

Repealed by Act 36 of 1957.

THE REPEALING AND AMENDING ACT, 1950

No. XXXV OF 1950



An Act to repeal certain enactments and to amend certain other enactments.

[19th April, 1950]

BE it enacted by Parliament as follows:—

1. Short title.—This Act may be called the Repealing and Amending Act, 1950.

2. Repeal of certain enactments.—The enactments specified in the First Schedule are hereby repealed to the extent mentioned in the fourth column thereof.

3. Amendment of certain enactments.—The enactments specified in the Second Schedule are hereby amended to the extent and in the manner mentioned in the fourth column thereof.

4. Savings.—The repeal by this Act of any enactment shall not affect any other enactment in which the repealed enactment has been applied, incorporated or referred to;

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;

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same respectively may have been in any manner affirmed, or recognised or derived by, in or from any enactment hereby repealed;

nor shall the repeal by this Act of any enactment 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.

THE FIRST SCHEDULE

Repeals

(See section 2)

Year 1	No. 2	Short title 3	Extent of repeal 4
<i>Acts of the Central Legislature</i>			
1946	I	The Workmen's Compensation (Amendment) Act, 1946.	The whole
1946	II	The Indian Mines (Amendment) Act, 1946	The whole
1946	III	The Code of Criminal Procedure (Amendment) Act, 1946.	The whole

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Year 1	No. 2	Short title 3	Extent of repeal 4
<i>Acts of the Central Legislature—contd.</i>			
1946	IV	The Code of Criminal Procedure (Second Amendment) Act, 1946.	The whole
1946	V	The Professions Tax Limitation (Amendment) Act, 1946.	The whole
1946	VI	The Insurance (Amendment) Act, 1946 . . .	The whole
1946	VIII	The Indian Income-tax (Amendment) Act, 1946.	The whole
1946	XI	The Provident Funds (Amendment) Act, 1946.	The whole
1946	XII	The Trade Marks (Amendment) Act, 1946 . . .	The whole
1946	XIII	The Indian Companies (Amendment) Act, 1946.	The whole
1946	XV	The Indian Coconut Committee (Amendment) Act, 1946.	The whole
1946	XVI	The Protective Duties Continuation Act, 1946.	The whole
1946	XVIII	The Indian Soldiers (Litigation) Amendment Act, 1946.	The whole
1946	XXV	The Delhi Special Police Establishment Act, 1946.	Section 7
1946	XXVI	The Special Tribunals (Supplementary Provisions) Act, 1946.	Section 4
1946	XXIX	The Indian Tea Control (Amendment) Act, 1946.	The whole
1946	XXX	The Registration of Transferred Companies (Amendment) Act, 1946.	The whole
1946	XXXI	The Foreigners Act, 1946	Section 17
1947	I	The Criminal Tribes (Amendment) Act, 1947.	The whole
1947	III	The Indian Extradition (Amendment) Act, 1947.	The whole
1947	IV	The Coffee Market Expansion (Amendment) Act, 1947.	The whole
1947	VI	The Indian Railways (Amendment) Act, 1947.	The whole
1947	VIII	The Indian Navy (Discipline) (Amendment) Act, 1947.	The whole
1947	XIII	The Delhi Muslim Wakfs (Amendment) Act, 1947.	The whole
1947	XIV	The Industrial Disputes Act, 1947	Section 49
1947	XXII	The Income-tax and Excess Profits Tax (Amendment) Act, 1947.	The whole
1947	XXV	The Indian Tariff (Amendment) Act, 1947	The whole

Year 1	No. 2	Short title 3	Extent of repeal 4
<i>Acts of the Central Legislature—contd.</i>			
1947	XXVII	The Motor Vehicles (Amendment) Act, 1947.	The whole
1947	XXVIII	The Indian Coinage (Amendment) Act, 1947 .	The whole
1947	XXXIII	The Negotiable Instruments (Amendment) Act, 1947.	The whole
1947	XXXIV	The Indian Boilers (Amendment) Act, 1947 .	The whole
1947	XXXV	The Panth Piploda Laws (Amendment) Act, 1947	The whole
1947	XXXVI	The Indian Medical Council (Amendment) Act, 1947.	The whole
1947	XXXVIII	The Foreigners (Amendment) Act, 1947 . . .	The whole
1947	XL	The Foreign Exchange Regulation (Amendment) Act, 1947.	The whole
1947	XLI	The Indian Merchant Shipping (Amendment) Act, 1947.	The whole
1947	XLII	The Indian Finance (Supplementary) Act, 1947.	The whole
1947	L	The Delhi and Ajmer-Merwara Rent Control (Amendment) Act, 1947.	The whole
1947	LI	The Indian Cotton Cess (Amendment) Act, 1947.	The whole
1948	II	The Repealing and Amending Act, 1947 . . .	The whole
1948	IV	The Armed Forces (Emergency Duties) Amendment Act, 1947.	The whole
1948	V	The Indian Tariff (Second Amendment) Act, 1947.	The whole
1948	VI	The Code of Civil Procedure (Amendment) Act, 1948.	The whole
1948	X	The Insurance (Amendment) Act, 1948. . .	The whole
1948	XIII	The Railways (Transport of Goods) (Amendment) Act, 1948.	The whole
1948	XVII	The Indian Army and the Indian Air Force (Amendment) Act, 1948.	The whole
1948	XVIII	The Protective Duties Continuation Act, 1948.	The whole
1948	XIX	The Indian Tea Control (Amendment) Act, 1948.	The whole
1948	XXI	The Indian Railways (Amendment) Act, 1948	The whole
1948	XXIII	The Taxation on Income (Investigation Commission) (Amendment) Act, 1948.	The whole
1948	XXIV	The Indian Aircraft (Amendment) Act, 1948 .	The whole

Year 1	No. 2	Short title 3	Extent of repeal 4
<i>Acts of the Central Legislature—concl'd.</i>			
1948	XXV	The Provincial Insolvency (Amendment) Act, 1948.	The whole
1948	XXVII	The Control of Shipping (Amendment) Act, 1948.	The whole
1948	XXVIII	The Delhi and Ajmer-Merwara Rent Control (Amendment) Act, 1948.	The whole
1948	XXX	The Indian Lac Cess (Amendment) Act, 1948 .	The whole
1948	XXXIII	The Calcutta Port (Pilotage) Act, 1948 .	Section 11
1948	XXXVI	The Bombay, Calcutta and Madras Port Trusts (Constitution) (Amendment) Act, 1948.	The whole
1948	XXXIX	The Indian Registration (Amendment) Act, 1948.	The whole
1948	XLII	The Indian Merchant Shipping (Amendment) Act, 1948.	The whole
1948	XLIII	The Indian Army (Amendment) Act, 1948 .	The whole
1948	XLIV	The Durgah Khawaja Saheb (Amendment) Act, 1948.	The whole
1948	XLV	The Indian Telegraph (Amendment) Act, 1948.	The whole
1948	XLIX	The Taxation on Income (Investigation Commission) (Second Amendment) Act, 1948.	The whole
1948	L	The Cantonments (Amendment) Act, 1948 .	The whole
1948	LV	The Indian Income-tax (Amendment) Act, 1948.	The whole
1948	LVI	The Territorial Army Act, 1948	Section 15
1948	LVII	The Indian Navy (Discipline) Amendment Act, 1948.	The whole
1948	LIX	The Indian Cotton Cess (Amendment) Act, 1948.	The whole
1948	LXII	The Reserve Bank (Transfer to Public Ownership) Act, 1948.	Section 7 and Schedule
1948	LXIII	The Factories Act, 1948	Section 110 and the Table of Enactments repealed
1948	LXIV	The Essential Supplies (Temporary Powers) (Amendment) Act, 1948.	The whole
1948	LXV	The Indian Railways (Second Amendment) Act, 1948.	The whole
<i>Ordinances made by the Governor-General</i>			
1944	III	The Restriction and Detention Ordinance, 1944	The whole
1944	XXX	The Army (Provision for Dependents) Ordinance, 1944.	The whole

Year 1	No. 2	Short title 3	Extent of repeal 4
<i>Ordinances made by the Governor-General—contd.</i>			
1945	XL	The Army (Forfeiture of Emoluments) Ordinance, 1945.	The whole
1946	I	The Repealing Ordinance, 1946	The whole
1946	VII	The Criminal Law (1943 Amendment) Amending Ordinance, 1946.	The whole
1946	VIII	The Allied Forces (China) Ordinance, 1946	The whole
1946	IX	The National Service (Technical Personnel) Amendment Ordinance, 1946.	The whole
1946	XIII	The Army (Forfeiture of Emoluments) Amendment Ordinance, 1946.	The whole

THE SECOND SCHEDULE

Amendments

(See section 3)

Year 1	No. 2	Short title 3	Amendments 4
<i>Acts of the Central Legislature</i>			
1860	XLV	The Indian Penal Code	In the <i>Explanation</i> to section 489A for the figures, letters and word "49C and 489D" the figures, letters and word "489C, 489D and 489E" shall be substituted.
1867	XXV	The Press and Registration of Books Act, 1867.	In the preamble, for the words "periodicals containing news", the word "newspapers" shall be substituted.
1878	XI	The Indian Arms Act, 1878	In clause (i) of section 19, the words and figures "section 14 or" shall be omitted.
1897	V	The Amending Act, 1897.	In the third Schedule, the entry relating to Act XII of 1874 shall be omitted.
1898	V	The Code of Criminal Procedure, 1898.	In Schedule II, in the second column, in the entry relating to section 222, for the words "transportation or transportation" the words "transportation or" shall be substituted.
1908	XV	The Indian Port Act, 1908.	In clause (c) of section 48, for the words "any port within the territories administered by the Governor of Fort Saint George in Council", the words "any port in the State of Madras or the port of Gopalpur in the State of Orissa" shall be substituted.
1925	XIX	The Provident Funds Act, 1925.	In sub-section (2) of section 5, for the words and figures "the Succession Certificate Act, 1889", the words and figures "the Indian Succession Act, 1925" shall be substituted.

Year 1	No. 2	Short title 3	Amendments 4
<i>Acts of the Central Legislature—contd.</i>			
1939	XXX	The Commercial Documents Evidence Act, 1939.	In item 7, of Part I of the Schedule, for the words "British India Load Line Certificate", the words "Indian Load Line Certificate" shall be substituted.
1947	XIV	The Industrial Disputes Act, 1947.	In the proviso to sub-section (2) of section 15, after the words "the House of the People", where they occur last, the word "may" shall be inserted.
1949	XXV	The Displaced Persons (Legal Proceedings) Act, 1949.	In section 7, for the words and figures "Order XXI" of the Code of Civil Procedure, the words and figures "Order XXI of the First Schedule to the Code of Civil Procedure" shall be substituted.
<i>Act of the Madras Legislature</i>			
1886	IV	The Railway Protection Act, 1886.	In section 1, for the words "It extends to the territories administered by the Governor in Council of Fort St. George", the words "It extends to the whole of the State of Madras" shall be substituted.