

# The Maharashtra Disqualification of Aliens Act, 1918

MAHARASHTRA

India

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### Act 6 of 1918

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The Maharashtra Disqualification of Aliens Act, 1918 Act No. 6 of 1918 [17th September, 1918] For Statement of Objects and Reasons, see Bombay Government Gazette, 1918, Part 5, page 266 and for Proceedings in Council, see Bombay Government Gazette, 1918 Part 5 pages 857 to 889. An Act to disqualify certain aliens from being members, and from voting at elections of members, of certain local authorities in the presidency of Bombay. Whereas 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.

- This Act may be called [the Maharashtra Disqualification of Aliens Act] [This short title was substituted for the short title 'the Bombay Disqualification of Aliens Act, 1918' by Maharashtra 24 of 2012, Schedule entry No. 13, (w.r.e.f. 1-5-1960).].

#### 1A. [ Extent

- The Act extends to the [Bombay area of the State of Maharashtra] .]

#### 2. Definitions.

- In this Act, unless there is anything repugnant in the subject or context,-(a)[ "alien" means- [These clauses were substituted for original clause (a) by Section 2 of the Bombay Disqualification to Aliens (Amendment) Act, 1920 (Bombay 4 of 1920).](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 of 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;](b)[\* \* \* \*] [Clause (b) was omitted by Bombay 4 of 1920, Section 2.](c)"member" includes a municipal councillor and a member of a body of trustees.

### 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.(2)Section 18 of the [City of Bombay Municipal Act, 1888] [Supra.], shall be read and construed as if, after the word "aforesaid" the words "or under the Bombay Disqualification of Aliens Act, 1918", were inserted.(3)Section 15, sub-section (3) of the "Bombay District Municipal Act, 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.

### 5. Exception.

- The [ [State Government] [The words, 'Provincial Government' were substituted for the words 'Governor in Council' by the Adaptation of Indian Laws Order in Council.] [\* \* \*] [The words 'with the approval of the Governor General in Council' were repealed by Section 2 and Schedule I of the Devolution Act, 1920 (38 of 1920).] may, by notification in the [Official Gazette] [The words 'Official Gazette' were substituted for the words 'Bombay Government Gazette' by the Adaptation of Indian Laws Order in Council.], exempt any person or class of persons from the operation of this Act.

### 6. Notification of Schedule.

- The [ [State Government] [The words, 'Provincial Government' were substituted for the words 'Governor in Council' by the Adaptation of Indian Laws Order in Council.] may, by notification in the [Official Gazette] [The words 'Official Gazette' were substituted for the words 'Bombay Government Gazette' by the Adaptation of Indian Laws Order in Council.], direct that the name of any of the 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.The Schedule

Local Authority

Enactment  
under which  
the local  
authority is

The Trustees of the port of Bombay		constituted  The Bombay Port Trust Act, 1879 (Bombay VI of 1879)			
[* [The entry relating to all local boards was omitted by G.N.G.D., No. 3738, dated 14th June, 1926.]	* [The entry relating to all local boards was omitted by G.N.G.D., No. 3738, dated 14th June, 1926.]		* [The entry relating to all local boards was omitted by G.N.G.D., No. 3738, dated 14th June, 1926.]	* [The entry relating to all local boards was omitted by G.N.G.D., No. 3738, dated 14th June, 1926.]	*] [The entry relating to all local boards was omitted by G.N.G.D., No. 3738, dated 14th June, 1926.]
[* [The entry relating to the trustees of the port of Karachi was omitted by the Adaptation of Laws Order 1950.]	* [The entry relating to the trustees of the port of Karachi was omitted by the Adaptation of Laws Order 1950.]		* [The entry relating to the trustees of the port of Karachi was omitted by the Adaptation of Laws Order 1950.]	* [The entry relating to the trustees of the port of Karachi was omitted by the Adaptation of Laws Order 1950.]	*] [The entry relating to the trustees of the port of Karachi was omitted by the Adaptation of Laws Order 1950.]
The Municipal Corporation of the City of Bombay		The City of Bombay Municipal Act, 1888 (Bombay III of 1888)			
[* [The entry relating to the trustees of the port of Aden was omitted by the Adaptation of Indian Laws Order in Council.]	* [The entry relating to the trustees of the port of Aden was omitted by the Adaptation of Indian Laws Order in Council.]		* [The entry relating to the trustees of the port of Aden was omitted by the Adaptation of Indian Laws Order in Council.]	* [The entry relating to the trustees of the port of Aden was omitted by the Adaptation of Indian Laws Order in Council.]	*] [The entry relating to the trustees of the port of Aden was omitted by the Adaptation of Indian Laws Order in Council.]
The Trustees for the Improvement of the City of Bombay		[The City of Bombay Improvement Act, 1898 (Bombay IV of 1888)] [The City of Bombay Improvement			

Act, 1898  
(Bombay 4 of  
1898), has been  
repealed by  
Bombay 16 of  
1925 which in  
turn is repealed  
by Bombay 13  
of 1933.]

[* [The entry relating to all municipalities in municipal districts outside the City of Bombay was omitted by G.N. G.D., No. 3738 dated 14th June, 1926.]	* [The entry relating to all municipalities in municipal districts outside the City of Bombay was omitted by G.N. G.D., No. 3738 dated 14th June, 1926.]		* [The entry relating to all municipalities in municipal districts outside the City of Bombay was omitted by G.N. G.D., No. 3738 dated 14th June, 1926.]	* [The entry relating to all municipalities in municipal districts outside the City of Bombay was omitted by G.N. G.D., No. 3738 dated 14th June, 1926.]	*] [The entry relating to all municipalities in municipal districts outside the City of Bombay was omitted by G.N. G.D., No. 3738 dated 14th June, 1926.]
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NotificationsG.N., G.D., No. 3738, dated 19th September, 1932 (B. G., Part 1, page 2163) - In exercise of the powers conferred by section 5 of the Bombay Disqualification of Aliens Act, 1918 (Bombay 6 of 1918), the Governor in Council is pleased to exempt Portuguese subjects resident in the Bombay Presidency from the operation of the said Act.G.N., G.D., No. 3738, dated 14th June 1926 (B. G. Part 1, page 1433) - In exercise of the powers conferred by section 6 of the Bombay Disqualification of Aliens Act, 1918 (Bombay 6 of 1918), the Government of Bombay are pleased to direct that the names of all local boards and all municipalities in municipal districts outside the City of Bombay should be omitted from the Schedule to the said Act.