

THE BOMBAY PROVINCIAL MUNICIPAL CORPORATIONS ACT, 1949

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The B.P.M.C. (Gujarat Amendment) Act, 1999 (Act No. 3 of 1999)

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- 367. Information respecting finding of new-born child to be given.
- 368. Information of death to be given.
- 369. Medical practitioner who attended a deceased person to certify cause of his death.
- 370. Correction of errors in registers of births or deaths.
- 371. Registration of name of child or of alteration of name.

**I. Licensing of Surveyors, Architects or Engineers, Structural Designers,
Clerks of Works and Plumbers**

372. Grant of licenses to Architects or Engineers, Structural Designers, Plumbers and Clerks of Works.
373. Orders may be prescribed for guidance of Surveyors, etc.
374. Fees and charges of licensed plumbers to be prescribed by Standing Committee.
375. Licensed Plumbers to be bound to execute work properly.

II. Trade licenses and other licenses for keeping animals and certain articles

376. Certain things not to be kept and certain trades and operations not to be carried on, without license.
- 376A. Power to stop use of premises where such use is dangerous or causes nuisance.

III. Licenses for sale in Municipal Markets

377. Prohibition of sale in municipal markets without license of Commissioner.

IV. Licenses for Private Markets

378. Private markets not to be kept open without license.
379. Prohibition of sale in unauthorized private markets.
380. Slaughter of animals for skins.

V. Licenses for sale of Articles of Food outside of markets.

381. Prohibition of sale of animals, etc. except in market.

VI. Licenses of Butchers, etc.

382. Butchers and persons who sell flesh of animals to be licensed.

VII. Licenses for Dairy Products

383. License required for dealing in dairy produces.

VIII. Licenses for Hawking, etc.

384. Licenses for sale in public places.
385. Licenses for use of skill in handicrafts or rendering services for purposes of gain in public place or street.

XI. General provisions regarding Licenses and Permits

386. General provisions regarding grant, suspension or revocation of licenses and written permissions and levy of fees, etc.

- 409. Appointment of expert valuer.
- 410. Reference to Civil Appellate Court.
- 411. Appeals to the Civil Appellate Court.
- 412. Costs of proceedings in appeal.
- 413. Unappealed values and taxes and decisions on appeal to be final.

IV. Appeals to the Judge and the Civil Appellate Court

- 414. Appeals to the Judge.
- 415. Appeals against demolition orders.
- 416. Appeals against decision of the Judge regarding payment of expenses for works executed.
- 416A. Fees in appeals before Civil Appellate Court.

V. Proceedings before Judge

- 417. Remedy of owner of building or land against occupier who prevents complying with any provisions of this Act.
- 418. Power to summon witnesses and compel production of documents.
- 419. Fees in proceeding before the Judge.
- 420. Exemption of poor persons from fees.
- 421. Repayment of half fees on settlement before hearing.

VI. Appointment of Magistrates

- 422. Appointment of a Magistrate of the First Class.

VII. References to Magistrates

- 423. References to Magistrates.
- 424. Disposal of animals and articles of non-perishable nature seized under section 338.
- 425. Penalty for possessing food which appears to be diseased, unsound or unwholesome or unfit for human food.
- 426. Application for summons to be refused if not applied for within a reasonable time.

VIII. Proceedings before Magistrates and the Criminal Appellate Court

- 427. Cognizance of offences.
- 428. Limitation of time within which complaints of offence punishable under this Act shall be entertained.
- 429. Power of Magistrate to hear cases in absence of accused.
- 430. Report of Chemical Analyser to Government.
- 431. Complaint concerning nuisances.
- 432. Appeal to the Criminal Appellate Court from order passed under section 431.

IX. Arrest of offenders

433. Offenders against this Act may in certain cases be arrested by police officers.

X. Miscellaneous

434. Code of Civil Procedure to apply.

435. Limitation.

436. Execution of orders of the Judge and Civil Appellate Courts.

436A. Rule of construction in respect of Magistrate for City of Ahmedabad.

437. Criminal Procedure Code to apply to all enquiries and proceedings before Magistrates.

CHAPTER – XXVI-A [Repealed]

POWER TO EVICT PERSONS FROM PREMISES BELONGING TO THE CORPORATION [REPEALED]

437A. [Repealed.]

437B. [Repealed.]

437C. [Repealed.]

437D. [Repealed.]

437E. [Repealed.]

437F. [Repealed.]

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CHAPTER – XXVII

RECOVERY OF MUNICIPAL DUES OTHER THAN TAXES

438. Recovery of expenses of removals by Commissioner under certain sections.

439. Expenses recoverable under the Act to be payable on demand, and if not paid on demand may be recovered as arrear of property tax.

440. If defaulter is owner of premises in respect of which expenses are payable, occupier to be also liable for payment thereof.

441. Commissioner may agree to receive payment of expenses in installments.

442. Certain expenses may be declared to be improvement expenses.

443. Proportion of improvement expenses may be deducted from rent.

444. Redemption of charge for improvement expenses.

445. Recovery of installments due under section 441 and 442.

446. In default of owner the occupier of any premises may execute required work and recover expenses from the owner.

447. Persons liable for expenses or compensation may be sued for recovery thereof.

CHAPTER – XXVIII CONTROL

448. Power of State Government to require performance of duties in default of any municipal authority.

449. Expenses of measures enforced under section 448 how to be recovered.

450. Power of State Government to call for extracts from proceedings, etc.

451. Power of State Government to suspend action under this Act.

452. Power State Government to Dissolve Corporation in case of incompetency, persistent default or excess of abuse of powers.

452A. [Deleted.]

CHAPTER – XXIX

RULES, BYE-LAWS, REGULATIONS AND STANDING ORDERS

453. Rules in schedule to be part of the Act.

454. Alteration of and additions to Schedule.

455. Power to make rules subject to sanction of State Government.

456. Power of State Government to make rules.

457. Matters in respect of which rules may be made.

458. By-laws for what purpose to be made.

459. Commissioner to lay draft by-laws before the Corporation for its consideration.

460. Hearing by Corporation of objections to proposed by-laws.

461. By-laws to be confirmed by State Government.

462. By-laws confirmed by State Government to be published in the *Official Gazette*.

463. Printed copies of by-laws to be kept on sale.

464. State Government may modify or repeal by-laws.

465. Regulations.

466. Making of standing orders by Commissioner.

467. Posting of standing orders and table of stallages, rents, etc.

468. Penalty for breach of rules, by-laws, regulations or standing orders.

CHAPTER – XXX MISCELLANEOUS

469. Public Notices how to be made known.

470. Advertisements how to be made.

471. Consent, etc. of Corporation, etc. may be proved by written document.

Service of Notices, etc.

472. Notices, etc. by whom to be served or presented.

473. Service how to be effected on owners of premises and other persons.

474. Service on owner or occupier of premises how to be effected.

475. Sections 472, 473 and 474, inapplicable to Magistrate's summons.

476. Signature on notices, etc. may be stamped.

477. Power of Commissioner to call for information as to ownership of premises.

Unauthorised Works

478. Work or thing done without written permission of the Commissioner to be deemed unauthorised.

Enforcement of orders to execute works, etc.

479. Works, etc. which any person is required to execute may in certain cases be executed by Commissioner at such person's cost.

480. Supply of materials.

Legal Proceedings

481. Provisions respecting institution, etc. of civil and criminal actions obtaining legal advice.

General

482. Councilors, etc. to be deemed to be public servants.

483. Co-operation of Police, etc.

484. Assistance for the recovery of rent on land.

485. Informalities and errors in assessments, etc. not to be deemed to invalidate such assessment, etc.

486. Indemnity for acts done in good faith.

487. Protection of persons acting under this Act against suits.

488. Savings in respect of certain provisions of Bombay Land Revenue Code, 1879.

489. Limitation of liability of agent or trustee or owner.

CHAPTER – XXXI

REPEALS AND AMENDMENTS

490. Certain Acts to cease to apply to City.

491. Amendment of certain enactments.

492. [Deleted.]

493. Transitory provisions.

APPENDIX

APPENDIX IA	--	Modifications [section – 141F]
APPENDIX I	--	PROVISIONS OF THE LAND ACQUISITION ACT, 1894, REGULATING THE ACQUISITION OF LAND FOR IMPROVEMENT PURPOSES. [section – 284N]
APPENDIX II	--	TABLE OF PENALTIES. [section - 392]
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CHAPTER IV	--	Essential Services.
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CHAPTER IX	--	Drainage and Drainage Works.
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CHAPTER XI	--	Streets.
CHAPTER XII	--	Building Regulations and Building Loans.
CHAPTER XIII	--	Powers of Fire-Brigade Officers.
CHAPTER XIV	--	Sanitary Provisions.
CHAPTER XV	--	Markets and Slaughter Houses.
CHAPTER XVI	--	Transport Undertaking.
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CHAPTER XVIII	--	Articles for keeping which and Trades and Occupations for which Licenses are needed.
CHAPTER XIX	--	Penalties.

- FORMS.
- A – Nomination paper [cha-I, R.9]
 - B – Ballot paper [cha-I, R.25]
 - C – Tendered votes list [cha-I, R.26]
 - D – List of challenged votes [cha-I, R.27]
 - E – [cha-I, R.29]
 - F – [cha-I, R.31]
 - G – Form of notice of demand [ch-VIII, R.42]
 - H – Warrant of Distress or attachment [ch-VIII, R. 42]
 - I – [ch-VIII, R. 46 & 49]

SCHEDULE – B. Validity and date of operation of certain orders.

SCHEDULE – C. Compulsory acquisition orders.

SCHEDULE – D. [Section 284-O]