

THE HIMACHAL PRADESH REPEALING ACT, 1978
ARRANGEMENT OF SECTIONS

Sections:

1. Short title.
2. Repeal of certain enactments.
3. Savings.

THE HIMACHAL PRADESH REPEALING ACT, 1978
(ACT No. 26 OF 1978)¹

(Received the assent of the Governor of Himachal Pradesh on the 9th May, 1978 and was published in the Rajpatra, Himachal Pradesh (Extra-ordinary), dated the 18th May, 1978, pp. 559-562).

An Act to repeal certain enactments.

It is hereby enacted by the Legislative Assembly of Himachal Pradesh in the Twenty-ninth Year of the Republic of India, as follows:-

1. Short title.- This Act may be called the Himachal Pradesh Repealing Act, 1978.

2. Repeal or certain enactments.- The enactments specified in the Schedule hereto, except the Himachal Pradesh Land Holdings Tax Act, 1974 (21 of 1974), shall stand repealed from the date of commencement of this Act and the Himachal Pradesh Land Holdings Tax Act, 1974 (21 of 1974), shall be deemed to have been repealed with effect from the 1st day of April, 1976.

3. Savings.- The repeal by this Act of any enactment shall not,-

- (a) affect any other enactment in which the repealed enactment has been applied, incorporated or referred to, or
- (b) revive 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, or
- (c) affect the previous operation of any enactment so repealed or anything duly done or suffered thereunder, or
- (d) affect any right, title, privilege, obligation or liability acquired, accrued or incurred under any enactment so repealed, or
- (e) affect any remedy or proceeding in respect thereof or any

1. For Statement of Objects and Reasons, see the Rajpatra, Himachal Pradesh (Extra-ordinary), dated 8th April, 1978, p. 329.

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claim or demand, or any indemnity already granted, or the proof of any past act or thing under any enactment so repealed, or

- (f) 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same, respectively, may have been in any manner affirmed, or recognised or derived by, in or from any enactment hereby repealed, or
- (g) affect any penalty, forfeiture or punishment incurred in respect of any offence committed against any enactment so repealed, or
- (h) affect any investigation, legal proceeding or remedy in respect of any such right, privilege, obligation, liability, penalty, forfeiture or punishment, as aforesaid,

and any such investigation, legal proceeding or remedy may be instituted, continued or enforced, and any such penalty, forfeiture or punishment may be imposed, as if this Act had not been passed.

THE SCHEDULE

(See section 2)

Year	Number	Short title	Extent of repeal
1	2	3	4
1806	Bengal Regulation 17 of 1806.	The Bengal Land (Redemption and Foreclosure) Regulation, 1806 as in force in the areas added to Himachal Pradesh under section 5 of the Punjab Re-organisation Act, 1966.	The whole
1903	Punjab Act No. 11 of 1903.	The Punjab Court of Wards Act, 1903, as in force in the areas as comprised in Himachal Pradesh immediately before 1 st November, 1966.	The whole
1798	Bengal Regulation No. 1 of 1798.	The Bengal Land (Conditional Sales) Regulation, 1798, as in force in the areas added to Himachal Pradesh under section 5 of the Punjab Re-organisation Act, 1966.	The whole
1963	Punjab Act No. 25 of 1963.	The Punjab Thur and Sem Lands Reclamation Act, 1963, as in force in the areas added to Himachal Pradesh under section 5 of the Punjab Re-organisation Act, 1966.	The whole

1974	Himachal Pradesh Act No. 21 of 1974.	The Himachal Pradesh Holdings Tax Act, 1974.	Land	The whole
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