



Bombay Government Gazette.

Published by Authority.

SATURDAY, 20TH SEPTEMBER 1873.

Separate paging is given to this Part, in order that it may be filed as a separate compilation.

PART V.

PROCEEDINGS OF THE LEGISLATIVE DEPARTMENT, BOMBAY.

The following Report of the Select Committee of the Council of His Excellency the Governor of Bombay, on the "Bill (No. 8 of 1873) for the better management of Municipal affairs in Mofussil Towns and Cities," and the Bill as amended by the Committee are, in accordance with Rule 25 of the Rules for the Conduct of Business at Meetings of the Council, published for general information:—

Report of the Select Committee appointed to consider the "Bill for the better management of Municipal affairs in Mofussil Towns and Cities."

The Select Committee appointed to consider Bill No. 8 of 1873 (a Bill for the better management of Municipal affairs in Mofussil Towns and Cities), beg to report that they approve of the principle of the Bill as amended by them.

The Committee proceed to notice the main alterations recommended by them in the Bill. A proviso has been added to Section VI., limiting the introduction of 'City Municipalities' into those places only which contain a population of 4,000 or upwards, and declaring that Town Municipalities shall not be established in places containing less than 800 inhabitants—which may be taken as the average number of persons resident in an ordinary Kusba or market town. It was suggested that all Municipal Districts containing a population of 10,000 or more inhabitants should necessarily be City Municipalities, but the majority of the Select Committee were averse to this proposal, and consider that no maximum limit of population should be imposed in the case of Town Municipalities. A second clause has been added to Section VI., enabling Government to establish temporary Municipalities at places where fairs and jutrass are periodically held for the purposes of religion or trade and to make special arrangements for the administration of such Municipalities.

The Select Committee have deemed it advisable in Sections VII. and IX. to limit to five years the period of service of the persons selected or nominated by Government as

Municipal Commissioners, but permitting the re-election or re-nomination of the Commissioners on the expiration of the term for which they were originally appointed. In Town Municipalities power has been given to the Commissioners to appoint annually one of their number to be Chairman in lieu of having the Mamlutdar as ex-officio Chairman.

In Section XI. it has been thought advisable to expunge the words empowering Commissioners to vote by proxy.

The majority of the Select Committee are of opinion that the provision of Section XXV., declaring that a Municipality may be called upon to contribute a proportion, not exceeding one-half, of the cost of the Police employed on Police duties proper within the Municipal limits, is fair and should not be altered. They also consider that no maximum or minimum limit should be imposed on the subscriptions granted from the Municipal Funds towards the support of Hospitals, Dispensaries and Lunatic Asylums. They recommend that the proportion of the cost of primary instruction to be borne by any Municipality should be reduced from two-thirds to one-half.

In consequence of communications received, the Select Committee have thought it advisable to insert a new Section (No. 28) at the commencement of Part V. 'General Conservancy,' making the provisions of that part applicable to all City Municipalities, but only rendering them applicable wholly or in part at the discretion of Government to those Town Municipalities to which they may be specially extended by the Governor in Council, and making provision for due warning being given to the inhabitants of such Town Municipalities of the nature of the provisions brought into operation within the Municipal limits.

If the Bill now before the Council for the Regulation of Burning and Burial grounds and places for the exposure of the dead should become law, Section LXVII. of this Bill may be omitted as unnecessary.

Section LXXVIII. of the Bill as referred to the Select Committee appeared to be somewhat cumbrous. It has therefore been removed and in its stead have been substituted Sections CCLXXX., CCLXXXI. and CCLXXXII. of the Bombay Municipal Act No. III. of 1872.

The Bill as introduced and read a first time contained no provisions, similar to those in the existing law, authorizing Government to delegate to the Police Commissioners their powers in connection with the supervision and management of Municipalities, and also no provision directing the Police Commissioners to exercise any control over the Municipalities situated in their respective divisions. To meet these requirements two new sections have been added to the Bill, but it has at the same time been held expedient to reserve to Government alone the power of extending to any Town Municipality all or any of the provisions in Part V. on General Conservancy.

It shall be noticed that the Bill as settled is not applicable to Sind.

(Signed)	J. GIBBS.
"	A. ROGERS.
"	A. R. SCOBLE.
"	E. W. RAVENSCROFT.
"	W. C. ANDERSON.

18th September 1873.

I agree to the amended Bill with the exception of Section VI., clause 3 of Section VII., Section XXI., and Section XXV. as they at present stand. As I have already stated my reasons at the meetings of the Select Committee, I do not consider it necessary to repeat them here, but I shall take the liberty of submitting them again when the Bill is considered by the whole Council.

(Signed) MUNGULDASS NUTHOOBHOOY.

Though I agree to the amended Bill generally, I reserve power to myself to bring amendments when the Bill is brought before the whole Council, as I could not attend the meetings of the Select Committee from unavoidable causes.

(Signed) GUNPATRAO GUNGADHUR.