



The Identification of Prisoners (Bombay Amendment) Act, 1922

Act 11 of 1922

Keyword(s):

Central Act Amendment, The Identification of Prisoners Act, 1920

Amendments appended: 21 of 1935, 15 of 1948, 53 of 1953, 35 of 1970

DISCLAIMER: This document is being furnished to you for your information by PRS Legislative Research (PRS). The contents of this document have been obtained from sources PRS believes to be reliable. These contents have not been independently verified, and PRS makes no representation or warranty as to the accuracy, completeness or correctness. In some cases the Principal Act and/or Amendment Act may not be available. Principal Acts may or may not include subsequent amendments. For authoritative text, please contact the relevant state department concerned or refer to the latest government publication or the gazette notification. Any person using this material should take their own professional and legal advice before acting on any information contained in this document. PRS or any persons connected with it do not accept any liability arising from the use of this document. PRS or any persons connected with it shall not be in any way responsible for any loss, damage, or distress to any person on account of any action taken or not taken on the basis of this document.

THE IDENTIFICATION OF PRISONERS (BOMBAY AMENDMENT) ACT, 1922.

CONTENTS.

PREAMBLE.

SECTIONS.

1. Short title and extent.
2. Amendment of section 2 of XXXIII of 1920.
3. Amendment of section 5 of XXXIII of 1920.
4. Amendment of section 7 of XXXIII of 1920.

BOMBAY ACT No. XI OF 1922.¹

[THE IDENTIFICATION OF PRISONERS (BOMBAY AMENDMENT) ACT, 1922.]

[14th December 1922]

*Amended by Bom. 17 of 1945.

An Act to amend the Identification of Prisoners Act, 1920.

XXXIII
of 1920. WHEREAS it is expedient to amend the Identification of Prisoners Act, 1920, in its application to [the Greater Bombay] in manner hereinafter appearing;

5 & 6, AND WHEREAS the previous sanction of the Governor-General required by
Geo. 5, clause (f) of sub-section (3) of section 80A of the Government of India Act has been
c. 61. obtained for the passing of this Act; It is hereby enacted as follows :-

1. (1) This Act may be called the Identification of Prisoners (Bombay Amend-
ment) Act, 1922. Short title
extent.

(2) It extends to [the Greater Bombay].

2. In clause (b) of section 2 of the Identification of Prisoners Act, 1920, herein-
after called "the said Act", after the figures "1898" the words and figures
"or Chapter V of the City of Bombay Police Act, 1902" shall be inserted. Amendment
of section 2
of XXXIII
of 1920.

3. In section 5 of the said Act—

(a) after the figures "1898" the words and figures "or the City of Bombay
Police Act, 1902" shall be inserted; and Amendment
of section 5
of XXXIII
of 1920.

(b) to the first proviso, the words "or a Presidency Magistrate" shall be
added.

4. In section 7 of the said Act, after the word "Officer" the words "or in the
City of Bombay, the Commissioner of Police" shall be inserted. Amendment
of section 7
of XXXIII
of 1920.

¹ For Statement of Objects and Reasons, see *Bombay Government Gazette*, 1922, Part V, page 26.

² These words were substituted for the original by Bom. 17 of 1945, s. 2, Schedule E, read with Bom. 52 of 1947, s. 2, proviso.

³ This Act has been repealed and re-enacted and the amendments made by s. 2, Schedule E of the said Act have been continued in force by Bom. 52 of 1947, s. 2.

**THE IDENTIFICATION OF PRISONERS (BOMBAY SECOND
AMENDMENT) ACT, 1935.**

CONTENTS.

PREAMBLE.

SECTIONS.

1. Short title and extent.
2. Amendment of section 3 of Act XXXIII of 1920.
3. Amendment of section 4 of Act XXXIII of 1920.

BOMBAY ACT No. XXI OF 1935.¹[THE IDENTIFICATION OF PRISONERS (BOMBAY SECOND AMENDMENT)
ACT, 1935.]

[1st October 1935.]

An Act to amend the Identification of Prisoners Act, 1920, in its application to the Presidency of Bombay.

XX - WHEREAS it is expedient to amend the Identification of Prisoners Act, 1920, in its application to the Presidency of Bombay, for the purpose hereinafter appearing; And whereas the previous sanction of the Governor General required by sub-section (3) of section 80A of the Government of India Act has been obtained for the passing of this Act; It is hereby enacted as follows:—

1. (1) This Act may be called the Identification of Prisoners (Bombay Second Amendment) Act, 1935. Short title and extent.

(2) It extends to the whole of the Presidency of Bombay.

XXX. 2. In clause (a) of section 3 of the Identification of Prisoners Act, 1920, hereinafter called the said Act, after the word "punishable" the words and figures "under section 121 of the City of Bombay Police Act, 1902, or of any other offence punishable" shall be inserted. Amendment of section 3 of Act XXXIII of 1920.

3. [Amendment of section 4 of Act XXXIII of 1920.] This amendment stands repealed in view of substitution of new section 4 by Bom. 15 of 1948, s. 2.

¹ For Statement of Objects and Reasons, see *Bombay Government Gazette*, 1935, Part V, p. 180; and for Proceedings in Council, see *Bombay Legislative Council Debates*, Vol. XLII.

² Section 121 of the City of Bombay Police Act, 1902, has been repealed by Bom. 23 of 1945 read with Bom. 53 of 1947, s. 2.

BOMBAY ACT No. XV OF 1948.¹

[THE IDENTIFICATION OF PRISONERS (BOMBAY AMENDMENT) ACT, 1948.]

[24th March 1948]

An Act to amend the Identification of Prisoners Act, 1920, in its application to the Province of Bombay.

XXXIII WHEREAS it is expedient to amend the Identification of Prisoners Act, 1920, of 1920. in its application to the Province of Bombay ; It is hereby enacted as follows :—

1. This Act may be called the Identification of Prisoners (Bombay Amendment) Short title. Act, 1948.

XXXIII 2. For section 4 of the Identification of Prisoners Act, 1920, in its application to the Province of Bombay, the following shall be substituted, namely :—

Amendment
of section 4
of Act
XXXIII of
1920.

"4. Any person—

(a) who has been arrested—

(i) under section 55 of the Code of Criminal Procedure, 1898, or under section 4 of the Bombay Beggars Act, 1945,

Taking of
measure-
ments or
photograph
of unconvicted
persons.

(ii) in connection with an offence punishable under section 61D of the Bombay District Police Act, 1890, or under section 112 of the City of Bombay Police Act, 1902, or under section 6 or 9 of the Bombay Beggars Act, 1945, or in connection with an offence punishable with rigorous imprisonment for a term of one year or upwards, or

(b) in respect of whom a direction or order under section 46 or 46B of the Bombay District Police Act, 1890, or under section 27 of the City of Bombay Police Act, 1902, or under sub-section (1) or (2) of section 23 of the Bombay Beggars Act, 1945, or under section 2 of the Bombay Public Security Measures Act, 1947, has been made,

shall, if so required by a police officer, allow his measurements or photograph to be taken in the prescribed manner."

¹ For Statement of Objects and Reasons, see *Bombay Government Gazette*, 1948, Part V, page 85.

V of
1898.
Bom.
XXXIII
of
1945.

Bom.
IV of
1890.
Bom.
IV of
1902.
Bom.
XXXIII
of
1945.

Bom.
IV of
1890.
Bom.
IV of
1902.
Bom.
XXXIII
of
1945.
Bom.
VI of
1947.

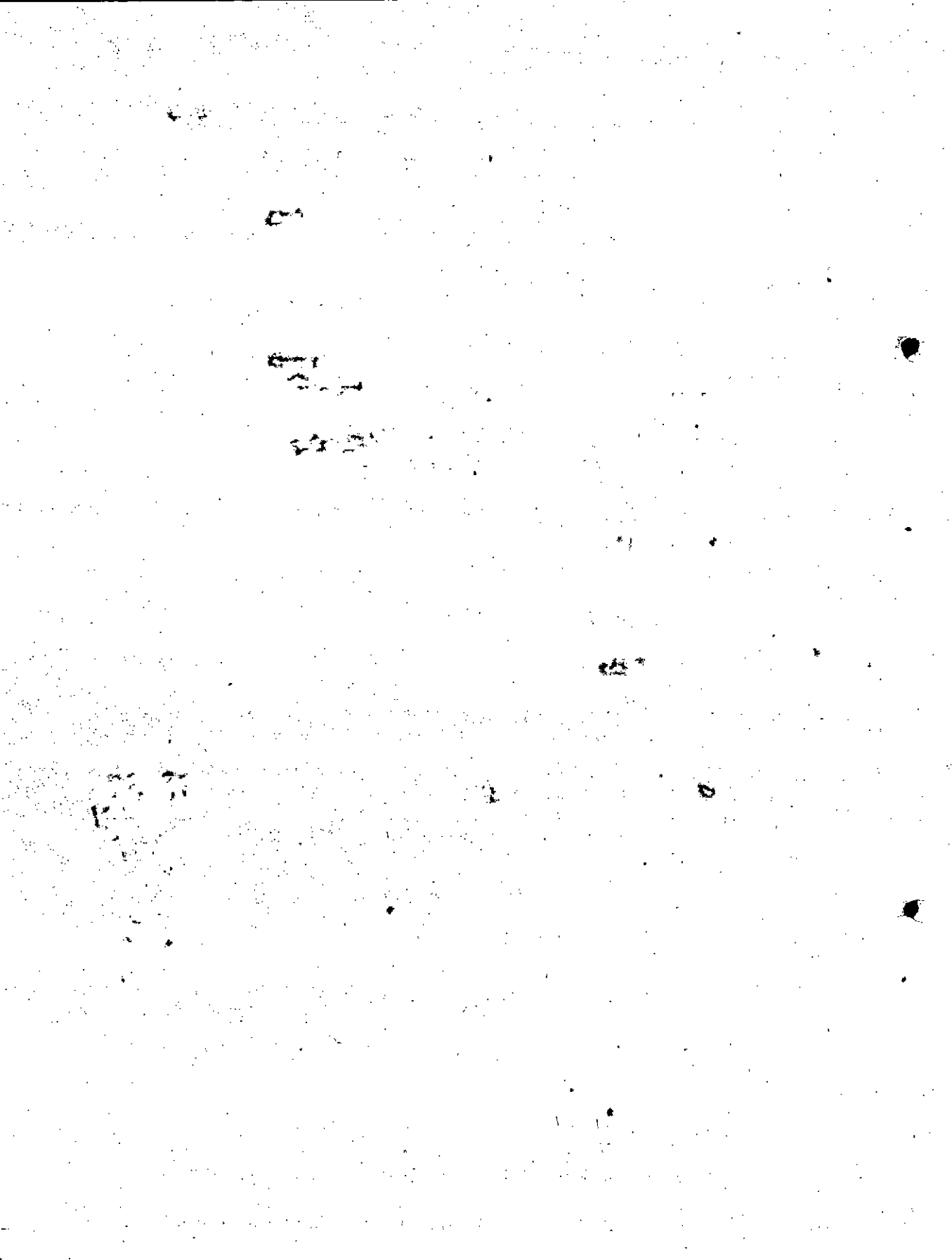
THE IDENTIFICATION OF PRISONERS (BOMBAY AMENDMENT) ACT, 1953.

CONTENTS.

PREAMBLE.

SECTIONS.

1. Short title.
2. Amendment of section 3 of Act XXXIII of 1920.
3. Insertion of new section 4A in Act XXXIII of 1920.
4. Amendment of section 8 of Act XXXIII of 1920.



BOMBAY ACT No. LVIII OF 1953.¹

[THE IDENTIFICATION OF PRISONERS (BOMBAY AMENDMENT) ACT, 1953.]

[2nd November 1953]

An Act to amend the Identification of Prisoners Act, 1920, in its application to the State of Bombay.

XXXIII
of
1920. WHEREAS it is expedient to amend the Identification of Prisoners Act, 1920 in its application to the State of Bombay, for the purposes hereinafter appearing; It is hereby enacted as follows:—

1. This Act may be called the Identification of Prisoners (Bombay Amendment) Act, 1953. Short title

XXXIII
of 1920. 2. In section 3 of the Identification of Prisoners Act, 1920, in its application to the State of Bombay (hereinafter referred to as the said Act), in clause (b), the following shall be added at the end, namely:— Amendment of section 3 of Act XXXIII of 1920.

Bom.
XXV
of
1949.

“or under section 9² of the Bombay Prohibition Act, 1949.”

3. After section 4 of the said Act, the following section shall be inserted, namely:— Insertion of new section 4A in Act XXXIII of 1920.

Bom.
LI
of
1947.

“4A. Any person against whom an order of restriction has been made under the provisions of the Bombay Habitual Offenders Restriction Act, 1947, shall, if so required, allow his measurements and photographs to be taken by a police officer in the prescribed manner.” Taking of measurements, etc., of habitual offenders against whom restriction order is made.

4. In section 8 of the said Act, in clause (e) of sub-section (2), for the words and figure “under section 3” the words “in accordance with the provisions of this Act” shall be substituted. Amendment of section 8 of Act XXXIII of 1920.

¹ For Statement of Objects and Reasons see *Bombay Government Gazette*, 1953, Part V, page 363.

**THE IDENTIFICATION OF PRISONERS (MAHARASHTRA PROVISION
FOR UNIFORM APPLICATION AND AMENDMENT) ACT, 1970.**

CONTENTS.

PREAMBLE.

SECTIONS.

1. Short title and commencement.
2. Amendment of section 1 of Act XXXIII of 1920.
3. Extension of certain enactments amending Act XXXIII of 1920 to whole State.
4. Amendment of section 3 of Act XXXIII of 1920.
5. Amendment of section 4 of Act XXXIII of 1920.
6. Amendment of section 4-A of Act XXXIII of 1920.
7. Repeal of Hyd. XXVII of 1956.

SCHEDULE.

MAHARASHTRA ACT No. XXXV OF 1970.

[IDENTIFICATION OF PRISONERS (MAHARASHTRA PROVISION FOR UNIFORM APPLICATION AND AMENDMENT) ACT, 1970.]

[24 November 1970]

An Act to provide for uniformity in the provisions of the Identification of Prisoners Act, 1920, in its application to the State of Maharashtra, and further to amend that Act in its application to the whole State.

XXXX-III of 1920. WHEREAS, it is expedient to provide for uniformity in the provisions of the Identification of Prisoners Act, 1920, in its application to the State of Maharashtra, and for that purpose to extend to the rest of the State certain enactments which amend the said Act in its application to a part of the State ;

AND WHEREAS, it is also expedient further to amend, for the purposes hereinafter appearing, the said Act in its application to the whole State; It is hereby enacted in the Twenty-first Year of the Republic of India as follows :—

1. (1) This Act may be called the Identification of Prisoners (Maharashtra Provision for Uniform Application and Amendment) Act, 1970.

Short title and commencement.

(2) It shall come into force on such date² as the State Government may, by notification in the *Official Gazette*, appoint.

XXXX-III of 1920. 2. In section 1 of the Identification of Prisoners Act, 1920, as in force in the Bombay area and the Vidarbha region of the State of Maharashtra, in sub-section (2), after the words and letter " in Part-B States " the words " , other than the Hyderabad area of the State of Maharashtra " shall be deemed to have been added on the 4th September 1956.

Amendment of section 1 of Act XXXIII of 1920.

XXXX-III of 1920. 3. For the purpose of providing for the uniform application of the Identification of Prisoners Act, 1920, throughout the State of Maharashtra, the provisions of the Acts mentioned in the Schedule, which amend the Identification of Prisoners Act, 1920, in its application to Greater Bombay or the Bombay area of the State, are hereby extended to, and shall by virtue of such extension be in force throughout the State.

Extension of certain enactments amending Act XXX of 1920 to whole State.

XXXX-III of 1920. 4. For section 3 of the Identification of Prisoners Act, 1920, in its application to the State of Maharashtra (hereinafter referred to as " the principal Act "), the following section shall be substituted, namely :—

Amendment of section 3 of Act XXXIII of 1920.

3. Every person who has been—

II of 1930. (a) convicted of any offence punishable with rigorous imprisonment for a term of one year or upwards or of any offence punishable under section 19 of the Dangerous Drugs Act, 1930, or of any offence which would render him liable to enhanced punishment on a subsequent conviction, or

Taking of measurements, etc of convicted persons.

¹ For Statement of Objects and Reasons, see *Maharashtra Government Gazette*, 1970, Part V, Extra., p. 44.

² First day of March 1971 (*vide* G. N., H. D., No. IPA. 1057/14110-V, dated 1st February 1971).

*Identification of Prisoners (Maharashtra
Provision for Uniform Application and
Amendment) Act, 1970* [1970 : Mah. XXXV

(b) ordered to give security for his good behaviour under section 118 of the Code of Criminal Procedure, 1898, or under section 93 of the Bombay Prohibition Act, 1949, or to give security for abstaining from commission of certain offences under section 18 of the Dangerous Drugs Act, 1930,

shall, if so required, allow his measurements and photograph to be taken by a police officer in the prescribed manner.

5. For section 4 of the principal Act, the following section shall be substituted, namely :—

Amendment
of section
4 of Act
XXXIII of
1920.

Taking
measure-
ments, etc.,
of non-
convicted
persons.

" 4. Any person—

(a) who has been arrested—

(i) in connection with an offence punishable under section 19 of the Dangerous Drugs Act, 1930; or section 66, 69 or 85 of the Bombay Prohibition Act, 1949 ; or section 122 of the Bombay Police Act, 1951; or section 7 of the Drugs and Magic Remedies (Objectionable Advertisements) Act, 1954 ; or section 8 of the Suppression of Immoral Traffic in Women and Girls Act, 1956 ; or section 6 or 11 of the Bombay Prevention of Begging Act, 1959 ; or any other offence punishable with rigorous imprisonment for a term of one year or upwards, or

(ii) under section 54, 55 or 151 of the Code of Criminal Procedure, 1898, or section 4 of the Passport (Entry into India) Act, 1920; or

(b) in respect of whom a direction or order under section 5 of the Passport (Entry into India) Act, 1920, or under section 55, 56 or 57 of the Bombay Police Act, 1951, has been made, or

(c) to whom a pardon has been tendered under section 337 or 338 or who has been acquitted under section 339A of the Code of Criminal Procedure, 1898,

V of
1898.
Bom.
XX
1949.
II of
1930.

II of
1930,
Bom.
XXV
of
1949.
Bom.
XXII
of
1951
XXI
of
1954.
CIV
of
1956.
Bom.
X of
1960.

V of
1898.
XXX
IV of
1920.
Bom.
XXII
of
1951.

XXX-
IV of
1920.
Bom.
XXII
of
1951.

V of
1898.

shall, if so required by a Police Officer, allow his measurements or photograph to be taken in the prescribed manner."

6. In section 4-A of the principal Act, for the words and figures "the Bombay Habitual Offenders Restriction Act, 1947," the words and figures "the Bombay Habitual Offenders Act, 1959," shall be substituted.

Amendment of section 4-A of Act XXXIII of 1920.

7. The Identification of Prisoners (Application to Hyderabad) Act, 1956, in its application to the Hyderabad area of the State of Maharashtra, shall stand repealed.

Repeal of Act XXVII of 1956.

SCHEDULE

(See section 3)

Serial No.	Names of Acts	Provisions extended
(1)	(2)	(3)
1	The Identification of Prisoners (Bombay Amendment) Act, 1922 (Bom. XI of 1922).	The whole Act, except sections 1(2), 2 and 3(a).
2	The Identification of Prisoners (Bombay Amendment) Act, 1953 (Bom. LVIII of 1953).	The whole Act, except section 2.
3	The Bombay Separation of Judicial and Executive Functions (Supplementary) Act, 1954 (Bom. VIII of 1954)	In the Schedule, in Part II, the entry relating to the Identification of Prisoners Act, 1920.
4	The Bombay Repealing and Amending Act, 1954 (Bom. XXI of 1954).	In the Second Schedule, in the entry relating to the Identification of Prisoners Act, 1920, the amendment to section 7 of that Act.
5	The Bombay State Commissioners of Police Act, 1959 (Bom. LVI of 1959).	In the Schedule, the entry relating to the Identification of Prisoners Act, 1920.