

BOMBAY DISQUALIFICATION OF ALIENS ACT, 1918

6 of 1918

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SCHEDULE 1 :- SCHEDULE

BOMBAY DISQUALIFICATION OF ALIENS ACT, 1918

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An Act to disqualify certain aliens being members, and from voting at elections of members, of certain local authorities in the presidency of Bombay. Where it is expedient that certain aliens should be disqualified from being members, and from voting at elections of members of certain local authorities in the presidency of Bombay: It is hereby enacted as follows:-

1. Short title and Extent :-

This Act may be called the Bombay Disqualification of Aliens Act 1918.

1A. Section :-

This Act extends to the [Bombay area of the State of Gujarat].

2. Definitions.-In this Act, unless there is anything repugnant in the subject or context :-

¹[(a) "alien" means-

(i) a person who is [not a citizen of India], or

(ii) a person who, whether he is himself within the foregoing definition or not, represents an alien firm as defined in clause (aa) for the purpose of voting at an election of a member of any of the local authorities specified in the schedule or for the purpose or membership of any of the said authorities:

(aa) "alien firm" means any firm, company, association or body of individuals (whether incorporated or not), a majority of the members of which are aliens as defined in sub-clause (i) of clause (a), or the business of which is carried on under the control or mainly for the benefit of aliens as so defined;]

² [(b) x x x]

(c) "member" includes a municipal councilor and a member of a body of trustees.

1. Substituted by Bombay 4 of 1920.
2. Omitted by Gujarat A.O. 1960.

3. Disqualification of aliens :-

Save as hereinafter otherwise provided no alien shall be qualified to be a member of any of the local authorities specified in the schedule or to vote at any election of a member of any of the said authorities.

4. Effect of subsequent disqualification :-

(1) If any person having become a member of any of the local authorities specified in the schedule, subsequently becomes an alien, his seat shall thereupon become vacant.

¹ (2) x x x

(3) Section 15 of the Factories Act, 1948 , sub-section (3) of the Bombay District Municipal Act, 1901, (Bom. III of 1901), shall be read and construed as if. after the word 'section' the words "or under the Bombay Disqualification of Aliens Act, 1918" were inserted.

1. Omitted by Gujarat A.O. 1960.

5. Exemption :-

The State Government ¹ [x x x] may, by notification in the Official Gazette, exempt any person or class of persons from the operation of this Act.

1. The words "with the approval of the Governor-General in Council" were repealed by Schedule I of the Devolution Act, 1920 (38 of 1920).

6. Modification of Schedule :-

The State Government may, by notification in the Official Gazette, direct that the name of any of local authorities specified in the Schedule shall be omitted therefrom, or that the name of any other local authority shall be entered therein, and such direction shall have effect accordingly.

SCHEDULE 1

SCHEDULE

Local Authority	Enactment under which the local authority is constituted.
All local boards	The Bombay Local Boards Act, 1884 (Bom. I of 1884).
All Municipalities in municipal districts 3 [x x x]	The Bombay District Municipal Act, 1901 (Bom. III of 1901).