

KOLABA ACT 1844

ACT NO. XVII. OF 1844

(Rep., by Act 8 of 1853)

[10th August, 1844.]

*Passed by the Governor General of India in Council on the 10th August, 1844.*

AN Act for the Administration of Justice and Collection of the Revenue in the Territory which formed the State of Colaba, and which has lapsed to the British Government.

I. It is hereby enacted, that from and after the First day of October 1844 the Administration of Civil and Criminal Justice, the Superintendence of the Police, and the Collection and Superintendence of the Revenues of every description within that portion of the lapsed Territory of Colaba, which is bounded on the East by the Nagotna River, and the Talookas of Sunkse and Rujpooree, on the South by the Rewodunda River, on the West by the Sea, including the Islands of Colaba, Oonderee and Khanderee, (Henery and Kenery) and on the North by the Harbour of Bombay, shall vest in such Agent to the Governor of the Presidency of Bombay as shall be appointed by the Governor in Council, and shall be exercised by the said Agent with the aid of such Assistants as may be appointed by the said Governor in Council.

II. And it is hereby enacted, that it shall be competent to the Governor in Council of Bombay, by an Order in Council, to prescribe such Rules as he may deem proper for the guidance of the Agent aforesaid, and of all the Officers subordinate to his control and authority, and to determine to what extent the decision of the Agent in Civil Suits shall be final, and in what Suits an Appeal shall lie to the Sudder Udawlut, and to define the authority to be exercised by the Agent in Criminal Trials, and what cases he shall submit to the decision of the Foujdaree Udawlut.

III. And it is hereby enacted, that upon the receipt of any Criminal Trials referred by the Agent under the Rules which may be hereafter prescribed by the Governor in Council, the Foujdaree Udawlut shall proceed to pass a final judgment or such other order as may, after mature consideration, seem to the Court requisite and proper, in the same manner, as if the trial had been sent up in ordinary course from a Sessions Judge.

IV. And it is hereby enacted that upon the receipt of any Appeal from a decree of the Agent duly preferred under the Rules to be prescribed as aforesaid, the Court of Sudder Udawlut shall proceed to try and determine it in the same manner as Appeals from the Zillah Courts.

V. And it is hereby enacted, that each of the portions of the lapsed Territory of Colaba not included within the boundaries specified in Section I. of this Act, shall be subject to the same Laws and Regulations, and shall be governed in all respects in the same manner as the portions of the Territories subject to the Government of Bombay, by which such portions of the said lapsed Territory may be respectively surrounded, or to which such portions of the said lapsed Territory may be respectively contiguous.

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