

The Bengal (Aliens) Disqualification Act, 1918

WEST BENGAL

India

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Act 3 of 1918

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The Bengal (Aliens) Disqualification Act, 1918. Bengal Act 3 of 1918 Statement of Objects and Reasons. - "The objects of the Bill are to prevent persons other than British subjects of any state in India for voting at elections for, or sitting as members of local bodies in Bengal and from holding responsible offices under those bodies. It is at the same time proposed to exclude with the approval of the Government of India any aliens or class of aliens from the scope of the Bill" [20th March, 1918.] An Act to disqualify certain persons from voting at elections of, or being elected or appointed as members of, or holding office in, local bodies in Bengal. Preamble. - Whereas it is expedient to disqualify certain persons from voting at elections of, or being elected or appointed as Commissioners of the Corporation of Calcutta or of any other Municipality in Bengal, or as members of District or Local Boards or of Union Committees therein, and also to disqualify from holding office in any such body; It is hereby enacted as follows:-

1. Short title, commencement and local extent. -

(1) This Act may be called the Bengal (Aliens) Disqualification Act, 1918. (2) It shall come into force on such dates as the [State Government] [Words substituted by the Government of India (Adaptation of Indian Laws) Order, 1937 and the Adaptation of Laws Order, 1950, respectively.] may direct by notification in the [Official Gazette] [Words substituted by the Government of India (Adaptation of Indian Laws) Order, 1937.]. (3) It extends to the whole of [West Bengal] [Words substituted by the Indian Independence (Adaptation of Bengal and Punjab Acts) Order, 1948.].

2. [Definition.] -

Omitted by para 3 and Sch. TV to the Government of India (Adaptation of Indian Laws) Order, 1937.

3. Persons disqualified from voting at elections of, or being members of, or holding office in, local bodies. -

Notwithstanding anything contained in the Calcutta Municipal Act, 1899, the Bengal Municipal Act, 1884, and the Bengal Local Self-Government Act of 1885, or in any rule or by-law made under any of the said Acts, no person who is not a [citizen of India] [Words substituted by W.B. Act 2 of 1951 and the Indian Independence (Adaptation of Bengal and Punjab Acts) Order, 1948, respectively.] shall be qualified to vote at the election of, or to be a candidate for election as a Commissioner of the Corporation of Calcutta or of any other Municipality in [West Bengal] [Words substituted by the Indian Independence (Adaptation of Bengal and Punjab Acts) Order, 1948.], or as a member of any District or local Board or Union Committee therein or to hold the office of Chairman, Deputy Chairman or Vice-Chairman of any such body under the Calcutta Municipal Act, 1899, the Bengal Municipal Act, 1884, or the Bengal Local Self-Government Act of 1885, nor shall such person be appointed to be a Commissioner or a member or to hold any such office under any of the said Acts; and if, on the date when this Act comes into force, any such person is holding any such office or is a Commissioner of the Corporation of Calcutta or of any other Municipality in [West Bengal] [Words substituted by the Indian Independence (Adaptation of Bengal and Punjab Acts) Order, 1948.] or a member of any District or Local Board or Union Committee therein under any of the said Acts he shall notwithstanding anything contained in those Acts, be deemed to have vacated his office or seat from such date, and such vacancy shall be filled up in the same manner as if it were caused by resignation duly accepted: Provided that the [State Government] [Words substituted by the Government of India (Adaptation of Indian Laws) Order, 1937 and the Adaptation of Laws Order, 1950. respectively.] may, [* * *] [Words omitted by Act 38 of 1920.] by notification in the [Official Gazette] [Words substituted by the Government of India (Adaptation of Indian Laws) Order, 1937.], exempt from the provisions of this section, with effect from the commencement of this Act or from such date as may be specified in the notification, any person or class of persons who are not [citizens of India] [Words substituted by W.B. Act 2 of 1951 and the Indian Independence (Adaptation of Bengal and Punjab Acts) Order, 1948, respectively.].