Gazette by the Governor in

Council the following Municipal rates for the year next preceding the election, vizt., the House rate, and the Police and Lighting rates: Provided that Fellows of the University of Bombay shall be deemed qualified to be appointed Members of the Corporation in any of the ways hereinafter provided, notwithstanding that they may not be qualified as aforesaid”

II. Section VI. of Act III. of 1872 is hereby repealed and the following section substituted :—

Section VI. repealed and section substituted.

“The remaining 32 Members shall be persons qualified as aforesaid and shall be elected by rate-payers, resident in the City of Bombay, who shall have attained the age of 21 years and who shall have severally paid before some day to be declared by notice in the Government Gazette by the Governor in Council the Municipal rates specified in section IV. of this Act for the year next preceding the election to the amount of not less than 50 Rupees. The elections shall take place at such dates as may be fixed by the Governor in Council by notice in the Government Gazette, and votes at such elections shall be recorded by means of voting papers and under such rules as the Government may from time to time make for the purpose of regulating such elections.

STATEMENT OF OBJECTS AND REASONS.

It was found impracticable, owing to the period at which the Bombay Municipal Act came into operation, to adhere strictly to the precise terms of the Act, in the exercise of the powers conferred upon the Government by the 306th Section.

The present Bill is, therefore, introduced for the purpose of legalizing the arrangements made for the first Election.

(Signed) E. W. RAVENSCROFT.

12th July 1873.

Bill No. 4 of 1873.

A Bill to legalize certain payments made from the proceeds of the Fees levied under (Bombay) Act IX. of 1863.

WHEREAS doubts have been entertained as to the legality of certain payments made from the proceeds of the fees levied under Bombay Act IX. of 1863 :

It is hereby enacted that all sums, which, with the sanction of Government, have at any time been expended from the pro-

ceeds of the fees levied under (Bombay) Act IX. of 1863, for any purpose connected with the introduction and cultivation of superior descriptions of cotton, shall be deemed to have been legally expended, anything to the contrary in Bombay Act IX. of 1863, notwithstanding.

STATEMENT OF OBJECTS AND REASONS.

Payments and advances have been from time to time made from the Cotton Frauds Fund for objects connected with the introduction of new sorts of seed and the general improvement of the cultivation of Cotton, but regarding which doubts have arisen as to whether they came within the letter of Bombay Act IX. of 1863. The accompanying Bill, therefore, is introduced for the formal legalization of these payments and advances.

(Signed) J. GIBBS.

12th July 1873.

By order of His Excellency the Governor in Council,

JOHN NUGENT,

Acting Under Secretary to Government.

Poona, 12th July 1873.