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भारत सरकार  
Government of India  
विधि और न्याय मंत्रालय  
Ministry of Law & Justice  
विधायी विभाग  
Legislative Department

D.O. No. 1(66)/14-L.I (Pt.file.II)

27<sup>th</sup> October, 2014

Dear Sir,

In continuation of my D.O. letter of even number dated 9<sup>th</sup> October, 2014, regarding reviewing of the obsolete and redundant laws in the country, this is to inform that the Law Commission of India has submitted its 249<sup>th</sup> Report on "Obsolete Laws: Warranting Immediate Repeal" (Second Interim Report) on 13<sup>th</sup> October, 2014 in which the Commission *inter-alia*, recommended repeal of 113 more obsolete laws. Out of these 113 laws, 36 enactments have been identified by this Department (List enclosed) to be repealed by Parliament in consultation with the concerned Ministries/Departments.

2. It is, therefore, requested that you may kindly get the laws concerning your Ministry/Department examined with a view to repeal such laws, the utility and the need of which has served its purpose. This may be taken on priority so that the obsolete and redundant laws do not become impediment/hindrance in the progress of the country.

3. In view of the urgency and importance of the matter, I shall be grateful if you could kindly furnish your comments/concurrence within a period of three weeks otherwise it shall be presumed that your Ministry/Department supports the proposal. On receipt of comments/concurrence, necessary steps will be taken for introduction of a Bill for repeal of those Acts in the Winter session of Parliament.

4. The enactments referred to in this letter and the earlier letter of even number dated 9<sup>th</sup> October, 2014 are available in the Ministry of Law and Justice, Legislative Department's website at <http://www.lawmin.nic.in/Legis.htm> (under the heading 'Repeal of redundant and obsolete laws').

With kind regards,

Yours sincerely,

(Dr. Sanjay Singh)

Encl. As above.

Dr. Ratan Kumar Sinha,  
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**249<sup>TH</sup> Report of LAW COMMISSION OF INDIA**

**I. ENACTMENTS/PERMANENT ORDINANCES TO BE REPEALED BY PARLIAMENT**

S.No.	Short title of the Act	Subject	Recommendation of Law Commission of India
1.	<b>Shore Nuisances (Bombay and Kolaba) Act, 1853 (11 of 1853)</b>	Maritime Law; Shipping and Inland Navigation	<p><b>Recommendation:</b> Repeal</p> <p>The Act facilitated the removal of nuisances, obstructions and encroachments below high-water mark in the islands of Bombay and Kolaba for safe navigation in these harbours. The Collector was empowered, under this Act, to give notice for removal of any such nuisance from the sea-shore of the two islands. This is one of the earliest laws concerning water pollution and was meant to regulate the waste materials discharged in the coastal areas of Bombay and Kolaba, from various industries working in close vicinity of these areas. The management of hazardous waste materials is now carried out under various rules framed under the Environment (Protection) Act, 1986 and the Water (Prevention and Control of Pollution) Act, 1974. The purpose of this Act has been subsumed by later enactments. There is no evidence of this Act being in use. Hence, the Central Government should repeal this Act. This Act has also been recommended for repeal by the PC Jain Commission Report (Appendix A-5).</p>
2.	<b>Tobacco Duty (Town of Bombay) Act, 1857 (4 of 1857)</b>	Taxes, Tolls and Cess Laws	<p><b>Recommendation:</b> Repeal</p> <p>The Act amended the law relating to the duties payable on, and the retail sale and warehousing of tobacco, in the town of Bombay. The Act has now fallen into disuse. Tobacco duties are imposed under the Central Excise Act, 1944, since 'duties of excise on tobacco manufactured or produced in India' falls under List I of the Seventh Schedule (See Item 84). Therefore, the 1857 Act may be repealed. This Act has also been recommended for repeal by the PC Jain Commission Report (Appendix</p>

			A-5).
3.	<b>Excise (Spirits) Act, 1863 (16 of 1863)</b>	Taxes, Tolls and Cess Laws	<p><b>Recommendation:</b> Repeal</p> <p>The Act provided for the levy of excise duty payable on spirits used exclusively in 'arts and manufactures or in chemistry'. This now falls under the category of excise on industrial alcohol which is levied by the Central Government under the Central Excise Tariff Act, 1985. The 1863 Act is therefore redundant and should be repealed by the Central Government.</p>
4.	<b>Coroners Act, 1871 (4 of 1871)</b>	Criminal Justice	<p><b>Recommendation:</b> Repeal and enact a new Coroners Act</p> <p>This Act amended the law relating to coroners. However, this Act has a limited extent and provides for the appointment of coroners only within the local limits of the ordinary original civil jurisdiction of the High Courts of Bombay and Calcutta. The High Court of Delhi, in <i>Social Jurist, a Civil Rights Group v. Union of India</i> [WP (C) No. 6179/2007], recommended the Law Commission to examine whether a legislation like the Coroners Act, 1988 in force in the United Kingdom is needed in India. Consequently, the Law Commission, in its 206th Report (June 2008) carried a proposal for enactment of a new Coroners Act applicable to the whole of India. The Law Commission recommended repeal of the 1871 Act and the enactment of a new Coroners Act which extends to the whole of India. In this regard, the Law Commission proposed the Coroners Bill, 2008, the text of which is annexed to the 206th Report. Hence, the Central Government should repeal the 1871 Act and take up the Coroners Bill, 2008 (as recommended by the Law Commission) for consideration. This Act was also recommended for repeal by the PC Jain Commission Report (Appendix A-5).</p>
5.	<b>Indian Law Reports Act, 1875 (18 of 1875)</b>	Administratio n of Justice	<p><b>Recommendation:</b> Recommend for repeal with suitable amendments.</p> <p>This Act mandates that no court of law in India shall hear the report of any case other than one cited in a law report</p>

			published under the authority of the State Government. In effect, it provides that Courts are not bound to hear citations from any unauthorised series of law reports. The 96th LCI Report noted that it is well-known that notwithstanding the Act, unofficial law reports in India have been cited before the Supreme Court and the High Courts. Hence, the Act is a dead letter law and the Central Government should repeal this Act.
6.	<b>Legal Practitioners' Act, 1879 (18 of 1879)</b>	Legal, Medical and Other Professions	<p><b>Recommendation:</b> Repeal after making suitable amendments to the Advocates Act, 1961.</p> <p>This law was enacted to consolidate all the rules relating to the enrolment, conduct, and service of legal practitioners. However, after the coming into force of the Advocates Act, 1961, all the provisions of the Act stand repealed with the exception of Sections 1, 3 and 36. While Sections 1 and 3 are the title clause and the interpretation clause respectively, Section 36 empowers the High Courts to frame a list of touts, and prescribes the punishment for touting. These provisions can be incorporated into the Advocates Act, 1961 by means of a suitable amendment, so that the entire law on this subject can be found in one place. After making amendments to the Advocates Act, 1961, this Act should be repealed. This Act has been recommended for repeal by the PC Jain Commission Report (Appendix A-1)</p>
7.	<b>Police Act, 1888 (3 of 1888)</b>	Criminal Justice	<p><b>Recommendation:</b> Repeal</p> <p>The Act was enacted to relax those provisions of certain State Police Acts for the regulation of police which restricted the employment of police-officers to the presidency, province or place of the police-establishment of which they are members. This Act empowered the Central Government to create a special police district embracing parts of two or more States, and extend to every part of the said district the powers and jurisdiction of members of a police force belonging to the State specified in the notification. Police is now a State subject (See Entry 2, List II,</p>

			<p>Seventh Schedule) and hence, the Central Government cannot create special police districts and assign a police force to such districts. While Entry 80 of List I does empower the Parliament to make a law extending the jurisdiction of the police of one State to exercise jurisdiction in another State, the same cannot be done without the consent of the State Government in which such area is situated. This Act does not impose any such restrictions on the Central Government's power and hence, the constitutionality of this Act is suspect. This Act was recommended for repeal by the PC Jain Commission Report (Appendix A-5). There is no evidence of recent use of this Act. Hence, the Central Government should repeal this Act.</p>
8.	<b>Excise (Malt Liquors) Act, 1890 (13 of 1890)</b>	Taxes, Tolls and Cess Laws	<p><b>Recommendation:</b> Repeal</p> <p>This Act applied the provisions of the Sea Customs Act, 1878 to malt liquors. The Sea Customs Act has been repealed by the Customs Act of 1962. Hence this Act should also be repealed.</p>
9.	<b>Easements (Extending) Act, 1891 (8 of 1891)</b>	State Re-organisation and Extension of Laws	<p><b>Recommendation:</b> Repeal</p> <p>This Act extended the Easements Act, 1882 to the territories administered by the Governor of Bombay in Council and the Lieutenant-Governor of the North-Western Provinces and Chief Commissioner of Oudh. This Act is now redundant as the territorial divisions that it describes do not exist now. The purpose of this Act has been fulfilled and hence, the Central Government should repeal this Act. This Act has also been recommended for repeal by the PC Jain Commission Report (Appendix A-1).</p>
10.	<b>Government Management of Private Estates Act, 1892 (10 of 1892)</b>	Land Revenue	<p><b>Recommendation:</b> Repeal</p> <p>The Act imposed a levy of a certain rate on private estates under the management of the Government to meet the costs of supervision and management. 'Estates' for the purpose of this Act meant estates under the Court of Wards; encumbered estates under Government management and estates attached for default of payment. It included management of</p>

			estates belonging to landholders in princely States. Since this system of landholding, as it existed prior to independence does not exist now, this Act is redundant. It has been recommended for repeal by PC Jain Commission also in its Appendix A-5.
11.	<b>Amending Act, 1897 (5 of 1897)</b>	Residuary Laws relating to Administration	<b>Recommendation:</b> Repeal  This Act was passed to repeal and amend certain laws. It also provided for the use of short titles to facilitate the citation of certain laws listed in the Third Schedule to the Act. Most of the laws listed have since been repealed, and a suitable savings clause may be drafted to address the remaining laws. This law can therefore be repealed.
12.	<b>Indian Short Titles Act, 1897 (14 of 1897)</b>	Residuary Laws relating to Administration	<b>Recommendation:</b> Repeal  Similar to the Amending Act of 1897, this Act allowed the use of short titles to facilitate the citation of certain laws listed in the Schedule to the Act. The purpose of the Act has now been fulfilled and hence, it must now be repealed. Most of the laws listed have since been repealed, and a suitable savings clause may be drafted to address the remaining laws. This law can therefore be repealed.
13.	<b>Central Provinces Court of Wards Act, 1899 (24 of 1899)</b>	Property Law	<b>Recommendation:</b> Repeal  The Act consolidated and amended the law relating to the Court of Wards in the Central Provinces. The Act is not in use. The Central Provinces no longer exist as an administrative unit. This law should therefore be repealed by the Central Government, as it falls under the subject-matter of administration of justice. This Act has also been recommended for repeal by the PC Jain Commission Report in its Appendix A-5.
14.	<b>Amending Act, 1901 (11 of 1901)</b>	Residuary Laws relating to Administration	<b>Recommendation:</b> Repeal  Similar to the Amending Act of 1897, this Act allowed the use of short titles to facilitate the citation of certain laws listed in the Schedule to the Act. The purpose of the Act has now been fulfilled and hence, it must now be repealed. Most of the laws

			listed have since been repealed, and a suitable savings clause may be drafted to address the remaining laws. This law can therefore be repealed.
15.	<b>Indian Tramways Act, 1902 (4 of 1902)</b>	Transportation and Infrastructure	<b>Recommendation:</b> Repeal  The Act extended the application of the Indian Railway Companies Act, 1895 to certain tramway companies. The 1895 Act has been repealed by the Railway Companies Act, 2001. The 1902 law is now redundant. Therefore, it must be repealed.
16.	<b>Amending Act, 1903 (1 of 1903)</b>	Residuary Laws relating to Administration	<b>Recommendation:</b> Repeal  Similar to the Amending Act of 1897, this Act allowed the use of short titles to facilitate the citation of certain laws listed in the Schedule to the Act. The purpose of the Act has now been fulfilled and hence, it must now be repealed. Most of the laws listed have since been repealed, and a suitable savings clause may be drafted to address the remaining laws. This law can therefore be repealed.
17.	<b>Indian Criminal Law Amendment Act, 1908 (14 of 1908)</b>	Criminal Justice	<b>Recommendation:</b> Repeal  The Act provided for the speedy trial of certain offences, and for the prohibition of associations dangerous to the public peace. It was enacted to curb the growing nationalist movement in India. It in essence amends the law relating to public associations. However, as the law relating to associations is well defined under the Indian Penal Code, 1860, this law is not necessary. Neither is there any evidence of recent use. Hence, it should be repealed.
18.	<b>Scheduled Areas (Assimilation of Laws) Act, 1951 (37 of 1951)</b>	State Re-organisation and Extension of Laws	<b>Recommendation:</b> Repeal  The Act assimilated certain laws in force in the scheduled areas (this refers to areas which find mention in the Schedule appended to the Act, and not to Scheduled Areas under the Constitution) to the laws in force in the districts of Darrang and Lakhimpur of the State of Assam. The Act provided that all laws in force in the scheduled areas were to cease to be in force after the appointed day (as specified in the Act). After the appointed day, the

			<p>laws in force in Darrang were to come into force in the areas mentioned in paragraph 1 of the Schedule and the laws in force in Lakhimpur would come into force in the areas specified in paragraphs 2 and 3. The purpose of this Act has now been fulfilled. Hence, the Central Government should repeal this Act. This Act has also been recommended for repeal by the PC Jain Commission Report (Appendix A-1) and by the Planning Commission in its letter No. 25/04/2014-OM&amp;C dated 18th September 2014 to the Member Secretary, Law Commission of India.</p>
19.	<p><b>Railway Companies (Emergency Provisions) Act, 1951 (51 of 1951)</b></p>	<p>Nationalisation</p>	<p><b>Recommendation:</b> Repeal</p> <p>The Act provided for the proper management and administration of railway companies in certain special cases. The Act empowered the Central Government to appoint a certain number of people for managing the affairs of any railway company in case that company prejudicially affects the convenience of the persons using it or causes serious dislocation in any trade or industry using that railway. Railways in India was nationalised in 1951 and the law relating to railways has now been consolidated in the form of the Railways Act, 1989. There is no evidence of any recent use of this Act. Hence, the Central Government should repeal this Act. This Act has also been recommended for repeal by the PC Jain Commission Report (Appendix A-1) and by the Planning Commission in its letter No. 25/04/2014-OM&amp;C dated 18th September 2014 to the Member Secretary, Law Commission of India.</p>
20.	<p><b>Scheduled Areas (Assimilation of Laws) Act, 1953 (16 of 1953)</b></p>	<p>State Re-organisation and Extension of Laws</p>	<p><b>Recommendation:</b> Repeal</p> <p>The Act assimilated certain laws in force in the scheduled areas (the areas mentioned in the Schedule to the Act) to the laws in force in the districts of Nowgong and Sibsagar in the State of Assam. The Act provided that all laws in force in the scheduled areas were to cease to be in force after the appointed day (as specified in the Act). After the appointed day, the laws in force in Nowgong would come into</p>



			<p>force in the areas mentioned in paragraph 1 of the Schedule and the laws in force in Sibsagar would come into force in the areas specified in paragraph 2. The purpose of this Act has now been fulfilled. Hence, the Central Government should repeal this Act. This Act has also been recommended for repeal by the PC Jain Commission Report (Appendix A-1) and by the Planning Commission in its letter No. 25/04/2014-OM&amp;C dated 18th September 2014 to the Member Secretary, Law Commission of India.</p>
21.	<b>Lushai Hills District (Change of Name) Act, 1954 (18 of 1954)</b>	State Re-organisation and Extension of Laws	<p><b>Recommendation:</b> Repeal</p> <p>The Act changed the name of the Lushai Hills District (a tribal area in Assam). After the commencement of this Act, the Lushai Hills District came to be known as the Mizo District. The Act also made amendments to the Sixth Schedule so as to insert 'Mizo District' wherever 'Lushai Hills District' found a mention. The Act has now served its purpose. Hence, the Central Government should repeal this Act with a suitable savings clause. This Act has also been recommended for review by the PC Jain Commission Report (Appendix B).</p>
22.	<b>Absorbed Areas (Laws) Act, 1954 (20 of 1954)</b>	State Re-organisation and Extension of Laws	<p><b>Recommendation:</b> Repeal</p> <p>This Act was enacted to extend certain laws to the areas which, prior to the commencement of the Constitution, were administered as excluded areas. The Act contains 5 Schedules, one each for the States of Bihar, Bombay, Orissa, Uttar Pradesh and West Bengal. The Acts mentioned in the first column of each of the Schedules were made applicable to the areas absorbed (mentioned in the second column). The purpose of this Act has now been fulfilled. The territorial extent of all laws in India now finds mention in the 'Short Title, Extent and Commencement' clause of each law. Hence, the Central Government should repeal this Act. This Act has also been recommended for repeal by the PC Jain Commission Report (Appendix A-1).</p>

23.	<b>Shillong (Rifle Range Umlong) Cantonments Assimilation of Laws Act, 1954 (31 of 1954)</b>	State Re-organisation and Extension of Laws	<b>Recommendation:</b> Repeal  The Act assimilated certain laws in force in the scheduled areas to the laws in force in the Khasi and Jaintia Hills district. The Act provided that all laws in force in the scheduled areas were to cease to be in force after the appointed day. After the appointed day, the laws in force in the Khasi and Jaintia Hills district were to come into force in the areas mentioned in the Schedule. The purpose of this Act has now been fulfilled. Hence, the Central Government should repeal this Act. This Act has also been recommended for repeal by the PC Jain Commission Report (Appendix A-1).
24.	<b>Legislative Assembly of Nagaland (Change in Representation) Act, 1968 (61 of 1968)</b>	State Re-organisation and Extension of Laws	<b>Recommendation:</b> Repeal  The Act provided for a change in representation in the Legislative Assembly of Nagaland, and made consequential amendments to the State of Nagaland Act, 1962 and the Representation of the People Act, 1950. The Act amended Section 11 of the State of Nagaland Act, 1962 and also, the proviso to Section 7(1) of the Representation of the People Act, 1950 along with the Second Schedule of the Act. Since the amendments have been duly made, the purpose of the Act has been fulfilled. Hence, the Central Government should repeal this Act with a suitable savings clause. This Act has also been recommended for review by the PC Jain Commission Report (Appendix B).
25.	<b>Levy Sugar Price Equalisation Fund Act, 1976 (31 of 1976)</b>	Food and Public Distribution	<b>Recommendation:</b> Repeal  The Act provides for the establishment, in the interest of the general public, of a fund to ensure that the price of levy sugar may be uniform throughout India. 'Levy sugar' is the 10% of sugar output that every sugar manufacturer has to sell to the government at reduced rates for the Public Distribution System (PDS). In view of the ongoing process of deregulating sugar, the Union Cabinet in 2013 approved the removal of levy sugar, initially for a period of 2 years. The need for this Act is therefore being done away with. Hence, the Central Government should repeal this Act

			after introducing a suitable savings clause. This Act has been recommended for repeal by the Planning Commission in its letter No. 25/04/2014-OM&C dated 18th September 2014 to the Member Secretary, Law Commission of India.
26.	<b>Indian Iron and Steel Company (Acquisition of Shares) Act, 1976 (89 of 1976)</b>	Nationalisation	<p><b>Recommendation:</b> Repeal</p> <p>The Act provided for the acquisition of certain shares of the Indian Iron and Steel Company Limited (IISCO) with a view to securing the proper management of the affairs of the Company. By means of this Act, all shares of IISCO were transferred to the Central Government and a compensation of Rs. 7.2 crores was paid to the shareholders. Pursuant to the acquisition of shares under this Act in 1976, the Steel Companies (Restructuring) and Miscellaneous Provisions Act in 1978 made IISCO a wholly owned subsidiary of the Steel Authority of India Limited (SAIL). The purpose of the 1976 Act was only the transfer of shares of IISCO to the Central Government which has already been fulfilled and hence, the Act is now redundant. The Central Government should therefore repeal this Act. A suitable savings clause must be added to the repealing Act so as to save any right, privilege, obligation or liability accrued or incurred under this Act. This Act was also recommended for repeal by the Ministry of Steel in its letter No. 12(45)/2014-SAIL (OP) dated 20th August 2014 to the Cabinet Secretariat.</p>

**PERMANENT ORDINANCES TO BE REPEALED BY PARLIAMENT**

27.	<b>War Injuries Ordinance, 1941 (7 of 1941)</b>	Labour Laws	<p><b>Recommendation:</b> Repeal</p> <p>The Ordinance empowered the Central Government to make schemes providing for the grant of relief in respect of injuries sustained during the War. The purpose of this Ordinance was subsumed by the War Injuries (Compensation Insurance) Act, 1943 which imposes a liability on employers to pay compensation to workmen sustaining war injuries and provides for the insurance of employers against such liability. Therefore, the Central Government should repeal this</p>
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			Ordinance.
28.	<b>Collective Fines Ordinance, 1942 (20 of 1942)</b>	Criminal Justice	<p><b>Recommendation:</b> Repeal</p> <p>The Ordinance provided for the imposition of collective fines. It empowered the State Government to impose collective fines on the inhabitants of an area if it appeared that the inhabitants are concerned in or abetting the commission of offences prejudicially affecting the defence of India, public safety, maintenance of public order, efficient prosecution of war, maintenance of supplies or services necessary to the life of the community, or are harbouring persons concerned in the commission of such offences. The imposition of collective fines may be in violation of Articles 14, 20 and 21. In <i>Lakhan Rai v. State of Bihar</i> [1992 (1) BLJR 38], the Patna High Court considered the Bihar Collective Fine (Imposition) Act, 1982, and upheld it on the ground that it contained adequate safeguards such as hearings and appeals related to the imposition of fines. No such safeguards exist in this Ordinance, which may render it unconstitutional. Further, there is no evidence of reported use of this Ordinance. Hence it should be repealed.</p>
29.	<b>Armed Forces (Special Powers) Ordinance, 1942 (41 of 1942)</b>	Defence of India and Armed Forces	<p><b>Recommendation:</b> Repeal</p> <p>The Ordinance conferred special powers upon certain ranks of officers of the armed forces. This Ordinance was promulgated by the Governor-General-in-Council on August 15th, 1942 to suppress the Quit India Movement. The provisions of the Armed Forces Special Powers Act, 1958 clearly overlap with the Ordinance. This Ordinance should therefore be repealed.</p>
30.	<b>Criminal Law Amendment Ordinance, 1944 (38 of 1944)</b>	Criminal Justice	<p><b>Recommendation:</b> Repeal with amendments to the existing law.</p> <p>This Ordinance, which was promulgated to</p>

			<p>prevent the disposal or concealment of property procured by means of certain offences, is used extensively in conjunction with the Prevention of Corruption Act, 1988 (POCA). It allows for application to attach property where the Government believed a scheduled offence had been committed. Scheduled offences under the ordinance include offences under the POCA. While this Ordinance cannot be simply repealed, suitable amendments should be brought to the POCA so that attachment of property under the circumstances outlined in the Ordinance takes place through statute rather than a permanent ordinance which goes against the constitutional scheme.</p>
31.	<b>Secunderabad Marriage Validating Ordinance, 1945 (30 of 1945)</b>	Personal Laws	<p><b>Recommendation:</b> Repeal.</p> <p>This Ordinance is similar to the Bangalore Marriage Validating Act, 1936. It was promulgated to validate a single marriage conducted by a certain Reverend in Secunderabad in 1944. The Reverend mistakenly married a Christian, but not an Indian Christian under the Indian Christian Marriage Act, 1972. The need for this Ordinance has clearly expired. Therefore, the Central Government should repeal this Ordinance after introducing a suitable savings clause.</p>
32.	<b>War Gratuities (Income Tax Exemption) Ordinance, 1945 (24 of 1945)</b>	Labour Laws	<p><b>Recommendation:</b> Repeal</p> <p>This Ordinance was promulgated to ensure that any war gratuity paid shall not be included in the total income of a person for the purpose of income tax. There are no reported cases under this Ordinance. This Central Government should repeal this Ordinance since its purpose has been fulfilled, and a suitable savings clause should be introduced to adequately address any pending litigation.</p>
33.	<b>Bank Notes (Declaration of Holdings) Ordinance, 1946 (2 of 1946)</b>	Financial Laws	<p><b>Recommendation:</b> Repeal</p> <p>This Ordinance required banks and Governments treasuries to furnish information concerning certain bank notes</p>

			held by them. The purpose of the Ordinance was to provide for the demonetisation of certain currency in India. The Ordinance required every bank and Government Treasury to prepare and send to the Reserve Bank of India details with regards to the total value of bank notes held by them by January 11th, 1946. The Ordinance was clearly time-bound and has now become obsolete. Therefore, the Central Government should repeal this Ordinance.
34.	<b>Criminal Law Amendment Ordinance, 1946 (6 of 1946)</b>	Criminal Justice	<p><b>Recommendation:</b> Repeal</p> <p>The purpose of this Ordinance was to prove as a deterrent to public servants indulging in corrupt practices and bribery. This is now governed under the Prevention of Corruption Act, 1988, and this Ordinance is not in use. Hence, the Central Government should repeal this Ordinance.</p>
35.	<b>Termination of War (Definition) Ordinance, 1946 (10 of 1946)</b>	Defence of India and Armed Forces	<p><b>Recommendation:</b> Repeal</p> <p>This Ordinance determined the date of termination of the 'present war', i.e. the Second World War. The purpose of this Ordinance was to determine the exact date on which temporary war-time measures would end. The purpose of this Ordinance has been fulfilled and it should be repealed with a suitable savings clause.</p>
36.	<b>Military Nursing Service Ordinance, 1943 (30 of 1943)</b>	Defence of India and Armed Forces	<p><b>Recommendation:</b> Repeal with amendments to the existing law.</p> <p>The Ordinance constituted a force called the Indian Military Nursing Service (IMNS) as part of the armed forces of the Union. This Ordinance provides for matters such as eligibility for appointment to the IMNS, procedure for dismissal and constitution of the IMNS. The IMNS is now an integral part of the Armed Forces Medical Services (AFMS). Post-independence, through a special Gazette of India notification, the Army Act, 1950 was subsequently made applicable to the Officers of the IMNS with suitable modification and adaptation.</p>

			<p>These adaptations and modifications are contained in Army Order (AO) 197/59. However, while amendments were made to the Ordinance so as to make the Army Act, 1950 applicable to the IMNS, corresponding amendments have not been made to the Army Act. Consequently, provisions of the Ordinance are still being used in adjudication of disputes relating to the terms and conditions of service of members of the IMNS. While this Ordinance cannot be simply repealed, suitable amendments should be brought to the Army Act, 1950 to incorporate provisions pertaining to members of the IMNS.</p>
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