

The Protection of Pilgrims Act, 1887

MAHARASHTRA

India

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Act 2 of 1887

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The Protection of Pilgrims Act, 1887Bombay Act No. 2 of 1887.[4th June, 1887]For Statement of Objects and Reasons, see Bombay Government Gazette, 1886, Part V, page 11; for Report of the Select Committee, see *ibid*, page 172; and for Proceedings in Council, see *ibid*, page 89 and *ibid*, 1887, page 15.An Act to provide for the protection of pilgrims at the ports of Bombay and Karachi.PreambleWhereas it is expedient to provide for the protection of pilgrims at the Ports of Bombay and Karachi; It is enacted as follows-

1. Short title.

- This Act may be cited as "The Protection of Pilgrims Act, 1887".Extent.It extends only to the [city and port of Bombay] [These words were substituted for the words 'cities and ports of Bombay and Karachi' by the Adaptation of Laws Order, 1950.]

2. Definitions.

- In this Act,-(1)"pilgrim""pilgrim" means a Muhammadan who is about to proceed from the port of Bombay [* * *] [The words 'or Karachi' were omitted by the Adaptation of Laws Order, 1950.] on a pilgrimage to the Hedjaz, whether he is going direct to Jeddah, or via any other part:(2)"Pilgrim broker"(3)"agent""agent" includes a person who has chartered a vessel for the conveyance of pilgrims.(4)["the Commissioner" [Clause(4) was substituted for the original by the Adaptation of Laws Order, 1950.]"the Commissioner" means the Commissioner of Police, Bombay, or his deputy.]

3. Penalty for acting as a pilgrim-broker without licence.

- Any person who, without a licence from the Commissioner, acts as pilgrim-broker shall be liable for each such offence to a fine which may extend to five hundred rupees.

4. Persons may be licensed to act as pilgrim-brokers.

- Subject to the orders of the [Central Government] [The words 'Central Government' were substituted for the words 'Governor In Council' by the Adaptation of Indian Laws Order in Council.], the Commissioner may grant to such persons as he thinks fit licences to act a pilgrim-brokers. The said licences shall be granted on such conditions and subject to such restrictions and limitations for the honest and good behaviour of the licensees as Government may from time to time prescribe.

5. Licences what to specify.

- Every licence so granted shall specify-(a)the name and business-address of the licensees;(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 [to the Central Government] [The words 'to the Central Government' were Inserted by the Adaptation of Indian Laws Order in Council.] of such fee, if any, as [that Government] [The words 'that Government' were substituted for the word 'Government' by the Adaptation of Indian Laws Order in Council.] may from time to time direct:[Provided that, until provision to the contrary is made by the [Parliament by law] [This proviso was inserted by the Adaptation of Indian Laws Order in Council.], all such fees shall be payable to the [State] [This word was substituted for the word 'Provincial' by the Adaptation Of Laws Order, 1950.] Government under this section as were being lawfully taken thereunder immediately before the commencement of [the Constitution] [These words were substituted for the portion 'Part III of the Government of India Act, 1935' by the Adaptation of Laws Order, 1950.]]

6. Penalty for misbehaviour of licensed pilgrim-broker.

- Any licensed pilgrim-broker who shall-(a)commit a breach of any of the terms or conditions of his licence;(b)purchase for or sell to any pilgrim a passage-ticket by any vessel to which the provisions of the [[Pilgrim Ships Act, 1895] [Those words were substituted for the words 'Native Passenger Ships Act, 1876,' by Section 2 of the Bombay protection of Pilgrims (Amendment) Act, 1915) Bombay 5 of 1915).]], apply, at any time before notice has been given by the master, owner or agent of such vessel, under section [8] [This figure was substituted for die word 'seven' by Section 2 of the Bombay Protection of Pilgrims (Amendment) Act, 1915 (Bombay 5 of 1915).] of the said Act, of the date on which it is proposed that such vessel shall sail, and unless, in the case of an 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, provisions or other articles purchased for him, or receive from him any fee or commission on account of such ticket;(d)receive from the master, owner or agent of a vessel any fee or commission in respect of the sale of any ticket, exceeding five per centum of the price of such ticket;(e)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;(f)by fraud or by false representation as to the size of, or accommodation, on board, such vessels, or otherwise, or by any false pretence whatever, induce any person to purchase a passage-ticket;shall be liable for each such offence to a fine which may extend to five hundred rupees.

7. Power to suspend and cancel licences.

- The Commissioner may suspend the licence 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 licence granted by him if the licensee is convicted of any offence under the said section or of any criminal offence

8.

, 9 and 10.- [Repealed by Act 2U of 1932, section 24(1).]

11.

, 12, 12A and 12B.- [Repealed by Act 14 of 1927, section 4.]

13. Penalty for issue of tickets in excess.

- Any matter, owner or agent of any vessel carrying pilgrims, who shall issue any passage-ticket in excess of the number allowed by the certificate granted under section [11 of the [Pilgrim Ships Act, 1895] [These words and figures were substituted for the words and figures 'ten of the Native Passenger Ships Act, 1876, 'by Section 6 of the Bombay Protection of Pilgrims (Amendment) Act, 1915 (Bombay 5 of 1915).]], shall for every passage-ticket so issued be liable to a fine not exceeding four times the cost price of such ticket.

14. Passage-tickets how to be numbered. Penalty for issue of tickets bearing same number.

- All passage-tickets shall be numbered consecutively according to the order of issue; and any master, owner or agent, who shall use two or more tickets bearing the same number, shall be liable to a fine not exceeding one thousand rupees

15. Provisions of Pilgrim Ships Act, 1895, to apply to offences and penalties.

- The provisions of sections [51, 52 and 54 of the "Pilgrim Ships Act, 1895] [These words and figures were substituted for the words and figures 'thirty-nine, forty and forty two of the Native Passenger Ships Act, 1876' by Section 7 of the Bombay Protection of Pilgrims (Amendment) Act, 1915 (Bombay 5 Of 1915).], shall apply to all offences punishable, and to all penalties leviable, under this Act.

16. Penalties to be enforced only at the instance of the Commissioner.

- The penalties to which masters and owners of vessels are made liable by this Act shall be enforced only by information laid at the instance of the Commissioner.