



सत्यमेव जयते

डा० संजय सिंह  
सचिव  
Dr. Sanjay Singh  
Secretary



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)

10<sup>th</sup> November, 2014

Dear Sir,

In continuation of my D.O. letters of even number dated 9<sup>th</sup> October, 2014 and 27<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 250<sup>th</sup> Report on "Obsolete Laws: Warranting Immediate Repeal" (Third Interim Report) on 29<sup>th</sup> October, 2014 in which the Commission *inter-alia*, recommended repeal of 74 more obsolete laws. Out of these 74 laws, 54 enactments have been identified by this Department (List enclosed) to be repealed by Parliament in consultation with the concerned Ministries/Departments.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. On receipt of your comments/concurrence, necessary steps will be taken for introduction of a Bill for repeal of all those Acts in the Winter session of Parliament. In case no comments/concurrence are received within the said period, it shall be presumed that your Ministry/Department supports the proposal for repeal of all those Acts.

4. The enactments referred to in this letter and the earlier letters of even number dated 9<sup>th</sup> October, 2014 and 27<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. Vishwa Mohan Katoch,  
Secretary,  
Department of Health Research,  
Indian Council of Medical Research,  
V. Ramalingaswami Bhawan,  
Ansari Nagar , New Delhi – 110029.

**250<sup>TH</sup> Report of LAW COMMISSION OF INDIA**

**I. ENACTMENTS TO BE REPEALED BY PARLIAMENT**

S.No.	Short title of the Act	Subject	Recommendation of Law Commission of India
<p>1.</p> <p>2.</p>	<p><b>Mussalman Wakf Validating Act, 1913 (6 of 1913)</b></p> <p><b>Mussalman Wakf Validating Act, 1930 (32 of 1930)</b></p>	<p>Charitable and Religious Institutions; Co-operative Societies</p>	<p><b>Recommendation:</b> Repeal</p> <p>The Mussalman Wakf Validating Act declared the rights of Mussalmans to make settlements of property by way of 'wakf' in favour of their families, children and descendants. The Act declared that no such wakf shall be deemed invalid merely because the benefit reserved therein for the poor or of other religious, pious or a permanent nature is postponed until after the extinction of the family, children or descendants of the person creating the wakf. This Act was enacted to statutorily supersede the position taken by the Privy Council in <i>Abdul Fata Mahomed Ishak v. Russomoy Dhur Chowdhry</i> [1894 (22) Cal 619 (PC)] that a wakf for the family members though coupled with a gift to charity on the failure of the line of descendants is not one substantially for charity and so was invalid. The Mussalman Wakf Validating Act, 1930 clarified that the Mussalman Wakf Validating Act, 1913 shall be deemed to apply to wakfs created before its commencement. Hence, the Validating Act of 1913 was given retrospective application by the 1930 Act. The Wakf Act, 1995 has now been enacted to provide for the better administration of wakfs and for matters connected therewith. The 1995 Act applies to all wakfs, whether created before or after the commencement of the Act. Private wakfs are considered valid by the Act of 1995. Hence, the purpose of the Validating Acts of 1913 and 1930 has been subsumed by the Act of 1995. Wakfs of a private nature created any time before 1995 are valid under the Wakf Act, 1995. The Central Government should repeal both the 1913 and the 1930 Acts. However, since the Validating Acts of 1913 and 1930 are still used to validate wakfs created before 1913, a provision saving the wakfs validated by these Acts should be inserted into the 1995 Act. This Act has also been recommended for repeal by the</p>

			PC Jain Commission Report (Appendix A-1) and by the Ministry of Minority Affairs in its letter No. 12/10/2014-Wakf dated 9th September 2014 to the Member Secretary, Law Commission of India.
3.	<b>Post Office Cash Certificates Act, 1917 (18 of 1917)</b>	Financial Laws	<b>Recommendation:</b> Repeal  The Act restricted the transfer of post office 5-year cash certificates and provided for the payment of certificates standing in the name of deceased persons. The Second Edition of the Post Office Savings Bank Manual (corrected up to 31st December 2006) specifies that 5-year post office cash certificates were discontinued from 14th June 1947. Consequently, this Act is now redundant. The Central Government should now repeal this Act. A suitable savings clause should be inserted in the repealing Act.
4.	<b>Local Authorities Pensions and Gratuities Act, 1919 (1 of 1919)</b>	Government Employees	<b>Recommendation:</b> Repeal  The Act extended the powers of local authorities in regard to the granting of pensions and gratuities. The Act empowered local authorities to grant a pension or gratuity to any officer who may, since 4th August 1914, have been wounded or otherwise incapacitated in service under the Government, and to the widow or child of any such officer who may have died in consequence of injuries received or illness contracted since 4th August 1914, in the course of such service. The Act has fallen into disuse. Most States now have their own Pension Rules and the purpose of this Act is subsumed by such rules. Therefore, this Act is now redundant and the Central Government should repeal it. This Act has also been recommended for repeal by the PC Jain Commission Report (Appendix A-5).
5.	<b>Children (Pledging of Labour) Act, 1933 (2 of 1933)</b>	Labour Laws	<b>Recommendation:</b> Repeal  The Act prohibited the making of agreements to pledge the labour of

			<p>children, and the employment of children whose labour had been pledged. However, the purpose of this Act is defeated by the proviso to the definition of 'agreement' under Section 2. While an agreement to pledge the labour of a child is prohibited, the said proviso says that 'an agreement made without detriment to a child, and not made in consideration of any benefit other than reasonable wages to be paid for the child's service' is not prohibited. This proviso would have the effect of approving child labour upon the payment of reasonable wages. For this reason, the Report of the Second Indian National Labour Commission, 2002 also recommended repeal of this Act. Also, the fines imposed under the Act are paltry and would hardly serve as a deterrent. Hence, the Central Government should repeal this Act. Simultaneously, amendments should be made to the Child Labour (Prohibition and Regulation) Act, 1986 to penalise agreements pledging the labour of children. The Ministry of Labour and Employment is also contemplating repeal of this Act.</p>
6.	<b>Decrees and Orders Validating Act, 1936 (5 of 1936)</b>	Administration of Justice	<p><b>Recommendation:</b> Repeal</p> <p>The Act removed certain doubts as to the validity of certain proceedings in the High Courts of Judicature at Bengal, Madras and Bombay. The Act clarified that no decree passed or order made by any of these High Courts in the exercise of their ordinary original civil jurisdiction under Clause 12 of its Letters Patent, or by the High Court of Judicature at Rangoon under Clause 10 of its Letters Patent, shall be called in question on the ground that the High Court passing that decree or making the order had no jurisdiction to do so. The purpose of this Act has been served and the Central Government should now repeal this Act. A suitable savings clause should be inserted in the repealing Act. This Act has also been recommended for repeal by the PC Jain Commission Report (Appendix A-1).</p>
7.	<b>Criminal Law (Amendment) Act, 1938 (20 of 1938)</b>	Criminal Justice	<p><b>Recommendation:</b> Repeal</p> <p>The Act provided for punishment of certain acts prejudicial to the recruitment of persons to serve in the Armed Forces of the Union. This Act was enacted to punish</p>

			<p>persons who made public speeches to dissuade persons from enlisting in the Defence Forces and from taking part in any war in which the British Empire would be engaged. The punishment prescribed for such an act was imprisonment for a term extending to 1 year, or fine, or both. This Act was meant to serve the needs of the British Empire and is now redundant. There is no evidence of recent use of this Act. Hence, the Central Government should repeal this Act.</p>
8.	<b>Delhi Restriction of Land Uses Act, 1941 (12 of 1941)</b>	Land Law	<p><b>Recommendation:</b> Repeal, in consultation with relevant state(s).</p> <p>The Act regulated in the province of Delhi the use of land for purposes other than agricultural purposes. The Act authorised the Chief Commissioner of Delhi to declare certain areas to be 'controlled'. Previous permission of the Chief Commissioner was required for undertaking construction in such areas. The office of the Chief Commissioner of Delhi has ceased to exist. Also, the purpose of this Act has been subsumed because restrictions on the use of agricultural land are now imposed under Section 81 of the Delhi Land Reforms Act, 1954. There is no evidence of recent use of this Act. Therefore, the Central Government should repeal this Act after consulting the State Governments.</p>
9.	<b>Trading with the Enemy (Continuance of Emergency Provisions) Act, 1947 (16 of 1947)</b>	Defence of India and Armed Forces	<p><b>Recommendation:</b> Repeal</p> <p>This Act provided for the continuation of certain provisions of the Defence of India Rules, 1939 relating to the control of trading with States, and persons and firms belonging to States at war with the Government of India, and the custody of the property belonging to them. The purpose of this Act has been subsumed by the Enemy Property Act, 1968 which provides for the continuing of vesting of enemy property vested in the Custodian of Enemy Property for India under the Defence of India Rules, 1962 and the Defence on India Rules, 1971. Hence, this Act is now redundant and the Central Government should repeal this Act. This Act has also been recommended for repeal by the PC Jain Commission Report</p>

			(Appendix A-4).
10.	<b>Rehabilitation Finance Administration Act, 1948 (12 of 1948)</b>	Social Welfare	<p><b>Recommendation:</b> Consider for repeal</p> <p>The Act established a Rehabilitation Finance Administration, for the purpose of giving financial assistance on reasonable terms to displaced persons to enable them to settle in business and industry. 'Displaced person' was defined as - i) a person who, being displaced from any area outside India on account of civil disturbances or fear of such disturbances, has settled and is engaged or intends to engage in any business or industry in India, or ii) a person in India who, having had his business, industry or property, wholly or partially outside India, has lost, wholly or partially, such business, industry, or property on account of civil disturbances or the fear of such disturbances, and who is engaged, or intends to engage in any business or industry in India. There is no evidence from readily available sources to suggest that the Rehabilitation Finance Administration rendered any assistance after the culmination of the 5th Five Year Plan (1974-1979). This Act has now fallen into disuse. Hence, the Central Government should ascertain the status of the Rehabilitation Finance Administration and consider repeal of this Act.</p>
11.	<b>Exchange of Prisoners Act, 1948 (58 of 1948)</b>	Citizenship; Admission into, Emigration to, and Expulsion from, India; and Cross-border Movement	<p><b>Recommendation:</b> Repeal</p> <p>The Act provided, in pursuance of an agreement with Pakistan for the exchange of certain prisoners from India to Pakistan and also, the reception in India of certain prisoners from Pakistan. The Act defines 'prisoner' under Section 2(b) as 'any person committed to custody in a prison on or before 1st August 1948 under the writ, warrant or order of any court or authority other than a Civil Court or Court Martial'. The purpose of this Act has now been subsumed by the Consular Access Agreement signed between India and Pakistan in May 2008. Therefore, the Central Government should repeal this Act. This Act has also been recommended for repeal by the 96th Report of the Law Commission of India.</p>
12.	<b>Merged States (Laws) Act, 1949 (59 of 1949)</b>	State Reorganisatio	<b>Recommendation:</b> Repeal

		n and Extension of Laws	The Act extended certain laws to certain areas administered as parts of Governor's Provinces or as Chief Commissioner's Provinces. The Act listed certain Acts in its Schedule and extended those Acts to the new provinces constituted by the States' Merger (Chief Commissioner's Provinces) Order, 1949. The Act is now redundant as Governor's or Chief Commissioner's Provinces have ceased to exist. 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).
13.	<b>Professions Tax Limitation (Amendment and Validation) Act, 1949 (61 of 1949)</b>	Taxes, Tolls and Cess Laws	<b>Recommendation:</b> Repeal  This Act amended the Professions Tax Limitation Act, 1941 and validated the imposition in the United Provinces of certain taxes on circumstances and property. The Act amended the Schedule appended to the Professions Tax Limitation Act, 1941. The Act also provided that taxes imposed under Section 128(1)(ix) of the United Provinces Municipalities Act, 1916 or Section 108(b) of the United Provinces District Boards Act, 1922 would not be invalid merely on the ground that the tax imposed exceeded the limit of Rs. 50 per annum. Both the United Provinces Acts have fallen into disuse and taxes are not imposed under these Acts. Also, the Professions Tax Limitation Act, 1941 was repealed by the Amending Order, 1950. Hence, this Act is now redundant and the Central Government should repeal this Act. This Act has also been recommended for repeal by the PC Jain Commission Report (Appendix A-1).
14.	<b>State Bank of Samastha Act, 1950</b>	Banking and Insurance	<b>Recommendation:</b> Repeal after consultation with the State Bank of India.  The text of this Act is not available on the Law Ministry's website, or from any other readily available source, an indication that it is not in use. Neither are there any other documented instances where this Act has been used in the last few decades. Therefore, the Central Government should repeal this law after consultation with the State Bank of India.
15.	<b>Opium and Revenue Laws (Extension of Application) Act, 1950</b>	Taxes, Tolls and Cess	<b>Recommendation:</b> Repeal  The Act provided for the extension of

	<b>(33 of 1950)</b>	Laws	certain opium and revenue laws to certain parts of India. By means of Section 2 of this Act, the Opium Act, 1857, Opium Act, 1878, Revenue Recovery Act, 1890, Government Trading Taxation Act, 1926, Dangerous Drugs Act, 1930, Taxation on Income (Investigation Commission) Act, 1947 and the Payment of Taxes (Transfer of Property) Act, 1949, and the rules and orders made thereunder which were in force immediately before the commencement of this Act in certain parts of India, were extended to the rest of India (except the State of Jammu and Kashmir). All these Acts so extended, except the Revenue Recovery Act, 1890, have now been repealed. Most States either have their own revenue recovery Acts or have introduced amendments to the Revenue Recovery Act, 1890 and consequently, this Act has fallen into disuse. Consequently, the Opium and Revenue Laws (Extension of Application) Act, 1950 has now become redundant. There is no evidence of recent use of this Act. This Act has also been recommended for repeal by the PC Jain Commission Report (Appendix A-1). Hence, the Central Government should repeal this Act.
16.	<b>Cooch-Bihar (Assimilation of Laws) Act, 1950 (67 of 1950)</b>	State Reorganisation and Extension of Laws	<b>Recommendation:</b> Repeal  The Act assimilated certain laws in force in Cooch-Bihar to the laws in force in the rest of West Bengal. Cooch-Bihar was a princely state in British India which was, post-Independence, merged into the State of West Bengal by means of the States' Merger (West Bengal) Order, 1949. On the appointed day (as prescribed under this Act), all laws in force in the State of West Bengal were to come into force in Cooch-Bihar. Simultaneously, all laws in force in Cooch-Bihar were to cease to be in force. The purpose of this Act has 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).
17.	<b>Khaddar (Protection of Name) Act, 1950 (78 of 1950)</b>	Intellectual Property Law	<b>Recommendation:</b> Repeal  This Act regulated the use of the words 'khaddar' and 'khadi' when applied as a trade description of woven materials. The Act mandated that the words 'khaddar'



			and 'khadi', whether in Hindi, English, or in any other language, when applied to any woven material, shall be deemed to be a trade description within the meaning of the Indian Merchandise Act, 1889. This was done to indicate that such material is cloth woven on handlooms in India from cotton, silk or woollen yarn or from a mixture of any two or all of such yarns. The Indian Merchandise Act, 1889 has been repealed but a corresponding amendment has not been made in this Act. In fact, 'khadi' was registered as a mark registered under the Trade Marks Act, 1999 and the Khadi Mark Regulations, 2013 were issued for the purpose of authentication of genuine khadi. Hence, this Act is now redundant and can be repealed.
18.	<b>Part B States (Laws) Act, 1951 (3 of 1951)</b>	State Reorganisation and Extension of Laws	<b>Recommendation:</b> Repeal  The Act provided for the extension of certain laws to the Part B States in India. The Acts and Ordinances so extended to the Part B States found mention in the Schedule appended to the Act. Part B States were former princely states which were governed by a Rajpramukh. However, Part B States as they existed immediately post-Independence, do not exist now. The purpose of this Act has 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).
19.	<b>Part C States Miscellaneous Laws (Repealing) Act, 1951 (66 of 1951)</b>	State Reorganisation and Extension of Laws	<b>Recommendation:</b> Repeal  The Act repealed certain laws that were in force in certain Part C states. The laws which were so repealed are mentioned in the Schedule appended to this Act. The purpose of this Act has been fulfilled. Hence, this Act must be repealed.
20.	<b>Reserve Bank of India (Amendment and Miscellaneous Provisions) Act, 1953 (54 of 1953)</b>	Banking and Insurance	<b>Recommendation:</b> Repeal  The Act was enacted to amend the Reserve Bank of India Act, 1934 and to add certain provisions with regard to high denomination notes. Most provisions of this Act have been repealed by the Repealing and Amending Act, 1957. Only Section 9 of this Act remains which prescribes that the High Denomination Bank Notes (Demonetisation) Ordinance, 1946 would not apply to any bank note of

			<p>the denominational value of Rs. 500, Rs. 1000 or Rs. 10,000 issued after the commencement of this Act, but no such bank note issued before 13th January 1946 shall be legal tender in payment or on account of the amount expressed therein at any place in India. The Act has served its purpose. Hence, the Central Government should repeal this Act. The Ministry of Law and Justice should also ascertain the status of the High Denomination Bank Notes (Demonetisation) Ordinance, 1946 and if it is still in force, the Central Government should repeal this Ordinance as well. A suitable savings clause should be inserted in the repealing Act. This Act has also been recommended for repeal by the PC Jain Commission Report (Appendix A-1).</p>
21.	<p><b>State Acquisition of Lands for Union Purposes (Validation) Act, 1954( 23 of 1954)</b></p>	Land Laws	<p><b>Recommendation:</b> Repeal</p> <p>The Act validated the acquisition under the Land Acquisition Act, 1894 of lands by certain State Governments for the purposes of the Union and orders passed and proceedings held in connection therewith. The 1894 Act has now been repealed. The purpose of this Act has been fulfilled. Hence, it can be repealed after inserting a suitable savings clause in the repealing Act.</p>
22.	<p><b>Taxation Laws (Extension to Jammu and Kashmir) Act, 1954 (41 of 1954)</b></p>	Taxes, Tolls and Cess Laws	<p><b>Recommendation:</b> Repeal</p> <p>This Act provided for the extension of certain taxation laws to the State of Jammu and Kashmir. Section 2 of the Act extended the Sea Customs Act, 1878; the Indian Income-Tax Act, 1922; the Land Customs Act, 1924; the Government Trading Taxation Act, 1926; the Indian Tariff Act, 1934; the Central Excises and Salt Act, 1944; the Payment of Taxes (Transfer of Property) Act, 1949 and the Estate Duty Act, 1953 to the State of Jammu and Kashmir. All these Acts, except the Central Excise and Salt Act, 1944 have been repealed. The Short Title, Extent and Commencement clause of the 1944 Act has been amended to extend this Act to the whole of India. Consequently, the Taxation Laws (Extension to Jammu and Kashmir) Act, 1954 has fulfilled its purpose and is now redundant. The Central Government should repeal this Act. This Act has also been recommended for repeal by the PC Jain Commission</p>

			Report (Appendix A-1).
23.	<b>Bar Councils (Validation of State Laws) Act, 1956 (4 of 1956)</b>	Legal, Medical and Other Professions	<p><b>Recommendation:</b> Repeal – savings clause</p> <p>The Act validated certain State laws amending the Indian Bar Councils Act, 1926. The Act provided that the laws specified in the Schedule to the Act shall be deemed to always have been valid as if they had been enacted by the Parliament. The purpose of this Act has 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).</p>
24.	<b>Industrial Disputes (Amendment and Miscellaneous Provisions) Act, 1956 (36 of 1956)</b>	Labour Laws	<p><b>Recommendation:</b> Repeal</p> <p>This Act amended the Industrial Disputes Act, 1947 and the Industrial Employment (Standing Orders) Act, 1946. Also, this Act repealed the Industrial Disputes (Appellate Tribunal) Act, 1950. The purpose of this Act has been served. Hence, this Act must be repealed.</p>
25.	<b>Jammu and Kashmir (Extension of Laws) Act, Act 62 of 1956</b>	State Re-organisation and Extension of Laws	<p><b>Recommendation:</b> Repeal</p> <p>The Act provided for the extension of certain laws to the State of Jammu and Kashmir. The Acts so extended found mention in the Schedule appended to the Act. Corresponding amendments have been made to the Short Title, Extent and Commencement clause of these Acts to provide for their extension to Jammu and Kashmir. This Act has now served its purpose 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>
26.	<b>Gift-Tax Act, 1958 (18 of 1958)</b>	Taxes, Tolls and Cess Laws	<p><b>Recommendation:</b> Repeal and remove from the Law Ministry's lists of central Acts</p> <p>This Act provided for the levy of gift-tax. The Act charged for every assessment year a tax referred to as gift-tax in respect of the gifts, if any, made by a person during the previous year at the rate(s) specified in the Schedule appended to the Act. However, gift-tax was abolished as per Section 75 of the Finance Act, 1998. Consequently, the Act ceased to have effect after 1st October 1998. Due to misuse of the abolition of gift-tax in the</p>

			<p>form of widespread transfer of insincere gifts from non-relatives, Section 56(2)(v) of the Income Tax Act, 1961 was enacted. According to Section 56(2)(v), any amount exceeding Rs. 25,000 obtained by a person or a Hindu Undivided Family (HUF) without any consideration from any person on or after 1st September 2004 but before 1st April 2006 would be taxed. Since this amendment was made into the Income Tax Act, 1961, the Gift-Tax Act, 1958 is still not in force. The Act has been kept in abeyance and still remains on the statute book. The Central Government should formally repeal this Act. If the need to impose gift-tax arises, the same can be met with enacting a new law on gift-tax, whenever necessary. This Act has also been recommended for repeal by the PC Jain Commission Report (Appendix A-1).</p>
27.	<p><b>British Statutes (Application to India) Repeal Act, 1960 (57 of 1960)</b></p>	<p>State Reorganisation and Extension of Laws</p>	<p><b>Recommendation:</b> Repeal</p> <p>This Act repealed 259 British statutes in their application to India. The purpose of this Act has been fulfilled and hence, it can be repealed.</p>
28.	<p><b>Compulsory Deposit Scheme Act, 1963 (21 of 1963)</b></p>	<p>Financial Laws</p>	<p><b>Recommendation:</b> Repeal</p> <p>The Act made it compulsory for all categories of persons, as mentioned in Section 2 of the Act, to make certain deposits. According to Section 2, the Act was meant to be applicable to five different categories of persons viz., persons liable to payment of land revenue; persons liable to payment of tax under the Income-Tax Act, 1961; holders of immovable properties situated in urban areas assessed to tax; employees of the Government and local authorities, and dealers whose annual turnover is Rs. 15,000 or more and who are not liable to payment of income tax under the Income-Tax Act, 1961. The Act has gradually fallen into disuse because of the discontinuance of various sub-schemes. The sub-schemes which were to be implemented through the State Governments and local authorities concerned were dropped owing to considerable practical difficulties. The scheme relating to employees not taxable to income tax was withdrawn from 23rd September 1963. For the other categories, the Compulsory Deposit (Income Tax Payers) Act, 1974 was enacted (which was also discontinued with effect from 1st April</p>

			1985). The Law Commission of India in its 159th Report on Repeal and Amendment of Laws has documented the Department of Economic Affairs' proposal to repeal this Act. The reason furnished by the Department of Economic Affairs for proposing repeal of this Act was that in future any occasion or necessity for such compulsory deposits will not arise. Hence, the Department proposed repeal of this Act while making provision for disposal of the amounts already in deposit under the respective enactments. Consequently, the Central Government should repeal this Act. A suitable savings clause should be inserted in the repealing Act. This Act has also been recommended for repeal by the PC Jain Commission Report (Appendix A-1) and the 159th Report of the Law Commission of India.
29.	<b>Anti-Corruption Laws (Amendment) Act, 1967 (16 of 1967)</b>	Criminal Justice	<b>Recommendation:</b> Repeal  This Act made certain amendments to the Prevention of Corruption Act, 1947. The 1947 Act was itself repealed by the Prevention of Corruption Act, 1988. Hence, this law is redundant and can be repealed.
30.	<b>Standards of Weights and Measures (Extension to Kohima and Mokokchung Districts) Act, 1967 (25 of 1967)</b>	Consumer Affairs	<b>Recommendation:</b> Repeal  The Act extended the Standards of Weights and Measures Act, 1956 to the Kohima and Mokokchung districts in the State of Nagaland. The Standards of Weights and Measures Act, 1956 was repealed by the Standards of Weights and Measures Act, 1976. This law is redundant and serves no purpose. Hence, it should be repealed.
31.	<b>Pondicherry (Extension of Laws) Act, 1968 (26 of 1968)</b>	State Re-organisation and Extension of Laws	<b>Recommendation:</b> Repeal  This Act was enacted to provide for the extension of certain laws to the then newly formed Union territory of Pondicherry. The Acts so extended found mention in the Schedule appended to the Act. Corresponding amendments have been made to the Short Title, Extent and Commencement clause of these Acts to provide for their extension to Pondicherry. This Act has now served its purpose 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).
32.	<b>Central Sales Tax (Amendment) Act, 1969</b>	Taxes, Tolls and Cess	<b>Recommendation:</b> Repeal  The Act was enacted to amend the Central

	<b>(28 of 1969)</b>	Laws	Sales Tax Act, 1956. The Act also validated all assessment, re-assessment, levy or collection of tax made before 9th June 1969. The Act also exempted from tax any sale of goods in the course on inter-State trade or commerce effected during the period between 10th November 1964 and 9th June 1969. The amendments made have by this Act have been effected in the Central Sales Tax Act, 1956. Hence, the purpose of this Act has been fulfilled and the Central Government should repeal this Act. A suitable savings clause should be inserted in the repealing Act. This Act has also been recommended for repeal by the PC Jain Commission Report (Appendix A-1).
<b>33.</b>	<b>Central Labour Laws (Extension to Jammu and Kashmir) Act, 1970 (51 of 1970)</b>	Labour Laws	<b>Recommendation:</b> Repeal  The Act provided for the extension of certain central labour laws to the State of Jammu and Kashmir. The Acts which were so extended find mention in the Schedule appended to the Act. The Acts mentioned in the Schedule have been amended to provide for their extension to the State of Jammu and Kashmir. Hence, this Act has served its purpose and the Central Government should repeal this Act. This Act has also been recommended for repeal by the PC Jain Commission Report (Appendix A-1).
<b>34.</b>	<b>Uttar Pradesh Cantonments (Control of Rent and Eviction) Repeal Act, 1971 (68 of 1971)</b>	Rent and Tenancy	<b>Recommendation:</b> Repeal  The Act was enacted for the repeal of the Uttar Pradesh Cantonments (Control of Rent and Eviction) Act, 1952. The purpose of this Act has now been served and the Central Government should repeal this Act.
<b>35.</b>	<b>Coking Coal Mines (Emergency Provisions) Act, 1971 (64 of 1971)</b>	Nationalisation	<b>Recommendation:</b> Repeal, subject to factual verification that this Act has served its purpose.  The Act provided for the taking over, in public interest, of the management of coking coal mines and coke oven plants, pending nationalisation of such mines and plants. It enabled the taking over of private coking companies pending nationalisation. The Coking Coal Mines (Nationalisation) Act was enacted in 1972. Consequently, the Coking Coal Mines (Emergency Provisions) Act, 1971 is now redundant. The Central Government should repeal

			<p>this Act subject to factual verification that this Act has served its purpose. This Act has also been recommended for repeal by the PC Jain Commission Report (Appendix A-1).</p>
36.	<p><b>Taxation Laws (Extension to Jammu and Kashmir) Act, 1972 (25 of 1972)</b></p>	<p>Taxes, Tolls and Cess Laws</p>	<p><b>Recommendation:</b> Repeal</p> <p>The Act provided for the extension of certain taxation laws to the State of Jammu and Kashmir. The Acts which were so extended found mention in the Schedule appended to the Act. The Acts mentioned in the Schedule have been amended to provide for their extension to the State of Jammu and Kashmir. Also, the Schedule itself was repealed by the Repealing and Amending Act, 1978. Hence, the Act has served its purpose and 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>
37.	<p><b>Former Secretary of State Service Officers (Conditions of Service) Act, 1972 (59 of 1972)</b></p>	<p>Government Employees</p>	<p><b>Recommendation:</b> Repeal</p> <p>The Act provided for the variation or revocation of the conditions of service of former Secretary of Service officers in respect of certain matters. 'Former Secretary of State Service Officer' has been defined by the Act as a person referred to in sub-clause (a) or (b) of Article 312A(1) of the Constitution of India. This Act applies to persons appointed by the Secretary of State or Secretary of State in Council to a civil service of the Crown in India before the commencement of the Constitution. This class of officers are no longer in service since they were appointed prior to 1947 and 67 years have passed since then. Even with respect to officers of this service who retired on or before 1972 (as referred to in Article 312A(1)(b)), 42 years have passed since 1972. Hence, the Central Government should repeal this Act. A suitable savings clause should be inserted in the repealing Act as a matter of abundant caution so as to protect any rights that may have accrued to any of these officers under this Act.</p>
38.	<p><b>Sick Textile Undertakings (Taking Over of Management) Act, 1972 (72 of 1972)</b></p>	<p>Nationalisation</p>	<p><b>Recommendation:</b> Repeal</p> <p>The Act provided for the taking over, in public interest, of the management of the sick textile undertakings, pending</p>

			<p>nationalisation of such undertakings. This was done for the expeditious rehabilitation of such undertakings so as to serve the interests of the general public by the augmentation of the production and distribution, at fair prices, of cheaper varieties of cloth. The nationalisation of the sick textile undertakings was carried out by means of the Sick Textile Undertakings (Nationalisation) Act, 1974. Hence, the Taking over of Management Act has now served its purpose and the Central Government should repeal this Act. A suitable savings clause should be inserted into the repealing Act. This Act has also been recommended for repeal by the PC Jain Commission Report (Appendix A-1).</p>
39.	<b>Coal Mines (Taking Over of Management) Act, 1973 (15 of 1973)</b>	Nationalisation	<p><b>Recommendation:</b> Repeal, subject to factual verification that this Act has served its purpose.</p> <p>The Act provided for the taking over, in the public interest, of the management of coal mines pending nationalisation. The Coal Mines (Nationalisation) Act was passed in May, 1973 making the present act redundant. Hence, the Central Government should repeal this Act subject to factual verification that this Act has served its purpose. A suitable savings clause should be inserted in the repealing Act. The Act has been recommended for repeal by the PC Jain Commission Report (Appendix A-1).</p>
40.	<b>Additional Emoluments (Compulsory Deposits) Act, 1974 (37 of 1974)</b>	Financial Laws	<p><b>Recommendation:</b> Repeal</p> <p>The Act provided for, in the interest of national economic development, for the compulsory deposit of additional emoluments and for the framing of a scheme in relation thereto. The Act provided for the compulsory deposit by all persons into two separate accounts – the additional wages deposit account and the additional dearness allowance deposit account. The Law Commission of India in its 159th Report on Repeal and Amendment of Laws has documented the Department of Economic Affairs’ proposal to repeal this Act. The reason furnished by the Department of Economic Affairs for proposing repeal of this Act was that in future any occasion or necessity for such compulsory deposits will not arise. Hence,</p>



			the Department proposed repeal of this Act while making provision for disposal of the amounts already in deposit under the respective enactments. As a result, the Central Government should repeal this Act. A suitable savings clause should be inserted in the repealing Act. This Act was also recommended for repeal in the PC Jain Commission Report (Appendix A-1) as well as in the 159th Report of the Law Commission of India.
41.	<b>Tobacco Cess Act, 1975 (26 of 1975)</b>	Taxes, Tolls and Cess Laws	<b>Recommendation:</b> Repeal The Act provided for the levy and collection, by way of a cess, of a duty of excise on Virginia tobacco and a duty of customs on tobacco, for the development of the tobacco industry. The Act imposes a duty of excise at the rate of one paise per kilogram on Virginia tobacco which is produced in India. However, the objective of revenue generation for the development of the tobacco industry is not met through the proceeds of the cess which are negligible compared to the amount spent in the administration of the cess. In 2003-04, the cess collected under the Act was only Rs. 13,94,000. Therefore, the Central Government should repeal this Act. This Act has also been recommended for repeal by the PC Jain Commission Report (Appendix A-1).
42.	<b>Laxmi Ratan and Atherton West Cotton Mills (Taking Over of Management) Act, 1976 (98 of 1976)</b>	Nationalisation	<b>Recommendation:</b> Repeal The Act provided for the taking over, in the public interest, of the management of the undertaking of certain companies, pending nationalisation of such undertaking, with a view to ensuring the supply of certain varieties of cloth needed by the weaker sections of the community as well as the Department of Defence. This undertaking, the Laxmi Ratan and Atherton West Cotton Mills, was nationalised by the Textile Undertakings (Nationalisation) Act, 1995. Hence, this Act has served its purpose and the Central Government should repeal this Act. This Act has also been recommended for repeal by the PC Jain Commission Report (Appendix A-1).
43.	<b>Untouchability (Offences) Amendment and Miscellaneous Provisions Act, 1976 (106 of 1976)</b>	Criminal Justice	<b>Recommendation:</b> Repeal The Act amends the Untouchability (Offences) Act, 1955 and also, the Representation of the People Act, 1951. Corresponding amendments have been

			<p>carried out in both the enactments. Hence, the purpose of this Act has been fulfilled and the Central Government should repeal this Act. The Act also saves the effect of the previous operation of the Untouchability (Offences) Act, 1955. However, since a considerable number of years of elapsed since the enactment of the Untouchability (Offences) Act, 1955 as well as this Amendment and Miscellaneous Provisions Act, it is safe to assume that no right, privilege, obligation or liability under the Untouchability (Offences) Act, 1955 as originally named still persists. Hence, the Central Government should repeal this Act.</p>
44.	<p><b>Deposit Insurance Corporation (Amendment and Miscellaneous Provisions) Act, 1978 (21 of 1978)</b></p>	<p>Financial Laws</p>	<p><b>Recommendation:</b> Consider for repeal.</p> <p>This Act provided for the acquisition and transfer of the undertaking of the Credit Guarantee Corporation of India Limited in order to serve better the need for providing credit guarantee to commercial banks. The Act also amended the Deposit Insurance Corporation Act, 1961 and the Reserve Bank of India Act, 1934. Corresponding amendments have been carried out in both these Acts. However, since this Act also provides for the particulars of the merger of the Deposit Insurance Corporation and the Credit Guarantee Corporation of India Limited, the Central Government should consider repeal of this Act only after consultation with the Reserve Bank of India.</p>
45.	<p><b>Hotel Receipts Tax Act, 1980 (54 of 1980)</b></p>	<p>Taxes, Tolls and Cess Laws</p>	<p><b>Recommendation:</b> Repeal</p> <p>This Act provided for the levy of hotel receipts taxes on certain hotels. However, the levy of this tax was discontinued in the year 1982 by virtue of Section 7 of the Finance Act, 1982. Thus, this Act is now redundant and the Central Government should repeal this Act. A suitable savings clause should also be inserted in the repealing Act. This Act has also been recommended for repeal by the PC Jain Commission Report (Appendix A-1).</p>
46.	<p><b>Central Excise Laws (Amendment and Validation) Act, 1982 (58 of 1982)</b></p>	<p>Taxes, Tolls and Cess Laws</p>	<p><b>Recommendation:</b> Repeal</p> <p>This Act provided for the amendment of certain provisions of certain central excise laws and for the validation of duties collected under such laws. This Act has now served its purpose. The Law</p>

			Commission of India in its 159th Report on Repeal and Amendment of Laws (1998) also recommended repeal of this law after verifying that no cases are pending under it. Hence, the Central Government should repeal this Act subject to factual verification. This Act has also been recommended for repeal by the PC Jain Commission Report (Appendix A-1).
47.	<b>Textiles Undertakings (Taking Over of Management) Act, 1983 (40 of 1983)</b>	Nationalisation	<b>Recommendation:</b> Repeal  The Act provided for the taking over, in the public interest, of the management of certain textile undertakings (which find mention in the Schedule appended to this Act) pending nationalisation. These undertakings were nationalised by means of the Textile Undertakings (Nationalisation) Act, 1995. Hence, this Act is now redundant and the Central Government must repeal this Act. This Act has also been recommended for repeal by the PC Jain Commission Report (Appendix A-1).
48.	<b>General Insurance Business (Nationalisation) Amendment Act, 1985 (3 of 1985)</b>	Banking and Insurance	<b>Recommendation:</b> Repeal  This Act was enacted to amend the General Insurance Business (Nationalisation) Act, 1972. The amendments made by this Act have been carried out in the General Insurance Business (Nationalisation) Act, 1972. The purpose of this Act has been served and hence, the Central Government should repeal this Act. A suitable savings clause should be inserted in the repealing Act.
49.	<b>Administrative Tribunals (Amendment) Act, 1986 (19 of 1986)</b>	Tribunals	<b>Recommendation:</b> Repeal  This Act amended the Administrative Tribunals Act, 1985. Sections 2 to 23 of this Act have already been repealed by Repealing and Amending Act, 2001. Section 24 specifies that every person holding office as Chairman, Vice-Chairman or other Member of the Central Administrative Tribunal (CAT) immediately before the commencement of this Act shall be deemed to be either a Judicial Member (if he possesses any of the qualifications specified for appointment as a Judicial Member under the Administrative Tribunals Act, 1985) or an Administrative Member. Section 25 of this Act validates any action taken (including any

			applications admitted or orders passed) by the CAT before the coming into force of this Amendment Act. The purpose of this Act has been fulfilled and the Central Government should repeal this Act. To save the rights and privileges of the members specified under Section 24 and also, the action taken by the CAT as contemplated by Section 25, a suitable savings clause should be inserted in the repealing Act.
50.	<b>Destructive Insects and Pests (Amendment and Validation) Act, 1992 (12 of 1992)</b>	Public Health	<b>Recommendation:</b> Repeal  The Act amended the Destructive Insects and Pests Act, 1914. The 1914 Act has been recommended for repeal by the Law Commission of India in its 248th Report on Obsolete Laws: Warranting Immediate Repeal. This Act would no longer be relevant once the 1914 Act is repealed. Hence, the Central Government should repeal this Amendment and Validation Act of 1992 along with the 1914 Act.
51.	<b>Central Laws (Extension to Arunachal Pradesh) Act, 1993 (44 of 1993)</b>	State Re-organisation and Extension of Laws	<b>Recommendation:</b> Repeal  This Act was enacted to provide for the extension of certain Central laws to the State of Arunachal Pradesh. The Act so extended find mention in the Schedule appended to the Act. Corresponding amendments have been made to the Short Title, Extent and Commencement clause of these Acts to provide for their extension to the State of Arunachal Pradesh. Hence, this Act has now served its purpose and the Central Government should now repeal this Act. This Act has also been recommended for repeal by the PC Jain Commission Report (Appendix A-1).
52.	<b>Betwa River Board (Amendment) Act, 1993 (49 of 1993)</b>	Transportation and Infrastructure	<b>Recommendation:</b> Repeal  The Act was enacted to amend the Betwa River Board Act, 1976. The purpose of this amendment was to change the name of the Rajghat Reservoir (an inter-state dam project of the Governments of Madhya Pradesh and Uttar Pradesh) to Rani Laxmibai Sagar and to bring into effect such change of name in the Betwa River Board Act, 1976. Corresponding amendments have been made to the Betwa River Board Act, 1976. This Act has now served its purpose and the Central Government should repeal this Act.

53.	<b>Indian Rifles (Repeal) Act, 2006 (49 of 2006)</b>	Criminal Justice	<p><b>Recommendation:</b> Repeal</p> <p>This Act was enacted to repeal the Indian Rifles Act, 1920. The purpose of this Act has been served and the Central Government should repeal this Act.</p>
54.	<b>Mica Mines Labour Welfare Fund Act, 1946 (22 of 1946)</b>	Labour Laws	<p><b>Recommendation:</b> The Central Government should review the functioning of the Mica Mines Welfare Fund and other similar welfare fund Acts.</p> <p>The Act was enacted to constitute a fund for the financing of activities to promote the welfare of labour employed in the mica mining industry. The Act contemplates the levy and collection of a cess on mica. However, statistics suggest that a substantial amount collected as cess is spent on maintaining the fund, instead of labour welfare. In addition to the Mica Mines Labour Welfare Fund, welfare fund also exist for other categories of workers such as lime stone and dolomite mine workers, beedi workers, iron ore, manganese ore and chrome ore workers, and cine workers. The Central Government should review the functioning of the Mica Mines Labour Welfare Fund and such other welfare funds. Since such welfare funds exist for certain sectors, and not for others, the Central Government should write to the concerned Department about the functioning of such welfare funds. Thereafter, the Government may consider whether Act 22 of 1946 and other welfare fund Acts should be continued or not.</p>