

Bill No. 155 of 2015

THE REPEALING AND AMENDING (THIRD) BILL, 2015

A

BILL

to repeal certain enactments and to amend certain other enactments.

BE it enacted by Parliament in the Sixty-sixth Year of the Republic of India as follows:—

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|---|---|----------------------------------|
| 1 | 1. This Act may be called the Repealing and Amending (Third) Act, 2015. | Short title. |
| 2 | 2. The enactments specified in the First Schedule are hereby repealed to the extent mentioned in the fourth column thereof. | Repeal of certain enactments. |
| 5 | 3. The enactments specified in the Second Schedule are hereby amended to the extent and the manner mentioned in the fourth column thereof. | Amendment of certain enactments. |
| | 4. The repeal by this Act of any enactment shall not affect any Act in which such enactment has been applied, incorporated or referred to; | Savings. |

and this Act shall not affect the validity, invalidity, effect or consequences of anything already done or suffered, or any right, title, obligation or liability already acquired, accrued or incurred, or any remedy or proceeding in respect thereof, or any release or discharge of or from any debt, penalty, obligation, liability, claim or demand, or any indemnity already granted, or the proof of any past act or thing;

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nor shall this Act affect any principle or rule of law, or established jurisdiction, form or course of pleading, practice or procedure, or existing usage, custom, privilege, restriction, exemption, office or appointment, notwithstanding that the same respectively may have been in any manner affirmed or recognised or derived by, in or from any enactment hereby repealed;

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nor shall the repeal by this Act of any enactment provide or restore any jurisdiction, office, custom, liability, right, title, privilege, restriction, exemption, usage, practice, procedure or other matter or thing not now existing or in force.

THE FIRST SCHEDULE

(See section 2)

REPEALS

Year	No.	Short title	Extent of Repeal
1	2	3	4
1863	16	The Excise (Sprints) Act, 1863	The whole
1871	23	The Pension Act, 1871	The whole
1874	4	The Foreign Recruiting Act, 1874	The whole
1875	18	The Indian Law Reports Act, 1875	The whole
1879	6	The Elephants Preservation Acts, 1879	The whole
1890	13	The Excise (Malt Liquor) Act, 1890	The whole
1897	4	The Indian Fisheries Act, 1897	The whole
1902	4	The Indian Tramways Act, 1902	The whole
1912	8	The Wild Birds and Animals Protection Act, 1912	The whole
1913	6	The Mussalman Wakf Validating Act, 1913	The whole
1919	1	The Local Authorities Pension and Gratuities Act, 1919	The whole
1930	32	The Mussalman Wakf Validating Act, 1930	The whole
1933	2	The Children (Pledging of Labour) Act, 1933	The whole
1938	XXIV	The Employers' Liability Act, 1938	The whole
1940	12	The Income-tax Law (Amendment) Act, 1940	The whole
1941	22	The Indian Merchant Shipping (Amendment) Act, 1941	The whole
1941	23	The Indian Income-tax (Amendment) Act, 1941	The whole
1941	24	The Excess Profits Tax (Second Amendment) Act, 1941	The whole
1946	Ord.No. VI	The Criminal Law (Amendment) Ordinance, 1946	The whole
1947	44	The Income-tax and Business Profits Tax (Amendment) Act, 1947	The whole
1948	38	The Continuance of Legal Proceedings Act, 1948.	The whole
1948	48	The Income-tax and Business Profits Tax (Amendment) Act, 1948	The whole
1948	58	The Exchange of Prisoner's Act, 1948	The whole
1948	60	The Resettlement of Displaced Persons (Land Acquisition) Act, 1948	The whole
1949	24	The Delhi Hotels (Control of Accommodation) Act, 1949	The whole
1949	53	The Indian Merchant Shipping (Amendment) Act, 1949	The whole

1	2	3	4
1949	59	The Merged States (Laws) Act, 1949	The whole
1950	9	The Indian Tea Control (Amendment) Act, 1950	The whole
1950	26	The Drugs (Control) Act, 1950	The whole
1950	52	The Essential Supplies (Temporary Powers) Amendment Act, 1950	The whole
1950	71	The Indian Income-tax (Amendment) Act, 1950	The whole
1950	72	The Essential Supplies (Temporary Powers) Second Amendment Act, 1950	The whole
1951	42	The Indian Merchant Shipping (Amendment) Act, 1951	The whole
1951	54	The Companies (Donation to National Funds) Act, 1951	The whole
1951	59	The Delhi Premises (Requisition and Eviction) Amendment Act, 1951	The whole
1952	9	The Indian Independence Pakistan Courts (Pending Proceedings) Act, 1952	The whole
1952	49	The Indian Tea Control (Amendment) Act, 1952	The whole
1952	54	The Central Tea Board (Amendment) Act, 1952	The whole
1953	23	The Indian Merchant Shipping (Amendment) Act, 1953	The whole
1953	25	The Indian Income-tax (Amendment) Act, 1953	The whole
1953	54	The Reserve Bank of India (Amendment and Miscellaneous Provisions) Act, 1953	The whole
1954	9	The Control of Shipping (Amendment) Act, 1954	The whole
1954	13	The Press (Objectionable Matter) Amendment Act, 1954	The whole
1954	23	The State Acquisition of Lands for Union Purposes (Validation) Act, 1954	The whole
1954	33	The Indian Income-tax (Amendment) Act, 1954	The whole
1954	41	The Taxation Laws (Extension to Jammu and Kashmir) Act, 1954	The whole
1956	10	The Control of Shipping (Continuance) Act, 1956	The whole
1956	26	The Indian Income-tax (Amendment) Act, 1956	The whole
1956	45	The Newspapers (Price and Page) Act, 1956	The whole
1956	52	The Government Premises (Eviction) Amendment Act, 1956	The whole
1956	63	The Scheduled Castes and Scheduled Tribes Orders (Amendment) Act, 1956	The whole
1956	95	The Banking Companies (Amendment) Act, 1956	The whole
1957	47	The Indian Telegraph (Amendment) Act, 1957	The whole
1957	57	The Life Insurance Corporation (Amendment) Act, 1957	The whole
1958	9	The Control of Shipping (Continuance) Act, 1958	The whole
1958	33	The Estate Duty (Amendment) Act, 1958	The whole
1959	1	The Indian Income-tax (Amendment) Act, 1959	The whole
1959	17	The Coal Grading Board (Repeal) Act, 1959	The whole
1959	29	The Public Wakfs (Extension of Limitation) Act, 1959	The whole
1959	59	The Minerals Oils (Additional Duties of Excise and Customs) Act, 1958	The whole
1960	18	The Indian Boilers (Amendment) Act, 1960	The whole
1960	28	The Taxation Laws (Amendment) Act, 1960	The whole
1961	7	The Banking Companies (Amendment) Act, 1961	The whole
1961	36	The Newspapers (Price and Page) Continuation Act, 1961	The whole

1	2	3	4
1961	55	The Sugar (Regulation of Production) Act, 1961	The whole
1962	17	The Air Corporations (Amendment) Act, 1962	The whole
1962	56	The State-Associated Banks (Miscellaneous Provisions) Act, 1962	The whole
1962	59	The Personal Injuries (Emergency Provisions) Act, 1962	The whole
1963	21	The Compulsory Deposit Scheme Act, 1963	The whole
1963	37	The Personal Injuries (Compensation) Act, 1963	The whole
1965	23	The Banking Laws (Application to Cooperative Societies) Act, 1965	The whole
1966	21	The Merchant Shipping (Amendment) Act, 1966	The whole
1966	30	The Electricity (Supply) Amendment Act, 1966	The whole
1967	14	The Essential Commodities (Amendment) Act, 1967	The whole
1967	25	The Standards of Weights and Measures (Extension of Kohima and Mokokchung Districts) Act, 1967	The whole
1968	60	The State Agriculture Credit Cooperation Act, 1968	The whole
1969	22	The Banking Companies (Acquisition and Transfer of Undertakings) Act, 1969	The whole
1969	23	The Coal Bearing Areas (Acquisition and Development) Amendment Act, 1969	The whole
1969	37	The Delhi High Court (Amendment) Act, 1969	The whole
1969	38	The Wakf (Amendment) Act, 1969	The whole
1970	25	The Merchant Shipping (Amendment) Act, 1970	The whole
1970	51	The Central Labour Laws (Extension to Jammu and Kashmir) Act, 1970	The whole
1971	54	The Coal Bearing Areas (Acquisition and Development) Amendment and Validation Act, 1971	The whole
1971	63	The Jayanti Shipping Company (Acquisition of Shares) Act, 1971	The whole
1971	64	The Coking Coal Mines (Emergency Provisions) Act, 1971	The whole
1972	58	The Indian Copper Corporation (Acquisition of Undertakings) Act, 1972	The whole
1972	72	The Sick Textiles Undertakings (Taking Over of Management) Act, 1972	The whole
1973	2	The Diplomatic and Consular Officers (Oaths and Fees) (Extension to Jammu and Kashmir) Act, 1973	The whole
1973	15	The Coal Mines (Taking Over of Management) Act, 1973	The whole
1973	62	The Konkan Passenger Ships (Acquisition) Act, 1973	The whole
1974	4	The Esso (Acquisition of Undertakings in India) Act, 1974	The whole
1974	37	The Additional Emoluments (Compulsory Deposits) Acts, 1974	The whole
1976	2	The Burmah Shell (Acquisition of Undertakings in India) Act, 1976	The whole
1976	89	The Indian Iron and Steel Company (Acquisition of Shares) Act, 1976.	The whole
1976	98	The Laxmirattan and Artherton West Cotton Mill (Taking Over of Management) Act, 1976	The whole
1976	106	The Untouchability (Offences) and Amendment Miscellaneous Provisions Act, 1976	The whole

1	2	3	4
1977	17	The Caltex [Acquisition of Shares of Caltex Oil Refining (India) Limited and of the Undertakings in India Caltex (India) Limited] Act, 1977	The whole
1978	21	The Deposit Insurance Corporation (Amendment and Miscellaneous Provisions) Act, 1978	The whole
1979	28	The Kosan Gas Company (Acquisition of Undertakings) Act, 1979	The whole
1980	64	The Maruti Limited (Acquisition Transfer of Undertakings) Act, 1980	The whole
1981	18	The Essential Commodities (Special Provision) Act, 1981	The whole
1981	19	The Prevention of Blackmarketing and Maintenance of Supplies of Essential Commodities (Amendment) Act, 1981	The whole
1981	41	The Burmah Oil Company [Acquisition shares of Oil India Limited and of the undertakings in India of Assam Oil Company Limited and the Burmah Oil Company (India Trading) Ltd.] Act, 1981	The whole
1982	50	The Amritsar Oil Works (Acquisition and Transfer of Undertakings) Act, 1982	The whole
1982	68	The Drugs and Cosmetics (Amendment) Act, 1982	The whole
1983	29	The National Oilseeds and Vegetable Oils Development Board Act, 1983	The whole
1983	40	The Textile Undertakings (Taking Over of Management) Act, 1983	The whole
1984	1	The Banking Laws (Amendment) Act, 1983	The whole
1984	16	The Ganesh Flour Mills Company Limited (Acquisition and Transfer of Undertakings) Act, 1984	The whole
1984	33	The Mogul Line Limited (Acquisition of Shares) Act, 1984	The whole
1984	34	The Essential Commodities (Amendment) Act, 1984	The whole
1984	54	The Levy Sugar Price Equalisation Fund (Amendment) Act, 1984	The whole
1984	59	The University Grants Commission (Amendment) Act, 1984	The whole
1985	3	The General Insurance Business (Nationalisation) Amendment Act, 1985	The whole
1986	33	The Merchant Shipping (Amendment) Act, 1986	The whole
1986	66	The Shipping Development Fund Committee (Abolition) Act, 1986	The whole
1987	27	The National Security (Amendment) Act, 1987	The whole
1988	43	The National Security (Amendment) Act, 1988	The whole
1991	34	The Consumer Protection (Amendment) Act, 1991	The whole
1991	60	The Delhi High Court (Amendment) Act, 1991	The whole
1999	1	The Export-Import Bank of India (Amendment) Act, 1998	The whole
1999	38	The Mines and Minerals (Development and Regulation) Amendment Act, 1999	The whole
2000	1	The Recovery of Debts Due to Banks and Financial Institutions (Amendment) Act, 2000	The whole
2000	2	The Telecom Regulatory Authority of India (Amendment) Act, 2000	The whole

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2000	7	The Small Industries Development Bank of India (Amendment) Act, 2000	The whole
2000	15	The National Housing Bank (Amendment) Act, 2000	The whole
2000	22	The Major Port Trusts (Amendment) Act, 2000	The whole
2000	31	The Army and Air Force (Disposal of Private Property) Amendment Act, 2000	The whole
2000	39	The State Financial Corporation (Amendment) Act, 2000	The whole
2001	11	The Insurance Laws (Transfer of Business and Emergency Provisions) Repeal Act, 2001	The whole
2001	17	The UP Sugarcane Cess (Validation) Repeal Act, 2001	The whole
2001	20	The Banking Companies (Legal Practitioners' Clients' Accounts) Repeal Act, 2001	The whole
2001	21	The Electricity Regulatory Commissions (Amendment) Act, 2001	The whole
2001	28	The Livestock Importation (Amendment) Act, 2001	The whole
2001	40	The Inland Waterways Authority of India (Amendment) Act, 2001	The whole
2001	55	The National Commission for Safai Karamcharis (Amendment) Act, 2001	The whole
2002	17	The Passports (Amendment) Act, 2002	The whole
2002	25	The Constitution (Scheduled Castes) Order (Amendment) Act, 2002	The whole
2002	32	The Constitution (Scheduled Castes and Scheduled Tribes) Orders (Amendment) Act, 2002	The whole
2002	40	The General Insurance Business (Nationalisation) Amendment Act, 2002	The whole
2002	42	The Insurance (Amendment) Act, 2002	The whole
2002	44	The Coast Guard (Amendment) Act, 2002	The whole
2002	45	The National Co-operative Development Corporation (Amendment) Act, 2002	The whole
2002	50	The Petroleum (Berar Extension) Repeal Act, 2002	The whole
2002	51	The Homoeopathy Central Council (Amendment) Act, 2002	The whole
2002	52	The Indian Medicine Central Council (Amendment) Act, 2002	The whole
2002	55	The Negotiable Instrument (Amendment and Miscellaneous Provisions) Act, 2002	The whole
2002	61	The Constitution (Scheduled Castes) Order (Second Amendment) Act, 2002	The whole
2002	63	The Merchant Shipping (Amendment) Act, 2002	The whole
2002	64	The Medical Termination of Pregnancy (Amendment) Act, 2002	The whole
2003	14	The Pre-Natal Diagnostic Techniques (Regulation and Prevention of Misuse) Amendment Act, 2002	The whole
2003	57	The Electricity (Amendment) Act, 2003	The whole
2003	58	The Indian Medicine Central Council (Amendment) Act, 2003	The whole

1	2	3	4
2003	59	The Merchant Shipping (Amendment) Act, 2003	The whole
2004	5	The Indian Council of World Affairs (Amendment) Act, 2003	The whole
2004	8	The Indian Telegraph (Amendment) Act, 2003	The whole
2004	24	The Banking Regulation (Amendment and Miscellaneous Provisions) Act, 2004	The whole
2005	15	The Patents (Amendment) Act, 2005	The whole
2005	23	The Navy (Amendment) Act, 2005	The whole
2005	47	The Railways (Amendment) Act, 2005	The whole
2006	26	The Reserve Bank of India (Amendment) Act, 2006	The whole
2006	45	The Banking Companies (Acquisition and Transfer of Undertakings and Financial Institutions Laws) Amendment Act, 2006	The whole
2006	57	The Indian Telegraph (Amendment) Act, 2006	The whole
2007	17	The Banking Regulation (Amendment) Act, 2007	The whole
2007	26	The Electricity (Amendment) Act, 2007	The whole
2007	30	The State Bank of India (Subsidiary Banks Laws) Amendment Act, 2007	The whole
2007	31	The Constitution (Scheduled Castes) Order (Amendment) Act, 2007	The whole
2007	32	The State Bank of India (Amendment) Act, 2007	The whole
2007	40	The Merchant Shipping (Amendment) Act, 2007	The whole
2007	49	The Indian Boilers (Amendment) Act, 2007	The whole
2008	11	The Railways (Amendment) Act, 2008	The whole
2008	13	The Food Safety and Standards (Amendment) Act, 2008	The whole
2008	26	The Drugs and Cosmetics (Amendment) Act, 2008	The whole
2009	46	The National Rural Employment Guarantee (Amendment) Act, 2009	The whole
2009	48	The State Bank of Saurashtra (Repeal) and the State Bank of India (Subsidiary Banks) Amendment Act, 2009	The whole
2010	26	The Securities and Insurance Laws (Amendment and Validation) Act, 2010	The whole
2010	27	The State Bank of India (Amendment) Act, 2010	The whole
2010	28	The Energy Conservation (Amendment) Act, 2010	The whole
2010	34	The Mines and Minerals (Development and Regulation) Amendment Act, 2010	The whole
2010	35	The Essential Commodities (Amendment) Act, 2010.	The whole
2010	43	The Indian Medicine Central Council (Amendment) Act, 2010	The whole
2011	7	The State Bank of India (Subsidiary Banks) Amendment Act, 2011	The whole
2011	17	The State Bank of India (Subsidiary Banks Laws) Amendment Act, 2011	The whole
2012	1	The Damodar Valley Corporation (Amendment) Act, 2011	The whole
2012	8	The Life Insurance Corporation (Amendment) Act, 2011	The whole
2012	11	The Export-Import Bank of India (Amendment) Act, 2011	The whole
2013	4	The Banking Laws (Amendment) Act, 2012	The whole

THE SECOND SCHEDULE

(See section 3)

AMENDMENTS

Year	No.	Short title	Amendments
2013	14	The Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013	In sections 6, 7 and section 24,— (i) for the words "Local Complaints Committee" wherever they occur, the words "Local Committee" shall be substituted; (ii) for the words "Internal Complaints Committee" wherever they occur, the words "Internal Committee" shall be substituted.
2014	8	The Governors (Emoluments, Allowances and Privileges) Amendment Act, 2014	In section 2,— (i) the words and figure "section 2 of" shall be omitted; (ii) after the brackets and words "(hereinafter referred to as the principal Act)", insert the words and figure "in section 2".

STATEMENT OF OBJECTS AND REASONS

The Central Government's resolve to bring reform in the legal system of the country, to make it more accessible to the common man and to imbibe the principles of rule of law, has, *inter-alia*, began with the review of enactments which are obsolete, redundant and unnecessary. In fulfilment of this objective, the Central Government has undertaken a comprehensive review of laws and the legal system with a view to remove incoherent and redundant laws.

2. The primary initiative in this direction was taken to constitute a Committee to review the laws which are obsolete and redundant and can be repealed. A two member Committee was constituted for review of obsolete laws for repeal. The said Committee, based on various Reports of the Law Commission and P. C. Jain Commission, examined the Central Acts which are not relevant or no longer needed and which can be repealed either in whole or in part.

3. The two member Committee identified 1741 Central Acts out of existing 2781 Central Acts lying on the Statute-Book as on 15th October, 2014. The Acts identified for repeal by the said Committee are categorized as (i) 777 Central Acts identified for repeal wholly or in part; (ii) 83 Central Acts relating to State subjects to be repealed by State Legislatures; (iii) 624 Central Appropriation Acts enacted up to the year 2010; and (iv) 257 Appropriation Acts enacted by Parliament for the States under President's Rule to be repealed by such states. The Law Commission, in its 248th, 249th, 250th and 251st Reports on "Obsolete Laws: Warranting Immediate Repeal", *inter alia*, recommended for repeal of 289 Acts.

4. As a step forward towards this direction, the Central Government has undertaken the following initiatives towards achieving its objective to repeal obsolete and redundant laws. The following Bill, namely, (i) the Repealing and Amending Bill, 2015 (to repeal 35 Acts); (ii) the Repealing and Amending (Second) Bill, 2015 (to repeal 90 Acts); and (iii) the Appropriation Acts (Repeal) Bill, 2015 (to repeal 758 Appropriation Acts) which have been introduced in Parliament and are at different stages. The Bills at Serial Nos. (i) and (ii) have been passed by Parliament and Bill at Serial No. (iii) is pending for consideration in Parliament. On remaining Acts, action for repeal is at different stages.

5. As part of the ongoing initiative of the Central Government, the present proposal is to repeal 187 obsolete and redundant laws lying unnecessarily on the Statute-Book. An appropriate saving clause has been incorporated in the Bill. On being enacted, it would reduce obsolete laws and bring in clarity to those for whose benefit the laws are enacted.

6. The Bill seeks to achieve the aforesaid objectives

New Delhi;
The 11th May, 2015.

D.V. SADANANDA GOWDA

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to repeal certain enactments and to amend certain other enactments.

(Shri D.V. Sadananda Gowda, Minister of Law and Justice)