

THE



Bombay Government Gazette.

Published by Authority.

TUESDAY, 20TH APRIL 1886.

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 Bill, together with the Statement of Objects and Reasons accompanying it, is 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 1886.

A Bill to provide for the protection of pilgrims at the port of Bombay.

WHEREAS it is expedient to provide for the protection of pilgrims at the port of Bombay ; It is enacted as follows :—

1. This Act may be cited as "The
Short Title. Bombay Protection of
Pilgrims Act, 1886."

Extent. It extends only to
the city and port of
Bombay.

Definitions. 2. In this Act,—

(1) "pilgrim" means a Mahomedan who
"pilgrim": is about to proceed
from the port of
Bombay on a pilgrimage to the
Hedjaz, whether he is going direct
to Jeddah, or *via* any other port :

(2) "pilgrim-broker" means a person
"pilgrim-broker": who buys and sells,
or sells on commis-
sion, or purchases for reward, passage-
tickets for pilgrims :

(3) "agent" includes a person who has
"agent": chartered a vessel
for the conveyance
of pilgrims :

(4) "the Commissioner" means the
"the Commissioner". Commissioner of
Police, Bombay, or
his deputy.

3. Any person who, without a license
from the Commis-
sioner, acts as a pil-
grim-broker shall be
liable for each such
Penalty for acting as
a pilgrim-broker with-
out a license.

offence, on conviction before a Presidency Magistrate, to a fine which may extend to five hundred rupees.

4. The Commissioner may grant to such persons as he thinks fit, being Mahomedans and not exceeding in number such limit as shall from time to time be prescribed by Government, licenses to act as pilgrim-brokers.

The said licenses shall be granted on such conditions and subject to such restrictions and limitations for the honest and good behaviour of the licensees as Government from time to time prescribe.

5. Every license so granted shall specify:

- (a) the name and business-address of the licensee;
- (b) the period for which it is to be in force;
- (c) the conditions on which and the restrictions and limitations subject to which it is granted;

and shall be granted on payment of such fee, if any, as Government from time to time direct.

6. Any licensed pilgrim-broker who shall:

- (a) commit a breach of any of the terms or conditions of his license;
- (b) purchase for any pilgrim a passage-ticket by any vessel to which the provisions of the Native Passenger Ships Act, 1876, apply, at any time before notice has been given by the master, owner or agent of such vessel, under section seven of the said Act, of the date on which it is proposed that such vessel shall sail, or unless, in the case of any vessel, the proposed date of sailing is printed on the passage-ticket;
- (c) charge a pilgrim more than the cost price of any passage-ticket purchased for him, or receive from him any fee or commission on account of such ticket;
- (d) purchase for any pilgrim a passage-ticket, on which there is not printed the price charged by the master, owner or agent of the vessel for each class of accommodation;

shall be liable, for each such offence, on conviction before a Presidency Magistrate, to a fine which may extend to five hundred rupees:

Provided that nothing in clause (c) of this section shall be deemed to prevent a licensed pilgrim-broker from receiving from the master, owner or agent of a vessel, from whom he purchases a passage-ticket, commission at such rate not exceeding five per centum of the price of the ticket as may be agreed upon between them.

7. The Commissioner may suspend the license of any pilgrim-broker pending inquiry into any accusation against him of misconduct for which, if proved, he would be liable to a penalty under the last preceding section, and may cancel any license granted by him if the licensee is convicted of any offence under the said section or of any criminal offence.

8. Government may from time to time appoint some person, being a Mahomedan, to be Protector of Pilgrims for the port of Bombay.

The person so appointed shall, for the purposes of this Act, be subordinate to the Commissioner and shall, with the co-operation of the police, aid the Commissioner in giving effect to the provisions of this Act. He shall also advise and generally assist pilgrims during their stay in Bombay whilst proceeding to or returning from the Hedjaz, and exercise supervision over the proceedings of licensed pilgrim-brokers.

9. The Protector of Pilgrims, or any person authorized by the Commissioner in this behalf, shall be at liberty at all times to enter and inspect any vessel conveying pilgrims from the port of Bombay.

10. The master, owner or agent of every vessel advertised or offering to convey pilgrims shall be bound to supply the Protector of Pilgrims, on demand, with full particulars as to the class, tonnage, and age of the vessel, the number of tickets of each class to be issued, the price of each ticket, the accommodation to be provided, the latest date of sailing, the ports, if any, to be touched at, and the probable date of arriving at Jeddah.

Act VIII. of 1876, s. 8.

STATEMENT OF OBJECTS AND REASONS.

The object of this Bill is briefly to secure the proper protection of pilgrims proceeding from Bombay to Jeddah. It has been found that the pilgrims, many of whom are poor ignorant persons, are often exposed in Bombay to unscrupulous treatment at the hands of the brokers. It is proposed therefore to enact that no one shall act as a pilgrim-broker without a license, thus securing due control over the transactions of these persons. The Bill also legalizes the appointment of a Protector of Pilgrims for the port of Bombay. He will be subordinate to the Commissioner of Police, and will advise and generally assist pilgrims during their stay in Bombay whilst proceeding to or returning from the Hedjaz, and will exercise supervision over the proceedings of licensed pilgrim-brokers. He is also empowered to inspect ships carrying pilgrims.

14th April 1886.

(Signed) M. MELVILL.

By order of His Excellency the Right Honourable the Governor in Council,

A. SHEWAN,

Acting Under Secretary to Government.

Bombay Castle, 14th April 1886.

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Short Title.

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Definitions.

It extends only to the city and port of Bombay.

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(1) "pilgrim" means a Mahomedan who is about to proceed from the port of Bombay on a pilgrimage to the Hedjaz, whether he is going direct to Jeddah, or *via* any other port :

v.—4

(2) "pilgrim-broker" means a person who buys and sells, "pilgrim-broker" : or sells on commission, or purchases for reward, passage-tickets for pilgrims :

(3) "agent" includes a person who has chartered a vessel for the conveyance of pilgrims :

(4) "the Commissioner" means the Commissioner of Police, Bombay, or his deputy.

3. Any person who, without a license from the Commissioner, acts as a pilgrim-broker shall be liable for each such Penalty for acting as a pilgrim-broker without a license.

offence, on conviction before a Presidency Magistrate, to a fine which may extend to five hundred rupees.

4. The Commissioner may grant to such persons as he thinks fit, being Mahomedans and not exceeding in number such limit as shall from time to time be prescribed by Government, licenses to act as pilgrim-brokers.

The said licenses shall be granted on such conditions and subject to such restrictions and limitations for the honest and good behaviour of the licensees as Government from time to time prescribe.

5. Every license what to so granted shall specify.

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- (c) charge a pilgrim more than the cost price of any passage-ticket purchased for him, or receive from him any fee or commission on account of such ticket;
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