

**GREATER BOMBAY LAWS AND THE BOMBAY HIGH COURT
(DECLARATION OF LIMITS) ACT, 1945**

17 of 1945

[15th August, 1945]

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**GREATER BOMBAY LAWS AND THE BOMBAY HIGH COURT
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WHEREAS it is expedient to extend the limits of the City of Bombay by including therein some portion of the Bombay Suburban District ; AND WHEREAS it is necessary to constitute the whole of the said area into an area hereinafter called the Greater Bombay ; AND

WHEREAS clause 11 of the Letters Patent of the High Court of Judicature at Bombay dated the 28th December 1865 provides that the said High Court shall have and exercise ordinary original civil jurisdiction within such local limits as may from time to time be declared and prescribed by any law made by the Governor of Bombay in Council ; AND WHEREAS under the provisions of the Government of India Act, 1935, the Provincial Legislature of Bombay is competent to declare and prescribe the local limits of such jurisdiction; AND WHEREAS the Governor of Bombay has assumed to himself under the Proclamation dated the 4th November 1939 issued by him under section 93 of the Government of India Act, 1935, the powers vested by or under the said Act in the Provincial Legislature ; NOW, THEREFORE, in exercise of the said powers, the Governor of Bombay is pleased to make the following Act

1. Short title and commencement :-

(1) This Act may be called the Greater Bombay Laws and the Bombay High Court (Declaration of Limits) Act, 1945.

(2) It shall come into force with effect from such date as the ¹ [State] Government may, by notification in the Official Gazette, appoint.

1. This word was substituted for the word "Provincial" by the Adaptation of Laws Order, 1950.

2. Definitions :-

In this Act,

(1) "City of Bombay" means the area within the local limits of the ordinary original civil jurisdiction of the High Court immediately before the commencement of this Act;

(2) "Greater Bombay" means the areas for the time being specified in Schedule A ;

(3) "High Court" means the High Court of Judicature at Bombay;

(4) "Letters Patent" means the Letters Patent of the High Court dated the 28th December 1865 ;

(5) "Schedule" means a Schedule appended to this Act.

3. Extension of enactments to Greater Bombay :-

(1) Such provisions, or such parts of the provisions ,

(a) of any enactment relating to any of the matters enumerated in Lists II and III in the Seventh Schedule to¹ [the Constitution, made by any authority in India, or

(b) of any notification, order, scheme, rule, form or by-law issued, made or prescribed under any enactment of the class referred to in clause (a), as were in force immediately before the commencement of this Act in the area comprised in the City of Bombay (in whatever manner described, whether a City of Bombay, Town of Bombay, Town and Island of Bombay,

(2) Nothing in sub-section (1) shall

(a) apply to any provisions made by or under the enactments specified in Schedule B and Schedule C ;

(b) affect the right of any competent authority to repeal, amend or cancel any enactment, notification, order, scheme, rule, form or by-law referred to in sub-section (1).

1. These words were substituted for the words and figures "the Government of India Act, 1935, made by any authority in British India, or" by Bom. 57 of 1956, Section 2.

3A. Extension of enactments to extended limits of Greater Bombay :-

1.

1 (1) Such provisions, or such parts of the provisions ,

(a) of any enactment relating to any of the matters enumerated in Lists II and III in the Seventh Schedule to the Constitution, or

(b) of any notification, order, scheme, rule, form or bye-law issued, made or prescribed under any enactment of the class referred to in clause (a), as were in force immediately before the date of the commencement of the Greater Bombay Laws and the Bombay High Court (Declaration of Limits) (Amendment) Act, 1956, in the area comprised in Greater Bombay before that date, are hereby declared to be in force in all the areas comprised in Part IV of Schedule A on after that date; and according all references on or after that date to greater Bombay in the said provisions of the enactments, notification, orders, schemes, rules, forms and bye-laws shall be deemed to be references to the areas comprised in Part IV of schedule A after that date.

(2) Nothing in sub-section (1) shall

(a) apply to any provisions made by or under the enactments specified in Schedules B and C,

(b) affect the right of any competent authority to repeal, amend or cancel any enactment, notification, order, scheme, rule, form or bye-law referred to in sub-section (1).

1. Section 3-A was inserted by Bom. 57 of 1956, Section 3.

4. Certain enactments not to be in force in the added areas :-

(1) The enactments mentioned in Schedule D and all notifications, orders, schemes, rules, forms and by-laws made, issued or prescribed thereunder shall cease to apply to, or to be in force in the areas specified in ¹[² [Parts II, III and IV]] of Schedule A.

(2) Nothing in sub-section (1) shall effect

(a) the right of any competent authority to direct that any enactment, notification, order, scheme, rule, form or by-law referred to in the said sub-section shall apply to or be in force in the areas referred to in the said sub-section or to make, issue or prescribe any notification, order, scheme, rule, form or by-law under any such enactment; or

(b) the operation of any such enactment, notification, order, scheme, rule, form or by-law before the commencement of this Act or

(c) any right, privilege, obligation or liability acquired, accrued or incurred under any such enactment, notification, order, scheme, rule, form or by law before the commencement of this Act.

1. These words and figures were substituted for the word and figure "Part II" by Bom. 8 of 1950, Section 2.

2. These words and figures were substituted for the words and figures "Parts II and III" by Bom. 57 of 1950, Section 4.

4A. Alteration of limits of certain villages :-

Notwithstanding anything contained in the Bombay Land Revenue Code, 1879, and in any order or notification made or issued thereunder ¹

(a) the lands specified in Part I of Schedule E shall, on and from the date of the coming into force of the Greater Bombay Laws and

the Bombay High Court (Declaration of Limits)(Amendment) Act, 1950, be excluded from the limits of the village of Majas in the Bombay Suburban District and shall be included in and form part of the village of Goregaon

(b) the lands specified in Part II of the said Schedule shall, on and from the said date, be excluded from the limits of the village of Marol in the Bombay Suburban District and shall be included in and shall form part of the village of Parajpur

(c) the lands specified in Part III of the said Schedule shall, on and from the said date, be excluded from the limits of the village of Marol in the Bombay Suburban District and shall be constituted a new village to be called the village of Maroshi.

1. Section 4-A was inserted by Bom. 8 of 1950, Section 3.

5. Declarations of limits of jurisdiction of the High Court :-

(1) The High Court shall have and exercise ordinary original civil jurisdiction within the areas for the time being comprised in Greater Bombay.

(2) Save as otherwise provided in this Act, nothing in sub-section (1) shall affect

(a) the jurisdiction of the High Court as a Court of Admiralty or Vice Admiralty under clauses 32 and 33 of the Letters Patent or under the Territorial Waters Jurisdiction Act, 1878, or otherwise exercisable by it in connection with prize matters or other maritime questions arising in india;

(b) any right or Viability of any Government or any local authority or person, except in regard to the exercise of jurisdiction and any legal consequences thereof.

6. Pending proceedings :-

Notwithstanding anything contained in this Act all proceedings pending in any court in ¹[the area specified in Parts I and II of Schedule A] and all other proceedings of whatever nature pending before any public officer, ²at the date of the commencement of this Act (including proceedings where an appeal or an application for revision lies or will lie from a decision made or to be made), ³[if such other proceedings are pending in any of the areas ¹[specified in Parts I and II of Schedule A] or are pending in respect of any such areas] shall be disposed of by such authority as the ⁵ [State]

Government may direct and in the absence of such direction any such proceeding shall be continued and disposed of as if this Act had not been passed.

1. These words were substituted for the original by Bom. 8 of 1950, Section 4.
2. The words "in or in respect of any of the areas comprised in Greater Bombay" were deleted by Bom. 52 of 1947, Section 2 and Schedule.
3. These words were inserted, *ibid*.
5. This word was substituted for the word "Provincial" by the Adaptation of Laws Order, 1950.

7. Amendment of entries in Schedules A and C :-

(1)The ¹[State] Government may, from time to time, with the concurrence of the High Court by notification in the Official Gazette, add to, alter or amend the entries in Schedule A, so far as may be necessary in consequence of reclamation, encroachment by sea, submergence of watercourse or other alterations of sea limits or correct mistakes in the said Schedule and the said Schedule shall, on the issue of such notification, be deemed to be amended accordingly.

(2)The ¹ [State] Government may, from time to time, by notification in the Official Gazette, add to, alter or amend the entries in Schedule C and the said Schedule shall on the issue of such notification be deemed to be amended accordingly.

1. This word was substituted for the word "Provincial" by the Adaptation of Laws Order, 1950.

8. Definitions in Central Acts relating to certain matters :-

In all Central Acts and Regulations relating to any of the matters enumerated in Lists II and III in the Seventh Schedule to the Government of India Act, 1935, passed before the commencement of this Act, unless there is anything repugnant in the subject or context,

(1)"City of Bombay" shall mean the area within, the local limits of the ordinary original civil jurisdiction of the High Court immediately before the commencement of this Act

(2)"Presidency town of Bombay", "town of Bombay", "town and island of Bombay" and "Presidency town" when used with reference to the Province of Bombay, or "Greater Bombay" shall mean the areas for the time being specified in Schedule A.

9. Amendments of certain enactments :-

1 The enactments specified in the second column of Schedule F shall be amended in the manner and to the extent specified in the third column thereof

Provided that for the purposes of section 43-C of the Bombay Tenancy and Agricultural lands Act, 1948, (Bom. LXVII of 1948) the expression "Greater Bombay" in the said section shall not be deemed to include the villages specified in part IV of this schedule.

1. This section was inserted by Bom. 8 of 1950, Section 5.

SCHEDULE A

Areas comprised in Greater Bombay

[See section 2 (2)]			
SCHEDULE A			
Areas comprised in Greater Bombay			
[See section 2 (2)]			
Part I			
1. The Town and Island of Bombay.			
2. The limits of the Port of Bombay as defined in the Government Notification in the Political Department No. 6204, dated the 6th June, 1930, issued under section 5 of the Indian Ports Act, 1908.			
Part II			
1. The limits of the municipal boroughs of Bandra, Parle-Andheri and Kurla and of the municipal districts of Ghatkopar-Kirol and Juhu.			
2. The undermentioned 28 villages of the Bombay Suburban District :			
1. Bandivali.	8. Brahmanwada	15. Devnar.	22. Maravali.
2. Chembur.	9. Mandala.	16. Borle.	23. Mogre.
3. Vadawli.	10. Mankhurd.	17. Mahul.	24. Shahr.
4. Ambivali.	11. Man Budruk.	18. Anik.	25. Nanala.
5. Chakala.	12. Mulgaon.	19. Kole-Kalyan.	26. Saki.
6. Trombay.	13. Vesava.	20. Marol.	27. Asalpe (Asap).
7. Bapnala.	14. Madh.	21. Mohili.	28. Kondivate.
Part III			
The undermentioned villages of the Bombay Suburban District :			
1. Bhandup.	8. Parajapur (as constituted by section 4A of this Act.).		
2. Chendavli.	9. Paspoli.		
3. Hariali.	10. Pawai.		
4. Kanjur.	11. Tirandaj.		
5. Kopri (near Pawai).	12. Tunave.		

6. Majas (as constituted by section 4-A of this Act.)		13. Vikhroli.	
7. Oshivra.		14. Vyaroli.]	
Part IV			
The undermentioned villages of the Thana District :			
1.	Akse.	13. Goregaon.	25. Mulund.
2.	Akurli.	14. Kaneri.	26. Nahur.
3.	Arey.	15. Kandivli.	27. Pahadi.
4.	Borivali.	16. Kurar.	28. Poisar.
5.	Charkhop.	17. Klerbad.	29. Sai.
6.	Chinchavali.	18. Magathane.	30. Shimpoli.
7.	Dahisar.	19. Malad.	31. Tulshi.
8.	Darivli.	20. Malavni.	32. Wadhawan.
9.	Dindoshi.	21. Mandapeshwar.	33. Valnai.
10.	Eksar.	22. Manori.	34. Yerangal.
11.	Gundgaon.	23. Marve.	
12.	Gorai.	24. Maroshi.	

SCHEDULE B

Enactments which are not affected by this Act

[See section 3 (2)]

SCHEDULE B

Enactments which are not affected by this Act

[See section 3 (2)]

Year.	No.	Short title.
1	2	3
Bombay Acts.		
1876	II	The Bombay City Land Revenue Act, 1876.
1898	I	The City of Bombay Municipal Investment Act, 1898.
1915	IV	The Bombay City Survey Act, 1915.]

SCHEDULE C

Enactments which are not affected by this Act

[See section 3 (2)]

SCHEDULE C

Enactments which are not affected by this Act

[See section 3 (2)]

Year.	No.	Short title.
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SCHEDULE D

Enactments which shall cease to apply to or to be in force in the areas

[See section 4(1).]

All Central Ordinances

SCHEDULE D

Enactments which shall cease to apply to or to be in force in the areas [specified in Parts II, III and IV of Schedule A.]

[See section 4(1).]

Year.	No.	Short title.
1	2	3
Central Acts.		
1869	XIV	The Bombay Civil Courts Act, 1869.
1871	I	The Cattle-trespass Act, 1871.
1887	IX	The Provincial Small Cause Courts Act, 1887.
1920	V	The Provincial Insolvency Act, 1920.
Bombay Acts.		
1867	VII	The Bombay District Police Act, 1867.
1889	I	The Bombay Village Sanitation Act, 1889.]
1890	IV	The Bombay District Police Act, 1890.
1892	I	The Bombay District Vaccination Act, 1892.
1905	I	The Bombay Court of Wards Act, 1905.
1906	II	The Mamlatdars' Courts Act, 1906.
1930	XXV	The Bombay Local Fund Audit Act, 1930.]

SCHEDULE E

Lands

SCHEDULE F

Enactments amended

