

# Repealing Obsolete Laws in Maharashtra

Part I

Pre-independence laws  
(1799-1947)



This report is  
an independent,  
non-commissioned  
piece of work by  
the Vidhi Centre  
for Legal Policy,  
an independent  
think-tank doing legal  
research to help make  
better laws.

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Any errors are the authors' alone.

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# Chapter 1: Introduction

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A country's or state's 'statute book' is a record of all its enacted laws.<sup>1</sup> Needless to say, citizens are required to be familiar with at least some of the laws in such a statute book for carrying out their daily affairs and business. This can only be possible if the statute book is up-to-date, concise and readily available. For this reason, it is essential for governments to periodically declutter, update and revise their statute book. However, this does not happen enough today. Especially at the state level in India, several old statutes that have become obsolete or, in other words, irrelevant in the present times, continue to remain in the statute book. These laws are in disuse today. These laws are distinct from active laws which may require amendments for improvement and modernisation.<sup>2</sup> The continuance of such obsolete laws in the statute book could lead to confusion amongst citizens and also potential misuse by enforcement officials and litigants in courts of law.

## Efforts taken at the central level to repeal obsolete laws

In India, the earliest instance of statute book revision was undertaken by the colonial government in 1866 and 1870.<sup>3</sup> Post-independence, the first Law Commission of India ("**Law Commission**") undertook the exercise of identifying and analysing British statutes that were no longer necessary or relevant for India and could be repealed.<sup>4</sup> This led to the British Statutes (Application to India) Repeal Act, 1960. Thereafter, several Law Commissions have undertaken the task of identifying and suggesting the repeal of obsolete laws.<sup>5</sup> The reason this has been a recurring agenda for reform was highlighted by the tenth Law Commission in its report:

*Every legislature is expected to undertake what may be called the periodical spring-cleaning of the corpus of its Statute Law, in order that dead wood may be removed and citizens may be spared of the inconvenience of taking notice of laws which have ceased to bear any relevance to current conditions. This process in itself, assumes still greater importance in modern times when Statute Law is growing in bulk and magnitude.<sup>6</sup>*

The earlier reports of the Law Commission only confined their analysis to laws relating to matters in the Union List and the Concurrent List of the Constitution of India ("**Constitution**"). In 1998, for the first time, a commission set up for the review of administrative laws under retired bureaucrat Mr. P.C. Jain ("**P.C. Jain Commission**") identified a list of obsolete laws which fell under the State List of the Constitution.<sup>7</sup> This identification was purely incidental. The P.C. Jain Commission, while analysing laws that could be repealed by the Parliament, came to the conclusion that the central statute book was cluttered primarily on account of several laws which were transferred to the State List (and consequently, could only be repealed by the State Legislature). This transfer was effected pursuant to the devolution of power to the States under the Government of India Act, 1935 and the Constitution. A similar observation was also made by the Law Commission<sup>8</sup> and a committee set up under retired

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<sup>1</sup> P Ramanatha Aiyar, *Advanced Law Lexicon* (LexisNexis India).

<sup>2</sup> HH Marshall, 'Statute Law Revision in the Commonwealth' *The International Comparative Law Quarterly*, Oct 1964 Vol. 13, No. 4, pp. 1407-1432.

<sup>3</sup> The Repealing Act, 1866 (11 of 1886) and The Repealing Act, 1870 (14 of 1870).

<sup>4</sup> Law Commission of India, *British Statutes applicable to India* (5<sup>th</sup> Report, Ministry of Law and Justice, Government of India 1957) <<https://cdnbbsr.s3waas.gov.in/s3ca0daec69b5adc880fb464895726dbdf/uploads/2022/08/2022080589.pdf>> accessed 5 September 2023.

<sup>5</sup> Law Commission of India, (96<sup>th</sup>, 148<sup>th</sup>, 159<sup>th</sup> and 248<sup>th</sup>, 249<sup>th</sup>, 250<sup>th</sup>, and 251<sup>st</sup> Reports, Ministry of Law and Justice, Government of India) <[https://lawcommissionofindia.nic.in/cat\\_obsolete\\_laws/](https://lawcommissionofindia.nic.in/cat_obsolete_laws/)> accessed 5 September 2023.

<sup>6</sup> Law Commission of India, *Repeal of Certain Obsolete Central Laws* (96<sup>th</sup> Report, Ministry of Law and Justice, Government of India 1984) <<https://cdnbbsr.s3waas.gov.in/s3ca0daec69b5adc880fb464895726dbdf/uploads/2022/08/2022080830.pdf>> accessed 5 September 2023.

<sup>7</sup> PC Jain Commission on Review of Administrative Laws, *Report of the Commission on Review of Administrative Laws* (Ministry of Personnel, Public Grievances and Pensions, Government of India 1998) <[https://darpg.gov.in/sites/default/files/Review\\_Administrative\\_Laws\\_Vol\\_1.pdf](https://darpg.gov.in/sites/default/files/Review_Administrative_Laws_Vol_1.pdf)> accessed 5 September 2023.

<sup>8</sup> Law Commission of India, *Obsolete Laws: Warranting Immediate Repeal* (248<sup>th</sup>-251<sup>st</sup> Reports, Ministry of Law and Justice, Government of India 2014) <[https://lawcommissionofindia.nic.in/cat\\_obsolete\\_laws/](https://lawcommissionofindia.nic.in/cat_obsolete_laws/)> accessed 5 September 2023.

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bureaucrat Mr. R. Ramanujam (hereinafter, the “**Ramanujam Committee**”)<sup>9</sup> in 2014. The Law Commission and the Ramanujam Committee identified 62 and 83 laws respectively which were to be repealed by the State legislatures. Following these findings, the Central Government wrote to all State Governments, including Maharashtra, requesting them to repeal their obsolete laws.<sup>10</sup> In 2022, at the All India Conference of Law Ministers and Law Secretaries, the Prime Minister also requested States to repeal obsolete state laws.<sup>11</sup> Over the years, the Parliament has decluttered its own statute book several times. Most recently, the Lok Sabha passed the Repealing and Amending Bill, 2023 which seeks to repeal 76 obsolete central laws.<sup>12</sup>

### Efforts taken at the state level in Maharashtra to repeal obsolete laws

The Manual of Good Governance, recently released by the Maharashtra Government, states that every definition of ‘good governance’ begins with the ‘rule of law’.<sup>13</sup> ‘Rule of law’ signifies the undisputed supremacy of law and envisages a state of things in which everyone respects the law and where the law is to be followed by everyone collectively and individually by the citizens as well as the State. It also denotes that decisions should be made by the application of known principles and rules.<sup>14</sup>

In furtherance of this rule of law, the manual suggests that every State Government department should constitute a forum for reviewing the laws it administers. This should be done regularly with a view to repeal laws which are obsolete. If a law is to be retained, then reasons supporting such retention should be provided to the State Law and Judiciary Department.<sup>15</sup>

In this direction, the Maharashtra State Government has already taken some steps early on to identify and repeal obsolete laws in force in the State. In 2002, the Maharashtra State Law Commission (“MSLC”) released a series of 10 reports suggesting 191 laws for repeal. Following this, in 2016, the State Legislature enacted two laws that collectively repealed 376 obsolete laws in the State, including several appropriation laws.<sup>16</sup> However, out of the 191 laws recommended for repeal by the MSLC, only 96 laws have been repealed by the two Acts. Several archaic and redundant laws continue to exist in Maharashtra’s statute book.

### Purpose of this project and report

This project has been undertaken by Vidhi Maharashtra to identify obsolete laws that must be repealed by the State. This project is different from the exercise undertaken by the MSLC in more than one way.

Firstly, the MSLC reports had analysed all Maharashtra State laws enacted until 1998. As it has been more than two and a half decades since this exercise by the MSLC, our project intends to analyse and identify obsolete laws enacted post 1998 as well.

Secondly, the MSLC reports did not include, within the scope of their analysis, laws that were not a part of the Maharashtra Code. That is to say, the reports did not include: (i) central laws whose subject matter now falls under the State List and can consequently be repealed only by the State Legislature; and (ii) laws enacted for and in force in the erstwhile areas of Hyderabad and Madhya Pradesh which now form a part of the Maharashtra State post reorganisation. Our project aims to cover these laws in its analysis as well.

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<sup>9</sup> Ramanujam Committee, *Report of the Committee to identify the Central Acts which are not relevant or no longer needed or require repeal/re-enactment in the present socio-economic context* (Prime Minister’s Office, Government of India 2014) <[www.pmindia.gov.in/wp-content/uploads/2015/01/Extracts-of-the-Committee-of-the-Report-Vol.I-.pdf](http://www.pmindia.gov.in/wp-content/uploads/2015/01/Extracts-of-the-Committee-of-the-Report-Vol.I-.pdf)> accessed 5 September 2023.

<sup>10</sup> Legislative Department, Ministry of Law and Justice, Government of India, *Letters issued to State Govt. for repeal of Acts pertaining to them* <<https://legislative.gov.in/repeal-of-redundant-and-obsolete-laws/>> accessed 5 September 2023.

<sup>11</sup> Saurav Anand, ‘Delay in justice is one of major challenges before the country: PM Modi’, *Mint* (New Delhi, 15 October 2022) <[www.livemint.com/news/india/delay-in-justice-is-one-of-major-challenges-before-the-country-pm-modi-11665823238113.html](http://www.livemint.com/news/india/delay-in-justice-is-one-of-major-challenges-before-the-country-pm-modi-11665823238113.html)> accessed 5 September 2023.

<sup>12</sup> The Repealing and Amending Bill, 2023.

<sup>13</sup> Good Governance Committee, *Manual of Good Governance* (General Administration Department, Government of Maharashtra 2023) <[https://maharashtra.gov.in/Site/Upload/pdf/Good\\_Governance\\_Committee\\_Report.pdf](https://maharashtra.gov.in/Site/Upload/pdf/Good_Governance_Committee_Report.pdf)> accessed 5 September 2023.

<sup>14</sup> Aiyar (n 1).

<sup>15</sup> Manual of Good Governance (n 13).

<sup>16</sup> The Maharashtra Repealing Act, 2016; the Maharashtra Repealing (Second) Act, 2016.

Thirdly, the MSLC reports did not assess the legislative competence to enact (and consequently, repeal) the obsolete laws in force in Maharashtra. They also did not consider if any of these laws were actively relied upon in litigation. Our project attempts to fill these gaps by undertaking both these exercises. Furthermore, our project also attempts to identify the administrative departments responsible for the laws in question so as to aid the process of repeal.<sup>17</sup>

Given the number of laws which are in force in the State (over 1000 in number),<sup>18</sup> the findings of this project will be published in a series of reports. This report is the first in the series. It focuses on all pre-independence laws i.e., laws enacted prior to August 15, 1947, which are still in force in Maharashtra or parts of Maharashtra and the legislative competence for which lies with the Maharashtra State Legislature. The next chapter discusses the research methodology adopted by us in identifying and analysing the obsolete state laws to be suggested for repeal. It also presents our findings. Chapter 3 is a conclusion to our findings and analysis. Thereafter, Annexure A is a list of all the pre-independence era laws in Maharashtra which we have reviewed. Of these laws, a list of those laws which have been explicitly repealed but which mistakenly continue to appear on government websites and databases has been provided in Annexure B. Annexure C is our analysis of the laws in force in the State of Maharashtra together with our recommendations on repealing, retaining and reviewing these laws. Finally, each of the above-mentioned three categories i.e., list of laws to be repealed, list of laws to be retained and list of laws to be reviewed, have been provided in Annexure D for ease of reference.

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<sup>17</sup>This has been done as per the Maharashtra Government's Business Allocation Rules (updated up to 30th August 2018), <<https://cdnbbsr.s3waas.gov.in/s398e6f17209029f4ae6dc9d88ec8eac2c/uploads/2023/06/2023060573.pdf>> accessed 5 September 2023.

<sup>18</sup> Law and Judiciary Department, Government of Maharashtra, *Index to Acts and Regulations in force in the State of Maharashtra (2019)*, <[https://lj.maharashtra.gov.in/Site/Upload/Acts/Index\\_of\\_Acts\\_29012021.pdf](https://lj.maharashtra.gov.in/Site/Upload/Acts/Index_of_Acts_29012021.pdf)> accessed 5 September 2023.



# Chapter 2: Research Methodology

To identify the pre-independence laws that are in force in the State of Maharashtra and must be repealed by the State Legislature on account of them becoming obsolete, four steps were followed:

- Step 1:** Preparing a comprehensive list of all pre-independence laws that are in force in Maharashtra as of date.
- Step 2:** From the list prepared in Step 1, identifying laws the subject matter of which falls within the legislative competence of the State Legislature under the Constitution.
- Step 3:** Determining whether the laws are in use or disuse based on certain metrics.
- Step 4:** Final recommendations suggesting pre-independence laws to be repealed, reviewed and retained by the Maharashtra State.

## 1. A comprehensive list of all pre-independence laws that are in force in Maharashtra as of today

### Details

To prepare a comprehensive list of all pre-independence laws that are in force in Maharashtra as of date, it is necessary to understand the meaning of the terms 'law' and 'law in force'.

Term	Meaning
Law	<p>A law includes any Ordinance, order, bye-law, rule, regulation, notification, custom or usage having in the territory of India the force of law.<sup>19</sup></p> <p><i>In this report, we have only analysed primary laws i.e., Acts passed by competent legislatures, by whatever name they are called.</i></p>
Law in force	<p>Law in force includes a law passed or made by a legislature or other competent authority in the territory of India before the commencement of this Constitution and not previously repealed, notwithstanding that it or parts of it may not be then in operation either at all or in particular areas.<sup>20</sup></p> <p>In <i>Sant Ram v. Labh Singh</i>,<sup>21</sup> a five-judge bench of the Supreme Court defined the phrase "laws in force" in the following manner:</p> <p><i>The definition of the phrase "laws in force" is an inclusive definition and is intended to include laws passed or made by a legislature or other competent authority before the commencement of the Constitution irrespective of the fact that the law or any part thereof was not in operation in particular areas or at all. In other words, laws, which were not in operation, though on the statute book, were included in the phrase "law in force".</i></p>

<sup>19</sup> Constitution of India, Article 13(3)(a).

<sup>20</sup> Constitution of India, explanation 1 to Article 372.

<sup>21</sup> AIR 1965 SC 314.

Laws in force or laws in the statute book are different from laws in operation. Laws in force are laws which are not repealed even though they may not be in operation. As such, all laws in operation are in the statute book, but not all laws in the statute book are necessarily in operation. One such example of a law in force in Maharashtra is the Bombay Regulation 1 of 1831, Regulation of Land Suits-Extending Jurisdiction of Agent.

**Bombay Regulation 1 of 1831, Regulation of Land Suits-Extending Jurisdiction of Agent**

Some privileged classes consisting of high-ranking officials were created by an earlier Bombay Regulation 29 of 1827. These classes were excluded from the jurisdiction of civil courts and a special procedure for instituting suits against such persons was provided before an agent of the Provincial Government. The regulation of 1831 extends the jurisdiction of these agents to disputes involving high-ranking officials and their land, rent and produce. Neither privileged classes nor these agents of the Provincial Government exist today. There is also no evidence of usage of the 1827 regulation or the 1831 regulation in case laws. Therefore, these laws are not in operation. However, they are still in force as they have not been repealed. They also appear on the Law and Judiciary Department’s website.

After the adoption of the Constitution, primary legislation i.e., Acts can be passed by two legislative bodies i.e., the Parliament and State Legislatures.

Therefore, laws in force in the State of Maharashtra as of today include:

- State Acts
- Central Acts

State Act, State and Central Act have the following meanings:

Term	Meaning
State Act	State Act means an Act passed by the Legislature of a State established or continued by the Constitution. <sup>22</sup>
State	State - (a) as respects any period before the commencement of the Constitution (Seventh Amendment) Act, 1956, shall mean a Part A State, a Part B State or a Part C State; and (b) as respects any period after such commencement, shall mean a State specified in the First Schedule to the Constitution and shall include a Union territory. <sup>23</sup>
Central Act	A Central Act is an Act of Parliament, and includes – (a) an Act of the Dominion Legislature or of the Indian Legislature passed before the commencement of the Constitution, and (b) an Act made before such commencement by the Governor General in Council or the Governor General, acting in a legislative capacity. <sup>24</sup>  <span style="color: #e91e63;">This would include pre-independence laws passed by the Governor General in Council or the Governor General which now fall within the exclusive competence of the state legislatures under the Seventh Schedule of the Constitution.</span>

However, this report concerns pre-independence (and consequently, pre-Constitution) laws in force in Maharashtra. The State of Maharashtra and even India, as we understand them today, are an amalgamation of

<sup>22</sup> General Clauses Act 1897, clause (59) of Section 3.

<sup>23</sup> General Clauses Act 1897, clause (58) of Section 3.

<sup>24</sup> General Clauses Act 1897, clause (7) of Section 3.

several territories, former princely states and provinces. As such, in order to identify what pre-independence laws are in force today, it is imperative to understand the legal and territorial history of the Maharashtra State, the different legislative bodies which enacted these pre-independence laws and how such laws continue to be in force after the adoption of the Constitution.

#### *Brief history of law-making power in Maharashtra<sup>25</sup>*

By the East India Company Act, 1772, the British Parliament conferred legislative powers on the **Governor General and Council** to make rules, regulations and ordinances for the good order and civil government of the Company's settlement at Fort William in Bengal. The earliest Indian laws are therefore contained in the Bengal Code. Later, in 1807, the local **Governor in Council** in Bombay was also vested with the same legislative powers enjoyed by the Governor General and Council of Bengal. Exercising this power, the local Governor-in-Council of Bombay issued 'regulations' for the Presidency of Bombay. In 1827, all regulations issued by the Governor-in-Council of Bombay were collected and issued as a Revised Code. The regulations in this Revised Code of 1827 repealed all regulations passed before that year.

By 1831, the system of legislation by regulation for the different presidencies was proving inefficient. As a result, the Government of India Act, 1833 was enacted to place the legislative powers in the hands of a single authority i.e., the **Governor General in Council**.

Subsequently, however, by the Indian Councils Act, 1861, **local legislatures** were re-established. Acts of the Governor-General in Council were also subsequently made under this 1861 Act. The laws made by the Governor-General in Council are called Acts of the Governor-General in Council.

By the Government of India Act, 1870, the **Governor-General in (executive) Council** was authorised to make Regulations for the peace and good Government of certain territories in India. A large number of regulations were framed under the 1870 Act that applied to "wilder parts" of Bombay.

The Government of India Act, 1919, introduced the list system of distribution of powers in India wherein the authority to legislate on certain matters was given to the Provinces and some to the Federal Legislature.<sup>26</sup> The threefold distribution of legislative powers found in the Constitution today substantially follow the same list as that featured in the Government of India Act, 1935 which succeeded the Government of India Act, 1919.

#### *Brief history of the territory of Maharashtra*

By the Government of India Act, 1919, Bombay's status changed from a Presidency Town to a Governor's Province. When the Constitution was adopted, it changed the status of Bombay from a Governor's Province to a State as included in Part A of the First Schedule to the original Constitution. After the Constitution was adopted, the limits of the State of Bombay were altered twice - first by the State Reorganisation Act, 1956 and then by the Bombay Reorganisation Act, 1960.

By the State Reorganisation Act, 1956 several territories were added to the State of Bombay and some were excluded. For instance, Aurangabad from the Hyderabad State, Nagpur from the State of Madhya Pradesh and all territories from the State of Kutch and Saurashtra were added to the State of Bombay. This reorganisation was followed by adaptation orders passed by the Government of Bombay wherein several laws were adapted (modified or repealed) in order to facilitate their application to the reorganised State of Bombay. One such order was the Bombay (Vidarbha Region) Adaptation of Laws (State and Concurrent Subjects) Order, 1956. By this order, certain laws in force in the existing State of Madhya Pradesh which pertained to matters under the State and Concurrent List were adapted and modified in such a manner that they continued to apply to the Vidarbha region of Bombay. Similarly, by The Bombay (Hyderabad Area) Adaptation of Laws (State and Concurrent Subjects) Order, 1956, certain laws in force in the State of Hyderabad were modified and extended to the

<sup>25</sup> MD Chalmers, 'The Indian Statute Book', (1897) 2 Journal of the Society of Comparative Legislation 299.

<sup>26</sup> DD Basu, *Commentary on the Constitution of India*, vol 12 (9th edn).

Hyderabad area (Aurangabad) of the State of Bombay. In 1960, by way of the Bombay Reorganisation Act, 1960, several districts from the State of Bombay were transferred to the newly formed State of Gujarat.

In light of the territorial and legal history described above, the pre-independence laws in force in present-day Maharashtra are of a wide variety. They include Regulations and Acts passed by the Governor General in Council and the Governor General of Bombay. They also include Acts passed by the provincial legislature under the Indian Councils Act, 1861. Further, on account of state reorganisation, they include laws passed in erstwhile areas of Bengal, Hyderabad and Central Provinces and Berar that are now a part of Maharashtra today.<sup>27</sup>

These pre-independence laws are in force today on account of Article 372 of the Constitution. This provision states that notwithstanding the repeal of the Government of India Act, 1935 and the Indian Independence Act 1947, and the Government of India Act, 1935, together with all enactments amending or supplementing the latter Act, all *laws in force* in the territory of India immediately before the commencement of the Constitution continue to be in force until these laws are altered, repealed or amended by a *competent legislature*<sup>28</sup> or other competent authority.<sup>29</sup>

### Methodology and Limitations

There is no formal legal mechanism in India and Maharashtra to determine which pre-independence laws are in force. In Maharashtra, the Directorate of Government Printing and Stationery maintains two catalogues<sup>30</sup> of books available for sale. Section 2 of the first catalogue (“**Catalogue**”) provides a list of Acts and Regulations. Each of these Acts and Regulations has to be separately purchased. Section 3 of the Catalogue is dedicated to 10 volumes of the Maharashtra Code, a replacement series which includes documents that appear to replace a range of pages from the 10 Volumes of the Maharashtra Code as and when any amendment is made to laws contained in the Maharashtra Code and supplementary pages. Section 3 additionally lists new Acts enacted post-1983. Again, each of these new Acts, replacement series and supplementary pages have to be separately purchased. Section 4 lists the Government of India Acts in their application to Maharashtra.

Since an option to purchase an online copy of these laws mentioned in the Catalogue was not available, the researchers did not purchase them. Therefore, understanding exactly how the replacement series and supplementary pages functioned was difficult. However, from a cursory reading of the Catalogue, it was clear that it did not clarify whether these laws were in fact, in force in the State of Maharashtra. We also found that several acts mentioned in the Catalogue have already been repealed such as the Bombay Tolls on Roads and Bridges Act, 1875 and the Bombay Village Sanitation Act, 1889. From this, it can be concluded that the State does not have a definitive and updated list of laws in force which is readily accessible in the public domain.

Therefore, the researchers used the following sources to prepare a list of: (A) State Acts which are in force in Maharashtra; and (B) Central Acts which are within the legislative domain of the State Legislature and are in force in Maharashtra:

- a. *Index to Acts and Regulations in force in the State of Maharashtra*<sup>31</sup>

The Law and Judiciary Department of the Government of Maharashtra has published an index, containing a list of all Acts and Regulations in force in the State of Maharashtra as on 1st June 2019 (“**Index**”). It provides an

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<sup>27</sup> As per the Maharashtra General Clauses Act, 1904, “*Bombay Act*” means an Act made by the Governor of Bombay in Council under the Indian Councils Act, 1861 or the Indian Councils Act, 1861 and 1892 or the Indian Councils Acts, 1861 to 1909 or the Government of India Act, 1915, or made by the local Legislature, or the Governor of the Presidency of Bombay under the Government of India Act, or by the Provincial Legislature, or the Governor of Bombay under the Government of India Act, 1935, or made by the Legislature of the pre-Re-organisation or reorganised State of Bombay under the Constitution.

<sup>28</sup> Discussed in detail in Step 2 of the Research Methodology.

<sup>29</sup> Constitution of India, Article 372(1).

<sup>30</sup> Directorate of Printing and Stationery, Government of Maharashtra, *Book Catalogue* <<https://dgps.maharashtra.gov.in/1139/Book-Catalogue>> accessed 5 September 2023.

<sup>31</sup> Law and Judiciary Department, Government of Maharashtra, *Index to Acts and Regulations in force in the State of Maharashtra (2019)*, <[https://lj.maharashtra.gov.in/Site/Upload/Acts/Index\\_of\\_Acts\\_29012021.pdf](https://lj.maharashtra.gov.in/Site/Upload/Acts/Index_of_Acts_29012021.pdf)> accessed 5 September 2023.

alphabetical list of laws and a subject-wise list of laws in force. The alphabetical list further classifies the laws on the basis of their nature. The three classifications are:

- i. State Acts and Regulations in force in the State of Maharashtra
- ii. Local Acts of the Governor-General in Council in force in the State of Maharashtra including (unrepealed) Regulations
- iii. State Acts amending unrepealed Central Acts in their application to the State of Maharashtra or applying them uniformly to the whole of the State of Maharashtra.

The Index contains a number of laws from the Hyderabad Code and the Madhya Pradesh Code. The Madhya Pradesh laws apply to parts of the Vidarbha region of Maharashtra which were earlier a part of the Central Provinces and Berar. Similarly, the Hyderabad laws apply to Aurangabad and other areas which were earlier a part of the Hyderabad State. These Hyderabad laws follow the Deccani Fasli Calendar with the year of the Acts ranging from 1300F to 1359F. For the purpose of our project, the Fasli years were converted to years on the Gregorian calendar to identify which laws were passed before independence.

From the Index, we found that 124<sup>32</sup> pre-independence laws were in force in Maharashtra. However, the Index is not accurate for the following reasons:

- The Index is as of 2019 i.e., it has not been updated in the last four years.
- It features several laws that have already been explicitly repealed. For instance, the Laws Act (Central Provisions), 1875 and Municipal Debentures Act, 1876 were repealed by the Repealing and Amending (Second) Act, 2017 and Maharashtra Repealing Act, 2016, respectively. However, both Acts appear on the Index.
- Some laws that appear in other databases do not feature on the Index. For instance, the Bombay Port Trust Act, 1879 appears on Bombay High Court's website but is absent from the Index.
- There are several inconsistencies in the Index and some laws are listed more than once. For instance, the Indian Tariff (Bombay Application) Regulation Act, 1943 appears thrice in the alphabetical list - once in Part I (State Acts and Regulations), once in Part B (Local Acts of the Governor-General in Council) and once in Part III (State Acts amending unrepealed Central Acts).
- The subject-wise list does not correspond to the alphabetical list in the Index. A few laws,<sup>33</sup> such as the Greater Bombay Laws and the Bombay High Court (Declaration of Limits) (Amendment) Act, 1956 appear in the subject-wise list and are absent from the alphabetical list.
- One Debt Conciliation Act, 1916 (C.P. & Berar) appears in the subject-wise list. However, no evidence of the existence of such a law was found.

The Index does not mention the volume of the Maharashtra Code that a particular law appears in. We have referred to the Index to Acts and Regulations in force in the State of Maharashtra (Corrected up to 31st March 2015)<sup>34</sup> to identify which Code the law appears in i.e., the Maharashtra Code, Madhya Pradesh Code or, as the case may be, Hyderabad Code Volume in which each listed law is reproduced.

#### *b. Law and Judiciary Department Website<sup>35</sup>*

In addition to the Index, the Law and Judiciary Department of the Government of Maharashtra also maintains copies of laws on its website. However, there is no indication on the website as to whether a law has been repealed or in force. For instance, the Landing and Wharfage Fees Act, 1882 has been repealed by the Maharashtra Repealing Act, 2017 but it continues to appear on the State website.

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<sup>32</sup> A list of laws enacted before 15th August 1947 and in force as on 1st June 2019 from the Index can be accessed here: <[https://drive.google.com/file/d/1XCh1HSawL4S\\_VJF-InSmRazlbsQaikeJ/view?usp=sharing](https://drive.google.com/file/d/1XCh1HSawL4S_VJF-InSmRazlbsQaikeJ/view?usp=sharing)> Please see yellow highlights in the alphabetical list of laws.

<sup>33</sup> *ibid*, please see yellow highlights in the Subject-wise Index of laws.

<sup>34</sup> Law and Judiciary Department, Government of Maharashtra, *Index to Acts and Regulations in force in the State of Maharashtra* (2015), <<https://lj.maharashtra.gov.in/site/upload/acts/INDEX.pdf>> accessed 5 September 2023.

<sup>35</sup> Law and Judiciary Department, Government of Maharashtra, *Reprints of Acts*, <[lj.maharashtra.gov.in/1297/Reprints-of-the-Act](http://lj.maharashtra.gov.in/1297/Reprints-of-the-Act)> accessed 5 September 2023.

c. *India Code*<sup>36</sup>

India Code contains a database of all Maharashtra State Acts. However, this database is also not up-to-date.

d. *Bombay High Court website*<sup>37</sup>

The Bombay High Court maintains a list of Maharashtra Acts which can be found on its website. However, this website is also not updated. For instance, the City of Bombay Primary Education Act, 1920 was repealed by the City of Mumbai Primary Education, the Maharashtra Primary Education, the Hyderabad Compulsory Primary Education and the Madhya Pradesh Primary Education (Repeal) Act, 2013. Despite this, the 1920 law continues to appear on the Bombay High Court website.

e. *Reports of Law Commissions and other committees at the Central level*

We have studied the 248<sup>th</sup> and 249<sup>th</sup> Law Commission reports, Annexure A-5 of the P.C. Jain Commission report and Chapter 5 of the Ramanujan Committee report wherein obsolete Central laws have been identified for repeal by the respective State legislatures since these laws are now within the legislative competence of the State Legislature.

f. *Laws reviewed by the Maharashtra State Law Commission*

Following the publication of the P.C. Jain Commission Report, the Central Government wrote to the State Governments to review the 114 laws identified by the P.C. Jain Commission for repeal by the State Legislatures. The MSLC analysed these 114 laws and found that 44 of them were applicable to the State of Maharashtra and some of them required repeal. Accordingly, the MSLC wrote to the State Government to repeal these laws.

Apart from this recommendation, the MSLC independently reviewed each volume of the Maharashtra Code to identify laws that required repeal. Between March 2002 and December 2002, the MSLC released 10 reports each of which identified obsolete laws for repeal by the Maharashtra State Legislature. The first two reports of the MSLC dealt with pre-independence laws in the Maharashtra Code.

g. *Private databases*

Private legal databases such as Manupatra and SCCOnline were used to corroborate the list of laws in force.

h. *Repealing laws*

From the sources mentioned in items (a) to (g) mentioned above, we populated a list of **165** pre-independence laws which appeared to be in force in Maharashtra. This list of 165 laws is provided in **Annexure A**. However, this list was not accurate since a number of these laws were explicitly repealed by various repealing laws passed by the State Legislature and the Parliament. Hence, repealing laws such as the Maharashtra Repealing Act, 1963, Maharashtra Repealing Act, 1976, Maharashtra Repealing Act, 1991, Maharashtra Repealing Act, 2016, Maharashtra Repealing (Second) Act, 2016, Repealing and Amending (Second) Act, 2017 were also analysed to arrive at a list of laws in force in Maharashtra.

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<sup>36</sup> India Code, Legislative Department, Ministry of Law and Justice, Government of India, *Digital Repository of State Acts of Maharashtra*, <[www.indiacode.nic.in/handle/123456789/2517/](http://www.indiacode.nic.in/handle/123456789/2517/)> accessed 5 September 2023.

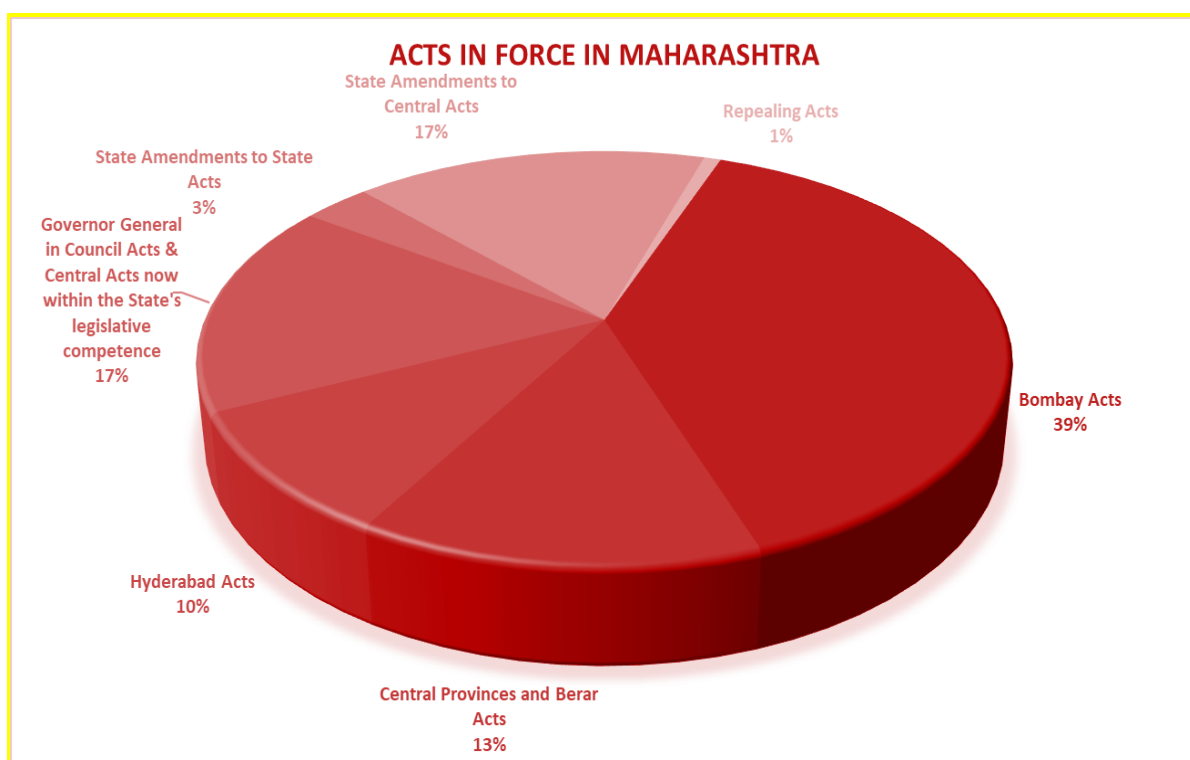
<sup>37</sup> Bombay High Court, *List of Maharashtra Acts*, <<https://bombayhighcourt.nic.in/libweb/acts/listofmahacts.html>> accessed 5 September 2023.

## Findings

From our study, we found that of the 165 laws identified in Annexure-A, **40 laws** were explicitly repealed *in toto* by a later law. A list of such repealed laws is presented in **Annexure B**. Wherever such laws appeared on any government database, we have suggested that these laws be removed from those databases.

The remaining **125 laws** (164 - 40) are in force. We have analysed these 125 laws in **Annexure C**. We have categorised these 125 laws in into 4 broad categories:

- Bombay Acts,<sup>38</sup> Hyderabad Acts<sup>39</sup> and Central Provinces and Berar Acts<sup>40</sup> (Part 1);
- Local Acts of the Governor-General in Council and Central Acts within the legislative competence of States (Part 2);
- State Amendments to State Acts (Part 3);
- State Amendments to Central Acts (Part 4);
- Repealing Act (Part 5).



## 2. Determining Legislative Competence under the Constitution

### Details

A suggestion for the repeal of obsolete laws must also be supplemented with the identification of the legislative body that must carry out such repeal. This exercise was not conducted by the MSLC in 2002.

The scheme of our Constitution is such that any law including a pre-independence law can only be repealed by the legislature which is competent to enact that law if it were to be enacted today.<sup>41</sup> This was reiterated by the Law Commission in its 248<sup>th</sup> report as well.

<sup>38</sup> See n 27.

<sup>39</sup> These Acts applied to the erstwhile areas of Hyderabad which are now part of Maharashtra.

<sup>40</sup> These Acts applied to the erstwhile areas of Central Provinces and Berar which are now part of Maharashtra.

<sup>41</sup> Constitution of India, 372(1).



In *Kerala State Electricity Board v. The Indian Aluminium Co. Ltd.*,<sup>42</sup> the Supreme Court held as follows:

An existing law continues to be valid even though the legislative power with respect to the subject-matter of the existing law might be in a different list under the Constitution from the list under which it would have fallen under the Government of India Act, 1935. But after the Constitution came into force an existing law could be amended or repealed only by the legislature which would be competent to enact that law if it were to be newly enacted.

The definition of law in force and existing law are similar under the Constitution, and therefore the ratio of this case on who can repeal a law applies to laws in force as well. Therefore, it is crucial to determine the legislative body that has competence over the law as on date.

Legislative competence has two facets - territorial and subject matter. A State Legislature can make laws for the whole or any part of the State.<sup>43</sup> The Maharashtra State Legislature is competent to enact or repeal only those laws that apply to Maharashtra or parts of Maharashtra today. Apart from this territorial jurisdiction, the Maharashtra State Legislature must also have legislative competence over the subject matter of a law.

The Constitution, in some cases, specifically provides for certain matters and with it, the legislature that is competent to legislate on such matters. For instance, establishment of new States, formation of new States by separation from other States and altering the boundaries of any State are all matters specifically provided for in Articles 2 and 3 of the Constitution. Only the Parliament can legislate on these matters.

Besides such specific provisions, the legislative fields or subject matters over which the State Legislature and Parliament have powers to legislate over are provided in the Seventh Schedule to the Constitution. The Parliament has exclusive legislative powers over subject matters enumerated in the Union List (List I). The State has exclusive legislative power over items in the State List (List II). The Parliament and State Legislatures both have powers to legislate upon items in the Concurrent list (List III). Therefore, there can exist two laws - one Central Act and one State Act in the same legislative sphere of the concurrent list. However, if the State Act is repugnant to the Central Act, the Central Act will prevail unless the State Act has received the assent of the President.<sup>44</sup> Where the subject matter of a law is such that it cannot be attributed to any entry in the State and Concurrent List, it is only the Parliament that can legislate on such matters.<sup>45</sup>

## Methodology and Limitations

In this report, each law in Parts 1, 2 and 5 of Annexure-C was analysed for its legislative competence under the Constitution to ascertain whether the Maharashtra State Legislature could repeal the law.

### *Legislative competence based on the territorial application of the law*

While conducting our study, we observed that some laws which appeared on government databases and the Index were not applicable to any part of Maharashtra as on date. We have suggested that such laws be deleted from the Index and the government databases, where it appears. One such law is the Religious Endowments (Extension to Kanara) Act, 1865.

#### ***Religious Endowments (Extension to Kanara) Act, 1865***

This Act seeks to Apply Bom. Reg. X of 1863 to Kanara, earlier a district in Bombay Presidency and now a part of Karnataka. Bom. Reg. X itself is not in force in Maharashtra. No part of this Act applies to the State of

<sup>42</sup> AIR 1976 SC 1031.

<sup>43</sup> Constitution of India, Article 245(1).

<sup>44</sup> Constitution of India, Article 254.

<sup>45</sup> Constitution of India, Article 248 read with the Seventh Schedule, List I, Entry 97.



Maharashtra. We have suggested that this law be deleted from the State Law and Judiciary website.

#### *Legislative competence based on the subject matter of the law*

For most laws, mapping the entries in the Seventh Schedule was a straightforward exercise. However, in some cases, it was difficult to attribute a law to a particular list in the Seventh Schedule. This is because several of these pre-independence laws were enacted before the Government of India Act, 1935 (from which the Seventh Schedule is largely inspired). Wherever it was difficult to attribute any law to an entry in the Seventh Schedule, it was assumed that the Centre had legislative competence to enact (and consequently, repeal) the law.<sup>46</sup> For instance, the Bombay Public Authorities Seals Act, 1883.

#### ***Bombay Public Authorities Seals Act, 1883***

This law empowers the State Government to prescribe seals of certain public authorities such as session judges, presidency magistrates, members of the Legislative Assembly and any other judicial or public official for whom an official seal is not prescribed by any other law. This Act could not be attributed to any specific entry in any of the three lists under the Seventh Schedule. Therefore, legislative competence was attributed to the Centre.

In case of some laws like the Bombay Steam Vessels Act, 1864, the legislative competence could be traced to entries in more than one list of the Seventh Schedule.

#### ***Bom. Act 02 of 1864, Steam-Vessels Act, 1864***

This law provides for the periodical survey of steam vessels in ports, harbours, rivers and waters of the Bombay Presidency. The subject matter of the law can be traced to List I, Entry 24 (Shipping on National Waterways) and List III, Entry 32 (Shipping on Inland Waterways).

In case of overlap of powers of the Parliament and State Legislature, Indian Courts apply the '*pith and substance*' test. The phrase 'pith and substance' means true nature and character.<sup>47</sup> The test is ordinarily used to ascertain if a law enacted by one legislative body encroaches upon the law-making domain of another legislative body. Courts apply this test to ascertain whether a law is substantially within the legislative competence of the legislature that enacted the legislation. If the pith and substance of the law substantially relates to an entry in the Seventh Schedule of the Constitution over which the legislature has competence, the law would not be invalidated merely because it incidentally encroaches upon the legislative domain of another.<sup>48</sup> If the legislation has a substantial and not merely a remote connection with the entry, the matter may well be taken to be legislation on the topic.<sup>49</sup> When applying this doctrine, regard is to be had to the enactment as a whole, its main object and the scope and effect of its provisions.<sup>50</sup> Again, pre-independence laws do not follow the same scheme of distribution of powers found in the Seventh Schedule today.

<sup>46</sup> Constitution of India, Article 248 read with the Seventh Schedule, List I, Entry 97.

<sup>47</sup> DD Basu, *Commentary on the Constitution of India*, vol 12 (9th edn).

<sup>48</sup> *Union of India v Shah Goverdhan L. Kabra Teachers' College*, (2002) 8 SCC 228.

<sup>49</sup> *Ujagar Prints v Union of India*, AIR 1989 SC 516.

<sup>50</sup> *Bharat Hydro Power Corpn. Ltd. v State of Assam*, (2004) 2 SCC 553.

For our exercise, where there were overlaps in legislative powers, we employed these doctrines to ascertain whether the subject matter of the law was within the legislative competence of the State Legislature or Parliament. In cases where a reconciliation between the overlaps was not possible even after applying the pith and substance test, we have determined legislative competence over the law based on Article 246 in the following manner:

Scenarios	Legislative Competence			Who can enact and repeal?
	State	Centre	Concurrent	
Scenario 1	✓			State Legislature
Scenario 2		✓		Parliament
Scenario 3			✓	Parliament and subject to Article 254, <sup>51</sup> State
Scenario 4	✓	✓		Parliament
Scenario 5	✓		✓	Parliament and subject to Article 254, <sup>52</sup> State
Scenario 6		✓	✓	Parliament
Scenario 7	✓	✓	✓	Parliament

## Findings

Accordingly, for each law listed in Parts 1, 2 and 5 of Annexure-C, the list and entry number under the Seventh Schedule have been identified for in Annexure C. We discovered that the legislative competence of **69 laws** lie with the Maharashtra State Legislature. The legislative competence of **20 laws** lies with the Parliament and in **34 laws**, the legislative competence was with the Parliament and the State Legislature as the subject matter pertained to a matter in the Concurrent List.

### 3. Mapping use and disuse for obsolescence

As discussed earlier, the purpose of this report is to exclude obsolete laws from the statute book. As such, only those pre-independence laws which are not in use are to be recommended for immediate repeal. Metrics to determine whether a law is in use or disuse are required to be developed for this purpose. Law can then be assessed against these metrics.

## Methodology and Limitations

Over the years, the Law Commission has published several reports identifying Central laws that required repeal. In its 248<sup>th</sup> Report, the Law Commission used the following metrics to determine if a law was suitable for instant repeal:

They have been recommended for repeal because they fall into one or more of the following categories– first, the subject matter of the law in question is outdated, and a law is no longer needed to govern that subject; second, the purpose of the law in question has been fulfilled and it is no longer needed and third, there is newer law or regulation governing the same subject matter.<sup>53</sup>

<sup>51</sup> Where a State Act is inconsistent with a Central Law, the Central law prevails unless the State Act has presidential assent. A state law repealing a Central law would also make the State Law repugnant.

<sup>52</sup> *ibid.*

<sup>53</sup> Law Commission, 248<sup>th</sup> Report, p.10.

The MSLC also suggested a law for repeal if it found that the law,

- had spent itself;
- had become outmoded;
- had become obsolete; or
- was not necessary in present-day circumstances.

In addition to the metrics adopted by the Law Commission and the MSLC to determine whether a law is in use, we have used the following metrics to assess use/disuse of a law:

*a. Recent judgment/ order of a court of law makes reference to the law*

In such cases, a passing reference in cases does not qualify - the law must have formed a part of the litigation leading up to the judgment/order and it must form part of the ratio of the judgment/order. Depending upon their availability, the copies of judgments/orders of the Supreme Court and High Courts are considered. There may be cases of use of certain laws determinable from decisions of lower courts that are not reflected in this study.

**Markets and Fairs Act, 1862**

This law regulates the establishment and closure of markets and fairs in Maharashtra. It requires anyone wanting to establish a new market or fair to apply to the District Magistrate. It also provides for shutting down existing markets and fairs that pose a public health and safety concern.

In 2014, the Bombay High Court directed the CEO, Zilla Parishad to consider the provisions of this Act while deciding an application made for conducting a cattle bazaar in Nanded. Since the law is actively relied upon in case laws, we have concluded that the law is in use.

*b. Subordinate legislation (rules, regulations, etc.) have been recently framed under the law*

**The Nagpur Improvement Trust Act, 1936**

This Act provides for the creation of the Nagpur Improvement Trust. The Trust prepares various development schemes. The Trust is a local planning authority under the Urban Development Department. A Government Resolution as recent as 10th August 2023 was issued amending the Nagpur Improvement Trust Recruitment (Classification of Services, Recruitment and Promotion) Rules under this Act. Therefore, this law is in use.

*c. A subsequent law has occupied the field completely*

A subsequent law may not explicitly repeal a former law on the same subject. This is generally attributable to legislative oversight. However, if the subsequent law is in the nature of an exhaustive code on the subject matter and both laws cannot possibly co-exist, then the earlier law is said to have been impliedly repealed.

**Hyderabad Prevention of Cruelty to Animals Act, 1313F**

This law was enacted to provide for the protection of animals against any abuse or cruelty. In 1960, the Parliament passed the Prevention of Cruelty to Animals Act, 1960 which is applicable to all States and is a comprehensive legislation on the subject. Thus, this Act has been impliedly repealed. Therefore, this act is no longer useful or in use.

*d. Recent amendments made to the law*

### Mumbai Municipal Corporation Act, 1888

This law relates to the municipal government of Mumbai. The last amendment to this law was in 2022. It is still in force.

e. *If the law contained any discriminatory provisions as a whole*

### Hereditary Offices (Amendment) Act, 1886

This amendment act has two substantive provisions. One states that the right of a female family member and any of her heirs to the watan will be second to any male member claiming inheritance. Another states that a widow mother or paternal grandmother's right to inheritance will be only up till the term of her life or marriage. These provisions are discriminatory in nature and we have suggested that the State consider repealing this law.

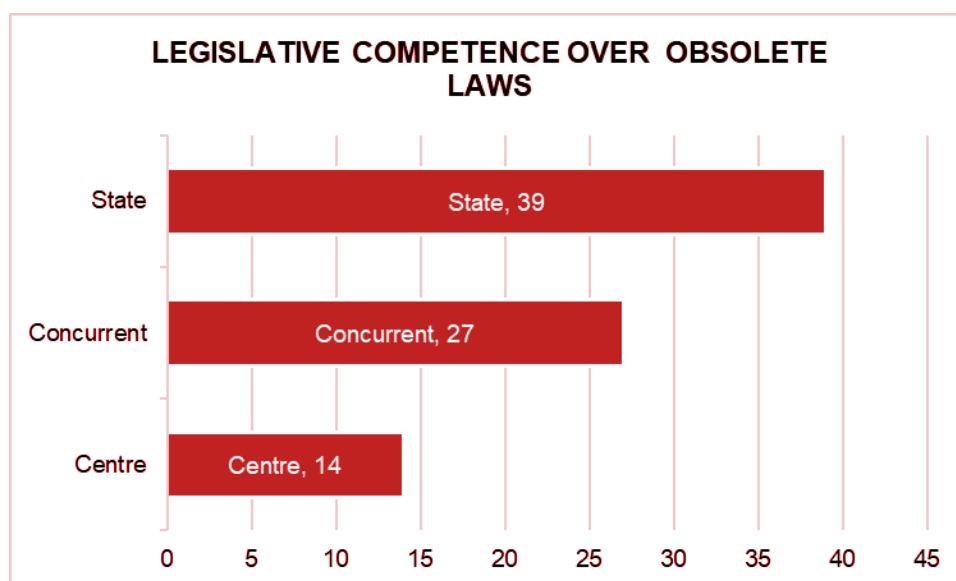
f. *Recommendations of the Law Commission, Ramanujan Committee, P.C. Jain Commission or the MSLC*

g. *Same or similar laws repealed by other States*

Different metrics were followed to ascertain whether Amendment Acts amending earlier State Acts or Central Acts must continue on the statute book or not. If the Amendment Act was notified<sup>54</sup>, we first determined if the parent Central or State Act was in force or not. If the parent Central or State Act was not in force, we have suggested that the State Amendment be repealed. An additional assessment was made to ensure that there were no standalone/substantive provisions in these Amendment Acts which required retention or saving.

## Finding

As a result of this exercise, we found that out of the 125 Acts in force, **80 laws** are obsolete and **42 laws** are in use. The Legislative competence for the 80 obsolete laws is given in the figure below.



For more details, please see Annexure C of this report.

<sup>54</sup> As per the Maharashtra General Clauses Act, 1904 "commencement" used with reference to an Act, means the day on which the Act comes into force.

#### 4. Final Recommendations to repeal, review and retain

A law touching upon the legislative fields in List I can only be repealed by the Parliament.<sup>55</sup> The power of the State Legislature to legislate on matters in the State List and Concurrent List is subject to the powers of the Parliament to enact laws in the Union or the Concurrent List.<sup>56</sup> Consequently, when the legislative competence of an Act was attributed to an entry in the Concurrent List, we have suggested that the Parliament repeal it. A law that pertains to a matter in the State List can be repealed by the State Legislature.

The 3 types of recommendations made for the laws are as follows:

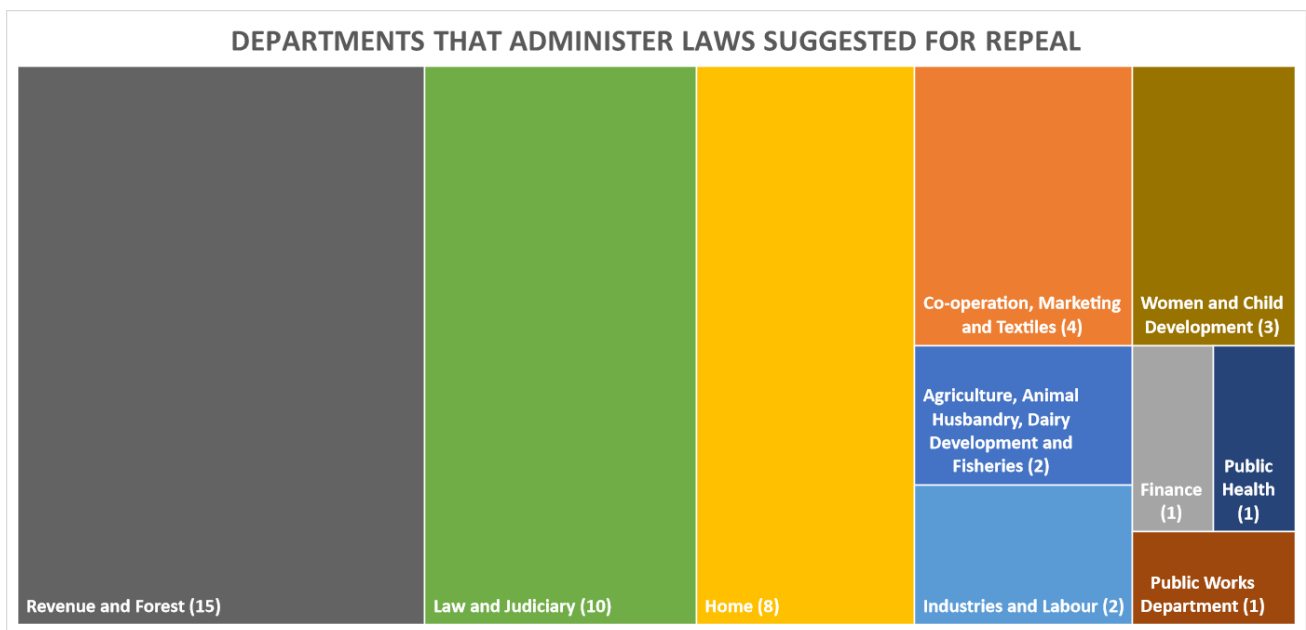
Sr. No.	Recommendation	Explanation	Result
1.	Repeal	<p>This action has been proposed if:</p> <ul style="list-style-type: none"> <li>• A law is not in use and the subject matter of the law pertains to an entry in the State List;</li> <li>• A law is not in use and the subject matter of the law pertains to an entry in the Concurrent List but the State Legislature has made any amendments to the law in the past;</li> <li>• A law is not in use and the subject matter of the law pertains to an entry in the Concurrent List and other states have repealed the law;</li> <li>• Where a law is an archaic law and has been suggested for repeal by earlier commissions or committees;</li> <li>• A State amendment that makes only textual amendments to a Central law or a State law. In such cases, if the parent law is still in force and active, we have suggested repeal provided that an appropriate savings clause is drafted to save the effect of the amendment despite its repeal; or</li> <li>• Where a state amendment amends a Central Act or a State Act that has already been repealed.</li> </ul>	<p><b>47 Acts</b></p> <p>Please see Annexure-D</p>
2.	Retain	<p>This action has been proposed if:</p> <ul style="list-style-type: none"> <li>• A law is in use; or</li> <li>• A State amendment to a Central law or a State law contains any standalone provisions which are in use.</li> </ul>	<p><b>30 Acts</b></p> <p>Please see Annexure-D</p>
3.	Review	<p>This action has been proposed if:</p> <ul style="list-style-type: none"> <li>• A law pertains to a subject matter specified in the Concurrent List or the Union List and is not in use but has not been explicitly</li> </ul>	<p><b>46 Acts</b></p>

<sup>55</sup> Constitution of India, Article 246.

<sup>56</sup> Constitution of India, Article 246(2) and 246(3).

		<ul style="list-style-type: none"> <li>repealed by the Parliament;</li> <li>Some information crucial to determining the use or disuse of the Act is not available in the public domain and the State Government must assess the relevance of the law or the legislative competence of the law;</li> <li>Where a law can be modernised/ re-enacted/ incorporated in another legislation by the State Legislature.</li> </ul>	Please see Annexure-D
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The departments that administer the laws suggested for repeal are provided below. For more details, please see Annexure C of this report.



# Chapter 3: Conclusion

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The State of Maharashtra, as we know it today, is an amalgamation of several provinces and territories. It has undergone several changes, both, in terms of its geographical breadth and law-making bodies that had the power to legislate over Maharashtra at different points in history. What we are left with is an assortment of laws in the State's Statute Book, some of which are no longer relevant today. Despite the redundancy of such laws, they continue to be in force.

The existence of these laws in the Statute Books pose a significant challenge to citizens as well as law enforcement agencies. In a society where ignorance of the law is no excuse and the burden to know and follow the law lies with citizens, the State also carries an intrinsic responsibility to keep its laws up-to-date. This is why regularly reviewing laws to assess their relevance and updating the statute book is of the utmost essence. Apart from a regular review of laws, another prospective step that can be taken is the addition of a sunset clause to future laws. This provides for the automatic expiration of the law after a fixed amount of time unless the legislature notifies its continuance. The primary intention of a sunset clause is to ensure that every future law, which may eventually become archaic, automatically ceases to exist subject to certain criteria. This assures more efficiency and certainty in repealing laws, as the provision allows for the automatic abrogation of redundant laws and prevents the need for the legislature to undertake a case-by-case exercise for each law.

For now, this report identifies pre-independence obsolete laws that are still in force in Maharashtra and has delved into various aspects such as legislative competence, case law analyses of such laws as well as the identification of relevant departments to provide final recommendations to repeal, review or retain them. In our subsequent Reports, we will be analysing laws enacted post independence to identify obsolete laws for repeal. Through this project, we hope to aid the Maharashtra State Legislature in repealing obsolete laws, facilitate the creation of a more relevant statute book for the state and overall, promote the rule of law.

# ANNEXURE A

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## *List of laws reviewed*



1. Bengal Wills and Intestacy Regulation, 1799 (Regulation 05 of 1799)
2. Bengal Foreign Immigrants Regulation, 1812 (Regulation 11 of 1812)
3. Bengal State Prisoners Regulation Act, 1818 (Act 03 of 1818)
4. Bengal Alluvion and Diluvion Regulation, 1825 (Regulation 11 of 1825)
5. Caste-questions Pleaders (Bombay Regulation 02 of 1827)
6. Civil Courts (Law to be observed) (Bombay Regulation 04 of 1827)
7. Bengal Attached Estates Management Regulations, 1827 (Regulation 05 of 1827)
8. Acknowledgements of debts; Interest, Mortgages Regulation, 1827 (Bombay Regulation 05 of 1827)
9. Administration of Estates Regulation, 1827 (Bombay Regulation 08 of 1827)
10. Military Authority (Assistant to Marching Troops). Regulation, 1827 (Bombay Regulation 22 of 1827)
11. Dekkhan and Khandesh (Poona, Ahmednagar and Khandesh District) Regulation, 1827 (Bombay Regulation 29 of 1827)
12. Regulation of Land Suits-Extending Jurisdiction of Agent, 1831 (Bombay Regulation 01 of 1831)
13. Bombay Rent-Free Estates Act, 1852 (Bombay Act 11 of 1852)
14. Shore Nuisances (Bombay and Kolaba) Act, 1853 (Bombay Act 11 of 1853)
15. Stage Carriages Act, 1861 (Act 16 of 1861)
16. Markets and Fairs Act, 1862 (Bombay Act 04 of 1862)
17. Exemptions From Land-Revenue (No.1) Act, 1863 (Bombay Act 02 of 1863)
18. Satara, Sholapur and Southern Maratha Country Laws Act, 1863 (Bombay Act 03 of 1863)
19. Gas Companies Act, 1863 (Bombay Act 05 of 1863)
20. Exemptions From Land-Revenue (No.2) Act, 1863 (Bombay Act 07 of 1863)
21. Steam-Vessels Act, 1864 (Bombay Act 02 of 1864)
22. Avoiding Wagers (Amendment) Act, 1865 (Bombay Act 03 of 1865)
23. Religious Endowments (Extension to Kanara) Act, 1865 (Bombay Act 07 of 1865)
24. Hindu Heirs' Relief Act, 1866 (Bombay Act 07 of 1866)
25. Edulabad and Warangaon Parganas Laws Act, 1866 (Bombay Act 14 of 1866)
26. High Court (Letters Patent) Act, 1866 (Bombay Act 23 of 1866)
27. District Police Act, 1867 (Bombay Act 07 of 1867)
28. Ferries and Inland Vessels Act, 1868 (Bombay Act 02 of 1868)
29. Civil Courts Act, 1869 (Bombay Act 14 of 1869)
30. Coroners Act, 1871 (Bombay Act 04 of 1871)
31. Civil Jails Act, 1874 (Bombay Act 02 of 1874)
32. Hereditary Offices Act, 1874 (Bombay Act 03 of 1874)
33. Tolls on Roads and Bridges Act, 1875 (Bombay Act 03 of 1875)
34. Central Provinces Laws Act, 1875 (Act 20 of 1875)
35. Revenue Jurisdiction Act, 1876 (Bombay Act 10 of 1876)
36. Municipal Debentures Act, 1876 (Bombay Act 15 of 1876)
37. Broach and Kaira Incumbered Estates Act, 1877 (Act 14 of 1877)
38. Abkari Act, 1878 (Bombay Act 05 of 1878)
39. Bombay Port Trust Act, 1879 (Bombay Act 06 of 1879)
40. Landing and Wharfage Fees Act, 1882 (Bombay Act 07 of 1882)
41. Public Authorities Seals Act, 1883 (Bombay Act 05 of 1883)
42. Hereditary Offices (Amendment) Act, 1886 (Bombay Act 05 of 1886)
43. Protection of Pilgrims Act, 1887 (Bombay Act 02 of 1887)
44. Prevention of Gambling Act, 1887 (Bombay Act 04 of 1887)
45. Mumbai Municipal Corporation Act (Bombay Act 03 of 1888)
46. City of Bombay Municipal (Supplementary) Act, 1888 (Bombay Act 12 of 1888)
47. Village Sanitation Act, 1889 (Bombay Act 01 of 1889)
48. Charitable Endowments Act, 1890 (Act 06 of 1890)
49. Municipal Servants Act, 1890 (Bombay Act 05 of 1890)

50. Act to Extend Indian Easements Act, 1882 (Bombay Act 8 of 1891)
51. Sir Dinshaw Maneckjee Petit Baronetcy Act, 1893 (Bombay Act 06 of 1893)
52. Peint Laws Act, 1894 (Bombay Act 02 of 1894)
53. Hyderabad Destruction of Useless Records Act, 1305 F (Act 03 of 1305 F)
54. Act to amend Act VIII of 1870 (Bombay Act 03 of 1897)
55. Hyderabad General Clauses Act, 1308 F (Act 03 of 1308 F)
56. Hyderabad Government Demands Act, 1308 F (Act 04 of 1308 F)
57. Municipal Investments Act, 1898 (Bombay Act 01 of 1898)
58. Central Provinces and Berar Court of Wards Act, 1899 (Act 24 of 1899)
59. Hyderabad Prevention of Cruelty to Animals Act, 1313 F (Act 01 of 1313 F)
60. Bombay General Clauses Act, 1904 (Bombay Act 01 of 1904)
61. Court of Wards Act, 1905 (Bombay Act 01 of 1905)
62. Mamlatdars' Courts Act, 1906 (Bombay Act 02 of 1906)
63. Chhatrapati Shivaji Maharaj Vastu Sangrahalaya Act, 1909 (Bombay Act 03 of 1909)
64. Hyderabad Railways, Government Irrigation Sources and Other Public Buildings Protection Act, 1321 F (Act 01 of 1321 F)
65. Societies Registration (Amendment) Act, 1912 (Bombay Act 02 of 1912)
66. Race-Courses Licensing Act, 1912 (Bombay Act 03 of 1912)
67. Abkari (Amendment) Act, 1912 (Bombay Act 12 of 1912)
68. Smoke-Nuisances Act, 1912 (Bombay Act 07 of 1912)
69. Prince of Wales Museum (Amendment) Act, 1913 (Bombay Act 07 of 1913)
70. Local Authorities Loans Act, 1914 (Act 9 of 1914)
71. Central Provinces and Berar Excise Act, 1915 (Act 02 of 1915)
72. Sir Jamsetji Jeejeebhoy Baronetcy Act, 1915 (Act 10 of 1915)
73. Central Provinces Land Alienation Act, 1916 (Act 02 of 1916)
74. Disqualification of Aliens Act, 1918 (Bombay Act 06 of 1918)
75. Central Provinces and Berar Prevention of Adulteration Act, 1919 (Act 02 of 1919)
76. Public Conveyances Act, 1920 (Bombay Act 07 of 1920)
77. City of Bombay Primary Education Act, 1920 (Bombay Act 15 of 1920)
78. Pleaders Act, 1920 (Bombay Act 17 of 1920)
79. Police (Incitement to Disaffection) Act, 1922 (Act 22 of 1922)
80. Cotton Contracts Control (War Provisions) Repeal Act, 1922 (Bombay Act 03 of 1922)
81. Mahul Creek (Extinguishment of Rights) Act, 1922 (Bombay Act 04 of 1922)
82. Identification of Prisoners (Bombay Amendment) Act, 1922 (Bombay Act 11 of 1922)
83. Hyderabad Unclaimed Property Act, 1333 F (Act 01 of 1333 F)
84. Entertainments Duty Act, 1923 (Bombay Act 01 of 1923)
85. Betting Tax Act, 1925 (Bombay Act 06 of 1925)
86. Invalidation of Hindu Ceremonial Emoluments Act, 1926 (Bombay Act 11 of 1926)
87. Bombay Non-Agriculturists Loans Act, 1928 (Bombay Act 03 of 1928)
88. Central Provinces and Berar Weights and Measures of Capacity Act, 1928 (Act 02 of 1928)
89. Indian Registration (Bombay Amendment) Act, 1929 (Bombay Act 05 of 1929)
90. Central Provinces and Berar Juvenile Smoking Act, 1929 (Act 08 of 1929)
91. Borstal Schools Act, 1929 (Bombay Act 18 of 1929)
92. Provincial Small Cause Courts (Amendment) Act, 1930 (Bombay Act 06 of 1930)
93. Indian Registration (Amendment) Act, 1930 (Bombay Act 17 of 1930)
94. Local Fund Audit Act, 1930 (Bombay Act 25 of 1930)
95. Cattle-Trespass (Amendment) Act, 1931 (Bombay Act 05 of 1931)
96. Cotton Contracts Act, 1932 (Bombay Act 04 of 1932)
97. Provincial Small Cause Courts (Amendment) Act, 1932 (Bombay Act 09 of 1932)
98. Weight and Measures Act, 1932 (Bombay Act 15 of 1932)
99. Hyderabad Children Protection Act, 1343 F (Act 09 of 1343 F)
100. Central Provinces and Berar State Aid to Industries Act, 1933 (Act 12 of 1933)
101. Presidency Small Cause Courts (Amendment) Act, 1933 (Bombay Act 05 of 1933)

102. City of Bombay Municipal (Amendment) Act, 1933 (Bombay Act 13 of 1933)
103. Indian Registration (Amendment) Act, 1933 (Bombay Act 18 of 1933)
104. Live-Stock Improvement Act, 1933 (Bombay Act 22 of 1933)
105. Central Provinces and Berar Debt Conciliation Act, 1933 (Act 02 of 1933)
106. Presidency-Towns Insolvency (Amendment) Act, 1933 (Bombay Act 20 of 1933)
107. Devadasis Protection Act, 1934 (Bombay Act 10 of 1934)
108. Central Provinces and Berar Game Act, 1935 (Act 15 of 1935)
109. Criminal Procedure (Election Offences) Amendment Act, 1935 (Bombay Act 29 of 1935)
110. Central Provinces and Berar Agricultural Produce Market Act, 1935 (Act 29 of 1935)
111. Identification of Prisoners (Bombay Second Amendment) Act, 1935 (Bombay Act 21 of 1935)
112. Nagpur Improvement Trust Act, 1936 (Act 36 of 1936)
113. Central Provinces and Berar Highway Act, 1936 (Act 34 of 1936)
114. Central Provinces and Berar Adjustment and Liquidation of Industrial Workers' Debt Act, 1936 (Act 05 of 1936)
115. Opium Smoking Act, 1936 (Bombay Act 20 of 1936)
116. Central Provinces and Berar Probation of Offenders Act, 1936 (Act 01 of 1936)
117. Cotton Ginning and Pressing Factories (Bombay Amendment) Act, 1936 (Bombay Act 04 of 1936)
118. Indian Lunacy, Bombay District Municipal and Bombay Municipal Boroughs (Amendment) Act, 1936 (Bombay Act 15 of 1936)
119. Parsi Public Trusts Registration Act, 1936 (Bombay Act 23 of 1936)
120. Hyderabad Hindu Widows' Marriage Act, 1347 F (Act 01 of 1347 F)
121. Central Provinces and Berar Co-operative Land Mortgage Banks Act, 1937 (Act 01 of 1937)
122. Central Provinces and Berar Recognised Examinations Act, 1937 (Act 10 of 1937)
123. Central Provinces and Berar Protection of Debtors Act, 1937 (Act of 04 of 1937)
124. Indian Registration (Bombay Amendment) Act, 1938 (Bombay Act 24 of 1938)
125. Indian Lunacy (Bombay Amendment) Act, 1938 (Bombay Act 15 of 1938)
126. Cotton Ginning and Pressing Factories (Bombay Amendment) Act, 1938 (Bombay Act 20 of 1938)
127. Forfeited Lands Registration Act, 1938 (Bombay Act 22 of 1938)
128. Central Provinces and Berar Collection of Statistics Act, 1939 (Act 34 of 1939)
129. Gas Supply Act, 1939 (Bombay Act 09 of 1939)
130. Transfer of Property and the Indian Registration (Bombay Amendment) Act, 1939 (Bombay Act 14 of 1939)
131. Fodder and Grain Control Act, 1939 (Bombay Act 26 of 1939)
132. Lifts Act, 1939 (Bombay Act 10 of 1939)
133. Presidency-Towns Insolvency and the Provincial Insolvency (Bombay Amendment) Act, 1939 (Bombay Act 15 of 1939)
134. Hyderabad Power Alcohol Act, 1350 F (Act 11 of 1350 F)
135. Hyderabad Court of Wards Act, 1350 F (Act 12 of 1350 F)
136. Hyderabad Insolvency Act, 1351 F (Act 8 of 1351 F)
137. Berar Law Provincial Act, 1941 (Act 15 of 1941)
138. Central Provinces and Berar Hindu Women's Rights to Property (Extension to Agricultural Land) Act, 1942 (Act 06 of 1942)
139. Indian Post Office (Bombay Amendment) Regulation, 1942 (Bombay Regulation 01 of 1942)
140. Local Authorities Loans (Bombay Amendment) Act, 1942 (Bombay Act 02 of 1942)
141. Land Improvement Schemes Act, 1942 (Bombay Act 28 of 1942)
142. Cotton Control Act, 1942 (Bombay Act 30 of 1942)
143. Bhagelas Contract Act, 1353 F (Act 9 of 1353 F)
144. Indian Tariff (Bombay Application) Regulation, 1943 (Bombay Regulation 01 of 1943)
145. Central Provinces and Berar Regulation of Couching Act, 1944 (Act 02 of 1944)
146. Improvement Trust Tribunal (Validation of Proceedings) Act (Nagpur), 1945 (Act 03 of 1945)
147. Central Provinces and Berar Co-operative Societies (Amendment of Liquidators' Orders Validation) Act, 1945 (Act 10 of 1945)

148. Greater Bombay Laws and the Bombay High Court (Declaration of Limits) Act, 1945 (Bombay Act 17 of 1945)
149. Indian Electricity (Bombay Amendment) Act, 1946 (Bombay Act 18 of 1946)
150. Electricity (Special Powers) Act, 1946 (Bombay Act 20 of 1946)
151. Special Tribunal (Continuance) Act, 1946 (Bombay Act 21 of 1946)
152. Ahmedabad and Surat Municipal Administration Validation Act, 1946 (Bombay Act 23 of 1946)
153. Cotton (Statistics) Act, 1946 (Bombay Act 27 of 1946)
154. Hyderabad Weights and Measures Act, 1356 F (Act 14 of 1356 F)
155. Central Provinces and Berar Regulations of Letting of Accommodation Act, 1946 (Act 11 of 1946)
156. Code of Criminal Procedure (Bombay Amendment) Act, 1946 (Bombay Act 30 of 1946)
157. Home Guards Act, 1947 (Bombay Act 03 of 1947)
158. Industrial Relations Act, 1947 (Bombay Act 11 of 1947)
159. Indian Registration (Bombay Amendment) Act, 1947 (Bombay Act 14 of 1947)
160. Prisoners (Bombay Amendment) Act, 1947 (Bombay Act 17 of 1947)
161. Central Provinces and Berar Revision of Land Revenue of Mahals Act, 1947 (Act 25 of 1947)
162. Agricultural Debtors Relief Act, 1947 (Bombay Act 28 of 1947)
163. Motor Vehicles (Bombay Amendment) Act, 1947 (Bombay Act 07 of 1947)
164. Hindu Women's Rights to Property (Extension to Agricultural Land) Act, 1947 (Bombay Act 19 of 1947)
165. Money-Lenders Act, 1946 (Bombay Act 31 of 1947)

# ANNEXURE B

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## *List of repealed laws*

Sr. No.	Name of the Law	In the 2019 Maharashtra Index or Not	Code Volume	Basis of Repeal	Comments and Suggestions
1.	Bengal State Prisoners Regulation Act, 1818 (Act 03 of 1818)	Yes	Madhya Pradesh Code, Volume I	<a href="#">The Repealing and Amending Act, 1952</a>	This act appears in the 2019 Index (Alphabetical List of Acts and Regulations in force in the State of Maharashtra). We suggest its deletion.  Note that despite being repealed in 1952, this law was amended and adopted in the Bombay (Vidarbha Region) Adaptation of Laws (State and Concurrent Subjects) Order, 1956.
2.	Caste-questions pleaders (Bom. Reg. 02 of 1827)	No	Maharashtra Code, Volume I	<a href="#">Maharashtra Protection of People from Social Boycott (Prevention, Prohibition and Redressal) Act, 2016</a>	This act appears on the State Law and Judiciary department website. We suggest its deletion.
3.	Civil Courts (Law to be observed) (Bom. Reg. 04 of 1827)	Yes	Maharashtra Code, Volume I	<a href="#">The Muslim Personal Law (Shariat) Application Act, 1937</a>	It appears that only one provision of this act (section 26) was in force. This was repealed in 1937.  This act appears on the State Law and Judiciary department website and the 2019 Index (Alphabetical List of Acts and Regulations in force in the State of Maharashtra). We suggest its deletion.
4.	High Court (Letters Patent) Act, 1866 (Bom. Act 23 of 1866)	Yes	Maharashtra Code, Volume I	<a href="#">Judicial Administration Laws (Repeal) Act, 2001</a>	This act appears on the State Law and Judiciary department website and the 2019 Index (Alphabetical List of Acts and Regulations in force in the State of Maharashtra). We suggest its deletion.
5.	District Police Act, 1867 (Bom. Act 07 of 1867)	No	-	<a href="#">Bombay District Police Act, 1890, Bombay Village Panchayat Act, 1958, Bombay Village Sanitation Act, 1889</a>	It appears that only sections 33 and 34 seem to be existing as of today. However, these two provisions have also ceased to operate/been repealed in places where the 1958 and 1889 Acts are applicable. If these two acts apply to all of Maharashtra, then this act has been repealed.  This law appears on the State Law and Judiciary department website. We suggest its deletion.
6.	Coroners Act, 1871 (Bom. Act 04 of 1871)	No	Maharashtra Code, Volume I	<a href="#">Coroners (Maharashtra Repeal) Act, 1999</a>	This act appears on the State Law and Judiciary department website and the High Court of Bombay website. We suggest its deletion.

7.	Tolls on Roads and Bridges Act, 1875 (Bom. Act 03 of 1875)	No	Maharashtra Code, Volume I	<a href="#">Maharashtra Repealing (Second) Act, 2016</a>	This act appears on the State Law and Judiciary department website, the High Court of Bombay website and the digital repository of Maharashtra Acts on India Code. We suggest its deletion.
8.	Central Provinces Laws Act, 1875 (Act 20 of 1875)	Yes	Madhya Pradesh Code, Volume I	<a href="#">Repealing and Amending (Second) Act, 2017</a>	This act appears in the 2019 Index (Alphabetical List of Acts and Regulations in force in the State of Maharashtra). We suggest its deletion.
9.	Municipal Debentures Act, 1876 (Bom. Act 15 of 1876)	Yes	Maharashtra Code, Volume I	<a href="#">Maharashtra Repealing Act, 2016</a>	This act appears on the State Law and Judiciary department website and the 2019 Index (Alphabetical List of Acts and Regulations in force in the State of Maharashtra). We suggest its deletion.
10.	Landing and Wharfage Fees Act, 1882 (Bom. Act 07 of 1882)	No	Maharashtra Code, Volume I	<a href="#">Maharashtra Repealing Act, 2016</a>	This act appears on the State Law and Judiciary department website and the High Court of Bombay website. We suggest its deletion.
11.	City of Bombay Municipal (Supplementary) Act, 1888 (Bom. Act 12 of 1888)	Yes	Maharashtra Code, Volume I	<a href="#">Maharashtra Repealing Act, 2016</a>	This act appears on the State Law and Judiciary department website, the High Court of Bombay website and the 2019 Index (Alphabetical List of Acts and Regulations in force in the State of Maharashtra). We suggest its deletion.
12.	Village Sanitation Act, 1889 (Bom. Act 01 of 1889)	No	Maharashtra Code, Volume I	<a href="#">Maharashtra Repealing (Second) Act, 2016</a>	This act appears on the State Law and Judiciary department website. We suggest its deletion.
13.	Municipal Investments Act, 1898 (Bom. Act 01 of 1898)	Yes	Maharashtra Code, Volume I	<a href="#">Maharashtra Repealing Act, 2016</a>	This act appears on the State Law and Judiciary department website and the High Court of Bombay website. We suggest its deletion.
14.	Court of Wards Act, 1905 (Bom. Act 01 of 1905)	No	Maharashtra Code, Volume I	<a href="#">Maharashtra Repealing (Second) Act, 2016</a>	This act appears on the State Law and Judiciary department website and the High Court of Bombay website. We suggest its deletion.
15.	Smoke-Nuisances Act, 1912 (Bom. Act 07 of 1912)	No	Maharashtra Code, Volume I	<a href="#">Maharashtra Repealing (Second) Act, 2016</a>	This act appears on the State Law and Judiciary department website and the High Court of Bombay website. We suggest its deletion.
16.	Central Provinces Land Alienation Act, 1916 (Act 02 of 1916)	Yes	Madhya Pradesh Code, Volume I	<a href="#">Maharashtra Land Revenue Code, 1966</a>	This act appears in the 2019 Index (Alphabetical List of Acts and Regulations in force in the State of Maharashtra). We suggest its deletion.
17.	Disqualification of Aliens Act, 1918 (Bom. Act 06 of 1918)	No	Maharashtra Code, Volume I	<a href="#">Maharashtra Repealing Act, 2016</a>	This act appears on the State Law and Judiciary department website and the High Court of Bombay website. We suggest its deletion.



18.	City of Bombay Primary Education Act, 1920 (Bom. Act 15 of 1920)	No	Maharashtra Code, Volume I	<a href="#">City of Mumbai Primary Education, the Maharashtra Primary Education, the Hyderabad Compulsory Primary Education and the Madhya Pradesh Primary Education (Repeal) Act, 2013</a>	This act appears on the State Law and Judiciary department website and the High Court of Bombay website. We suggest its deletion.
19.	Pleaders Act, 1920 (Bom. Act 17 of 1920)	Yes	Maharashtra Code, Volume I	<a href="#">Advocates Act, 1961</a>	This act appears on the State Law and Judiciary department website, the High Court of Bombay website and the 2019 Index (Alphabetical List of Acts and Regulations in force in the State of Maharashtra). We suggest its deletion.
20.	Identification of Prisoners (Bombay Amendment) Act, 1922 (Bom. Act 11 of 1922)	Yes	Maharashtra Code, Volume II	<a href="#">Maharashtra Repealing Act, 2016</a>	This act appears in the 2019 Index (Subject-wise List of Acts and Regulations in force in the State of Maharashtra). We suggest its deletion.
21.	Betting Tax Act, 1925 (Bom. Act 06 of 1925)	No	Maharashtra Code, Volume II	<a href="#">Maharashtra Goods And Services Tax Act, 2017</a>	This act appears on the State Law and Judiciary department website and the High Court of Bombay website. We suggest its deletion.
22.	Central Provinces and Berar Weights and Measures of Capacity Act, 1928 (Act 2 of 1928)	Yes	Madhya Pradesh Code, Volume II	<a href="#">Standards of Weights and Measures Act, 1956</a> <a href="#">Bombay Weights and Measures (Enforcement) Act, 1958</a>	This Act, to the extent it contains any provision which corresponds to the provisions under the Standards of Weights and Measures Act, 1956, is repealed. Further, Sections 44 and 45 of the Bombay Weights and Measures (Enforcement) Act, 1958 has also repealed this law unless its continuance is notified by the Central Government. On confirming that such a notification does not exist, the law may be removed from the State law department website.
23.	Weight and Measures Act, 1932 (Bom. Act 15 of 1932)	No	Maharashtra Code, Volume II	<a href="#">Standards of Weights and Measures Act, 1956</a> <a href="#">Bombay Weights and Measures (Enforcement) Act, 1958</a>	This Act, to the extent it contains any provision which corresponds to the provisions under the Standards of Weights and Measures Act, 1956, is repealed. Further, Sections 44 and 45 of the Bombay Weights and Measures (Enforcement) Act, 1958 has also repealed this law unless its continuance is notified by the Central Government. On confirming that such a notification does not exist, the law may be removed from the State law department website.
24.	Central Provinces and Berar Debt Conciliation Act, 1933 (Act 02 of 1933)	Yes	Madhya Pradesh Code, Volume II	<a href="#">Maharashtra Repealing Amending Act, 1963</a>	This act appears in the 2019 Index (Alphabetical List of Acts and Regulations in force in the State of Maharashtra). We suggest its deletion.
25.	Presidency-Towns Insolvency (Amendment) Act, 1933 (Bom. Act 20 of 1933)	Yes	Maharashtra Code, Volume II	<a href="#">Maharashtra Repealing Act, 2016</a>	This act appears in the 2019 Index (Subject-wise List of Acts and Regulations in force in the State of Maharashtra). We suggest its deletion.
26.	Devadasis Protection Act, 1934 (Bom. Act 10 of 1934)	No	Maharashtra Code, Volume II	<a href="#">Maharashtra Devdasi System (Abolition) Act, 2005</a>	This act appears on the High Court of Bombay website. We suggest its deletion.



27.	Central Provinces and Berar Agricultural Produce Market Act, 1935 (Act 29 of 1935)	Yes	Madhya Pradesh Code, Volume II	<a href="#">Maharashtra Agricultural Produce Marketing (Development and Regulation) Act, 1963</a>	This act appears in the 2019 Index (Alphabetical List of Acts and Regulations in force in the State of Maharashtra). We suggest its deletion.
28.	Identification of Prisoners (Bombay Second Amendment) Act, 1935 (Bom. Act 21 of 1935)	Yes	Maharashtra Code, Volume II	<a href="#">Maharashtra Repealing Act, 2016</a>	This act appears in the 2019 Index (Subject-wise List of Acts and Regulations in force in the State of Maharashtra). We suggest its deletion.
29.	Central Provinces and Berar Game Act, 1935 (Act 15 of 1935)	Yes	Madhya Pradesh Code, Volume II	<a href="#">Bombay Wild Animals and Wild Birds Protection Act, 1951</a>	This act appears in the 2019 Index (Alphabetical List of Acts and Regulations in force in the State of Maharashtra). We suggest its deletion.
30.	Central Provinces and Berar Probation of Offenders Act, 1936 (Act 01 of 1936)	Yes	Madhya Pradesh Code, Volume II	<a href="#">Maharashtra Repealing Act, 1991</a>	This act appears in the 2019 Index (Alphabetical List of Acts and Regulations in force in the State of Maharashtra). We suggest its deletion.
31.	Indian Lunacy, Bombay District Municipal and Bombay Municipal Boroughs (Amendment) Act, 1936 (Bom. Act 15 of 1936)	Yes	Maharashtra Code, Volume II	<a href="#">Maharashtra Repealing Act, 2016</a>	This act appears in the 2019 Index (Subject-wise List of Acts and Regulations in force in the State of Maharashtra). We suggest its deletion.
32.	Parsi Public Trusts Registration Act, 1936 (Bom. Act 23 of 1936)	No	-	<a href="#">Maharashtra Repealing and Amending Act, 1976</a>	This act appears on the State Law and Judiciary department website. We suggest its deletion.
33.	Central Provinces and Berar Protection of Debtors Act, 1937 (Act 04 of 1937)	Yes	Madhya Pradesh Code, Volume II	<a href="#">Bombay Money Lenders Act, 1946</a> <a href="#">Bombay Money-Lenders (Unification and Amendment) Act, 1959</a>	This act appears in the 2019 Index to Acts and Regulations in force in the State of Maharashtra. We suggest its deletion.
34.	Forfeited Lands Registration Act, 1938 (Bom. Act 22 of 1938)	No	Maharashtra Code, Volume II	<a href="#">Maharashtra Repealing (Second) Act, 2016</a>	This act appears on the State Law and Judiciary department website and the High Court of Bombay website. We suggest its deletion.
35.	Lifts Act, 1939 (Bom. Act 10 of 1939)	No	Maharashtra Code, Volume II	<a href="#">Maharashtra Lifts, Escalators and Moving Walks Act, 2017</a>	This act appears on the State Law and Judiciary department website and the High Court of Bombay website. We suggest its deletion.
36.	Presidency-Towns Insolvency and the Provincial Insolvency (Bombay Amendment) Act, 1939 (Bom. Act 15 of 1939)	Yes	Maharashtra Code, Volume II	<a href="#">Maharashtra Repealing Act, 2016</a>	This act appears in the 2019 Index (Subject-wise List Acts and Regulations in force in the State of Maharashtra). We suggest its deletion.

37.	Hyderabad Weights and Measures Act, 1356F (Act 14 of 1356 F)	No	Hyderabad Code, Volume II	<a href="#">Standards of Weights and Measures Act, 1956</a> <a href="#">Bombay Weights and Measures (Enforcement) Act, 1958</a>	This Act, to the extent it contains any provision which corresponds to the provisions under the Standards of Weights and Measures Act, 1956, is repealed. Further, Sections 44 and 45 of the Bombay Weights and Measures (Enforcement) Act, 1958 has also repealed this law unless its continuance is notified by the Central Government. On confirming that such a notification does not exist, the law may be removed from the State law department website.
38.	Central Provinces and Berar Regulation of Letting of Accommodation Act, 1946 (Act 11 of 1946)	Yes	Madhya Pradesh Code, Volume III	<a href="#">Maharashtra Rent Control Act, 1999</a>	This act appears in the 2019 Index (Alphabetical List of Acts and Regulations in force in the State of Maharashtra). We suggest its deletion.
39.	Hindu Women's Rights to Property (Extension to Agricultural Land) Act, 1947 (Bom. Act 19 of 1947)	Yes	Maharashtra Code, Volume II	<a href="#">Maharashtra Repealing (Second) Act, 2016</a>	This act appears on the State Law and Judiciary department website and the 2019 Index (Alphabetical List of Acts and Regulations in force in the State of Maharashtra). We suggest its deletion.
40.	Money-Lenders Act, 1946 (Bom. Act 31 of 1947)	No	Maharashtra Code, Volume II	<a href="#">Maharashtra Money-Lending (Regulation) Act, 2014</a>	This act appears on the High Court of Bombay website. We suggest its deletion.

# ANNEXURE C

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## *Analysis of Usage, Legislative Competence and Final Recommendations*

Scan QR code to view the spreadsheet



# *PART 1: Bombay, Hyderabad, CP & Berar Acts*

Sr. No.	Name of the Law	Legislative Competence	Subject Matter of the Law (Entry in the Seventh Schedule)	Applicability to Maharashtra in case of non-Bombay/non-Maharashtra Laws (Name of Area)	Relevant State Department	In Use	About the Law and Analysis of Use/Disuse	Final Recommendation	Additional Comments
1.	<a href="#">Markets and Fairs Act, 1862 (Bom. Acts 04 of 1862)</a>	State	List II, Entry 28 (Markets and Fairs)	-	Urban Development and Rural Development Department	Yes	<p>This law regulates the establishment and closure of markets and fairs in Maharashtra. It requires anyone wanting to establish a new market or fair to apply to the District Magistrate. It also provides for shutting down existing markets and fairs that pose a public health and safety concern.</p> <p>The MSLC, in its first report, notes that this law cannot be repealed as it has been extensively amended and extended to remaining parts of the State of Maharashtra (to which it formerly did not apply) by the Bombay Act No. 84 of 1958. However, it also notes that the Urban Development Department and Rural Development Department recommended repeal of this law. The Commission leaves it upto the State Government whether to repeal or retain the law.</p> <p>In <i>Anusayabai v. State of Maharashtra</i> [MANU/MH/2110/2014], the Bombay High Court directed the CEO, Zilla Parishad to consider the provisions of this Act while deciding an application made for conducting a cattle bazaar in Nanded. This is a 2014 case.</p>	Retain	

2.	<a href="#">Exemptions From Land-Revenue (No.1) Act, 1863 (Bom. Act 02 of 1863)</a>	State	List II, Entry 45 (Land Revenue)	-	Revenue and Forest	Yes	<p>This law sought to facilitate the summary settlement of all claims for exemption from land revenue so long as the land was submitted to the terms and conditions under the law. The Provincial Government was also empowered to authorise and guarantee the continuance, in perpetuity, of the said land to its holders subject to compliance with the terms and conditions under the law. This law applied to all districts to which Act XI of 1852 of the Legislative Council of India applied (such as the Dekkhan, Khandesh and Southern Maratha Country). The last amendment was made to this Act by the Adaptation of Laws Order, 1950 which replaced the word "Provincial" with the words "State Government" throughout the Act.</p> <p>Under section 8(3) of this law, there is a prohibition on the transfer of lands held on behalf of religious or charitable institutions which are partially or wholly exempt from payment of land revenue. In <i>Kacharu Lakhu Aher v. Masjid Mandwad Deosthan &amp; Ors.</i> [MANU/MH/0388/1989], the Bombay High Court held that since on the record of rights, at all times material to this dispute, there is no exemption, complete or partial, from payment of land revenue in respect of this land, the prohibition against transfer under section 8(3) cannot apply to the suit land.</p> <p>The MSLC, in its first report, notes that (i) this Act applied to areas which were earlier not in the State of Bombay or the present State of Maharashtra; (ii) It is highly unlikely that claims prior to 1852 i.e., the claims that the Act sought to settle are pending adjudication or appeal; (iii) Owing to the subsequent abolition of Inams and Jagirs, this Act may not be of importance; (iv) Any dispute relating to payment of revenue is dealt with under the Maharashtra Land Revenue Code; (v) Repeal of this enactment would operate prospectively and therefore, pending claims would be dealt with under these Acts. Only future claims would have to be brought under the Maharashtra Land Revenue Code.</p>	Review	The State Government must check if there are any pending disputes under this law and assess its relevance.
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							Note that the Gujarat State has repealed this Act in 2000. In 2021, there was a bill in the Maharashtra Legislative Assembly to amend this Act. However, the amendment bill has not been passed.		
3.	<a href="#">Satara, Sholapur and Southern Maratha Country Laws Act, 1863 (Bom. Act 03 of 1863)</a>	Centre	List I, Entry 97 (Any other matter not enumerated in List II or List III); Articles 3 and 4 of the Constitution (State reorganisation /alteration and incidental steps including extension of laws)	-	Law and Judiciary	Yes	<p>This law was enacted for (a) bringing the territories of Satara, certain villages and lapsed States in the Collectorate of Sholapur and in the Southern Maratha Country under the Regulations and Acts of the Bombay Presidency; and (b) excluding the villages of Muchandi, Pargana Jath, from the operation of the Regulations and Acts of the Bombay Presidency.</p> <p>The MSLC, in its first report, suggests repeal since the law has become obsolete. No evidence of usage was found in case law. Note that the Karnataka State has also repealed this law in 2011.</p> <p>However, if Bombay general regulations (including regulation on the administration of estates which is in use) have been made applicable to these regions by way of this law, then this law is useful.</p>	Review	State Government should review this law for assessing relevance and legislative competence for repeal.
4.	<a href="#">Gas Companies Act, 1863 (Bom. Act 05 of 1863)</a>	State	List II, Entry 25 (gas and gas works)	-	Industries and Labour	Yes	<p>This law confers certain powers on the Bombay Gas Company and permits the government to grant similar powers to other companies manufacturing and supplying gas.</p> <p>The MSLC, in its first report, suggested that this law be retained since it applies not only to the Bombay Gas Company but all future companies that may be incorporated for the purpose of supplying and manufacturing gas. The administrative department has also suggested that this law be retained.</p>	Retain	

5.	<a href="#">Exemptions From Land-Revenue (No.2) Act, 1863 (Bom. Act 07 of 1863)</a>	State	List II, Entry 45 (Land Revenue)	-	Revenue and Forest	Yes	<p>This law sought to summarily settle all claims for exemption from land revenue so long as the land was submitted to the terms and conditions under the law. The Provincial Government was empowered to authorise and guarantee the continuance, in perpetuity, of the said land to its holders. This law applied to all districts to which Act XI of 1852 of the Legislative Council of India did not apply.</p> <p>In <i>Ajit B. Jadhav v. Devasthan Vyavasthapan Committee and Ors.</i> [MANU/MH/1130/2015], the Bombay High Court remanded a matter back to the Joint Charity Commissioner to consider the objections raised on the impact of the provisions of the Exemption From Land Revenue Act, 1863, if applicable to the said property. There are other cases as well that rely on this Act to determine if restrictions imposed under this Act on transfer of devasthan lands apply.</p> <p>The MSLC, in its first report, notes that (i) this Act applied to areas which were earlier not in the State of Bombay or the present State of Maharashtra; (ii) It is highly unlikely that claims prior to 1863 i.e., the claims that the Act sought to settle are pending adjudication or appeal; (iii) Owing to the subsequent abolition of Inams and Jagirs, this Act may not be of importance; (iv) Any dispute relating to payment of revenue is dealt with under the Maharashtra Land Revenue Code; (v) Repeal of this enactment would operate prospectively and therefore, pending claims would be dealt with under these Acts. Only future claims would have to be brought under the Maharashtra Land Revenue Code.</p> <p>Rules were issued under this Act for the resumption of all service inams that were useful to the community. The rules apply to Bombay Suburban district, Thana, Kolaba and Ratnagiri districts in Maharashtra.</p>	Review	The State Government must check if there are any pending disputes under this law and assess its relevance.
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						Gujarat and Karnataka have repealed this Act in 2000 and 2011, respectively.	
6.	<a href="#">Steam-Vessels Act, 1864 (Bom. Act 02 of 1864)</a>	Centre	List I, Entry 24 (Shipping on National Waterways)	-	Home (Transport)	<p>This law provides for the periodical survey of steam vessels in ports, harbours, rivers and waters of the Bombay Presidency.</p> <p>All but one section 15 of this Act has been repealed. This section 15 declares that sections 292, 293 and 294 of the Merchant Shipping Act and Schedule S of that Act are and shall be applicable to all steam vessels proceeding to sea from any port or place in the Presidency of Bombay or its Dependencies. It also states that in calculating the penalties mentioned in the said section 293, ten rupees be taken as the equivalent of one pound sterling. However, the Merchant Shipping Act referred to in the said Act is a Victorian Act (17 &amp; 18 Vict., cap. 104) which is no longer in force in India.</p> <p>No evidence of usage was found in cases. This law is clearly in disuse.</p>	<p>Review</p> <p>Since the subject matter of this regulation falls under the Union List, the State Government can discuss this law with the Central Government with a view to repealing it.</p>

7.	<a href="#">Avoiding Wagers (Amd) Act, 1865 (Bom. Act 03 of 1865)</a>	State	List II, Entry 34 (betting and gambling)	-	Home	Yes	<p>This law prohibits wagering contracts and states that no suit for recovering any sum payable in respect of such contract shall be entertained in any Court of Justice. This law amends the law on wagers in Bombay but does not amend the Bombay Avoiding Wagers Act, 1845 per se.</p> <p>Although the Indian Contract Act, 1872 already prohibits wagering contracts, under this Act, contracts collateral to or in respect of a wagering agreement are void in Maharashtra.</p> <p>The MSLC, in its first report, recommended retaining this Act as it has been extended to all the areas of the State of Bombay by Act XXI of 1959 and it appears to be useful even today. The Law Commission in its 13th Report dated 26.9.1958 had proposed repeal of this law only if contracts collateral to or in respect of wagering acts were also treated as void under the Indian Contract Act, 1872.</p> <p>A passing reference was made to this law in <i>Gopal Vinayak Deshmukh v. Trimbak Narayan Deshmukh and Ors.</i> [MANU/NA/0040/1951].</p>	Retain	
8.	<a href="#">Religious Endowments (Extension to Kanara) Act, 1865 (Bom. Act 07 of 1865)</a>	-	-	-	-	-	<p>This Act seeks to Apply Bom, Reg. X of 1863 to Kanara, earlier a district in Bombay Presidency and now a part of Karnataka State. Bom. Reg. X itself is not in force in Maharashtra. No part of this Act applies to the State of Maharashtra.</p>	-	This Act should be deleted from the State Law and Judiciary website.

9.	<a href="#">Hindu Heirs' Relief Act, 1866</a> <a href="#">(Bom. Act 07 of 1866)</a>	Concurrent	List III, Entry 5 (Marriage and Succession)	-	Law and Judiciary	No	<p>This Act seeks to limit the liability of a son, grandson or heir of a deceased Hindu for the debts of his ancestor, the liability of the husband of a widow who has remarried for the debts of the deceased husband, the liability of an unborn child or a person below 21 years of years in respect of debts of an HUF. In 2002, this law was extended to the whole State.</p> <p>The MSLC, in its first report, notes that this Act confers substantial statutory rights to certain heirs permanently which cannot be destroyed. It also notes that Section 288 of Hindu Law is not the codified law and cannot prevail over the Statute. It lays down a mere proposition of law based on decided cases. Therefore, the MSLC recommends retaining this Act.</p> <p>The Hindu Succession Act, 1956 has an overriding effect over any other law in force immediately before its commencement in so far as such other Act is inconsistent with it. This law specifically provides that where a Hindu dies after the commencement of the Hindu Succession (Amendment) Act, 2005, his interest in the property of a Joint Hindu family governed by the Mitakshara law, shall devolve by testamentary or intestate succession, as the case may be, under the 1956 Act and not by survivorship, and the coparcenary property shall be deemed to have been divided as if a partition had taken place. The class of heirs are provided in a schedule to the 1956 law.</p> <p>Upon a reading of the 1866 law and the 1956 succession law, it appears that the latter partially covers the provisions existing under the 1866 law. For example, Section 6(4) of the 1956 Act restricts the liability of a son, grandson or great-grandson of a deceased Hindu for debts incurred by a deceased Hindu male. However, this is only in case the debt is contracted after 2005. In case of debts incurred before 2005, the protection under the 1956 Act is</p>	Review	
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						not extended. However, since the Act has an overriding effect over other inconsistent laws, it is unclear what the applicable law would be for disputes relating to debts incurred before 2005 i.e., whether it will be the 1866 Act or the 1956 Act. Further, the 1956 Act does not recognise the concept of HUFs and also does not have any reference to the husband of a widow. In light of these provisions, it may be useful to review the Hindu Heirs' Relief Act for its relevance as of today. There are no reported case laws after independence involving this law.		
10.	<a href="#">Edulabad and Warangaon Parganas Laws Act, 1866 (Bom. Act 14 of 1866)</a>	Centre	List I, Entry 97 (Any other matter not enumerated in List II or List III); Articles 3 and 4 of the Constitution (State reorganisation /alteration and incidental steps including extension of laws)	-	Law and Judiciary	No  The MSLC, in its first report, recommends repeal as the provisions of this Act have become obsolete. The MSLC in its analysis of Regulation XXIX of 1827 and Regulation I of 1831 has noted that they deal with trials of high-ranking persons in Dekkhan and Khandesh. By these regulations, such persons were excluded from the jurisdiction of regular courts and tried by agents of the Government. The MSLC notes that such a practice is not in vogue now. Since the two extended regulations are obsolete, it can be inferred that the extending Act is also obsolete.  Note that the Karnataka State has repealed this Act in 2020.	Review	The State Government should review this law for assessing relevance and legislative competence for repeal.

11.	<a href="#">Ferries and Inland Vessels Act, 1868 (Bom. Act 02 of 1868)</a>	State	List II, Entry 13 (Ferries and Inland Waterways) and Entry 59 (Tolls)	-	Home (Transport)	Yes	<p>This law pertains to inland vessels and public ferries in the State. It empowers the State Government to establish and discontinue public ferries, lease public ferries, fix tolls on public ferries etc. The short title of this law was amended in 2012. The last substantial amendment to this law was made in 1959.</p> <p>The MSLC, in its first report, notes that this law should not be repealed as it has been amended from time to time. However, it also notes that the relevant administrative department has recommended the repeal of this. Therefore, it defers the decision of repeal to the State Government.</p> <p>The Maharashtra Motor Vehicles Tax Act, 1958 bars the levy of tolls except as mentioned under this law. Multiple case laws rely on this provision of the Maharashtra Motor Vehicles Tax Act, 1958.</p>	Review	In light of the suggestion made by the administrative department, the State Government should review the relevance of this law.
12.	<a href="#">Civil Jails Act, 1874 (Bom. Act 02 of 1874)</a>	State	List II, Entry 4 (Prisons, reformatories, etc.)	-	Home (Prisons)	Yes	<p>This law pertains to the regulation of jails in the State and the enforcement of discipline therein. As the name suggests, it applies to all civil jails in Bombay. Amongst other things, the law provides for the creation of civil jails in each District Court and requires a Judge or Assistant Judge of the district and a medical officer to visit the civil jail.</p> <p>The MSLC, in its first report, notes that this Act will have to be retained since by the Bombay Act XXIII of 1959, the provisions of this Act have been made applicable to the whole State of Bombay (now Maharashtra) and corresponding provisions applicable to the areas included in the State have been repealed. The other provisions of this Act are also amended.</p> <p>The Central Prisons Act, 1894 does not apply to civil jails in the State (outside of Greater Bombay). Instead, the 1874 law applies to these jails. Hence, this law is relevant.</p>	Retain	

13.	<a href="#">Hereditary Offices Act, 1874</a> (Bom. Act 03 of 1874)	State	List II, Entry 18 (Lands, rights in and over land)		Revenue and Forest	No	<p>This Act seeks to protect watan lands and prohibits the alienation of watan lands without the sanction of the State Government.</p> <p>The MSLC, in its first report, notes that owing to the large-scale abolition of several watans, the importance of this Act is significantly reduced. However, since the Act still covers the remaining watans, the continuance of this Act is necessary till all kinds of watans are abolished.</p> <p>No recent cases relying on provisions under this Act in Maharashtra were found.</p> <p>Gujarat repealed this Act in 2000 and Karnataka repealed it in 1961.</p>	Repeal	<p>As per our understanding, a large number of watans and inams have been abolished in Maharashtra. If any watans or inams continue to exist in Maharashtra, the repealing act can be drafted in such a way so as to save the application of this act to such remaining watans and inams.</p>
14.	<a href="#">Abkari Act, 1878</a> (Bom. Act 05 of 1878)	State	List II, Entry 54 (Taxes on Liquor)		Home (Excise)	No	<p>Only one provision of this Act i.e., Section 29A is in force. This provision empowers the State Government to continue levying the following duties if they had been levying them before the commencement of the constitution - (i) duties of excise on intoxicants and (ii) duties on goods produced outside India brought into the State.</p> <p>The MSLC, in its first report, notes that this Act stays in force until provisions to the contrary are made by the Parliament by law. It also observes that no such contrary law has been enacted. Therefore, the MSLC recommends that this Act be retained.</p> <p>Note that Gujarat and Karnataka have repealed this Act in 2000 and 2011, respectively. No evidence has been found in case law for Section 29A of this Act.</p>	Review	<p>Currently, Customs Act, 1962 provides for customs duty on all imports into India. The Maharashtra Prohibition Act, 1949 provides for levy of excise duty on alcohol. However, this 1949 Act (that repeals most of the Abkari Act) specifically saves Section 29A.</p> <p>It is unclear whether any pre-constitutional levies continue in the State of Maharashtra. The State Government should identify such levies (if any) and assess whether this law should be retained.</p>

15.	<a href="#">Bombay Port Trust Act, 1879</a> <a href="#">(Bom. Act 06 of 1879)</a>	Centre	List I, Entry 27 (Ports declared by or under law made by Parliament or existing law to be major ports, including their delimitation, and the constitution and powers of port authorities therein).	-	Home	Yes	<p>This is an Act to consolidate the property vesting in the trustees of the Port of Bombay and certain other property on, or connected with, the foreshore, of the Island of Bombay into one estate, and to vest the control and management of the same in one Public Trust. The Major Port Trusts Act, 1963 stated that on its application to the port of Bombay, this Act (i.e., the Bombay Port Trust Act, 1879) shall cease to have force in relation to that port, except the provisions thereof relating to the municipal assessment of the properties of the port of Bombay and matters connected therewith.</p> <p>In 2021, the Major Port Authorities Act, 2021 was passed which repealed the aforementioned Major Port Trusts Act, 1963. However, the 2021 Act again has a savings clause stating that the application of the 1879 Act to the port of Mumbai, in so far as it applies to the municipal assessment of the properties of the port of Mumbai and matters connected therewith, shall continue to apply.</p> <p>Therefore, it is evident that the 1879 Act is necessary with respect to the municipal assessment of properties of the port of Mumbai.</p>	Retain	
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16.	<a href="#">Public Authorities Seals Act, 1883</a> (Bom. Act 05 of 1883)	Centre	List I, Entry 97 (Any other matter not enumerated in List II or List III)	-	General Administration	Yes	<p>This law empowers the State Government to prescribe seals of certain public authorities such as session judges, presidency magistrates, members of the Legislative Assembly and any other judicial or public official for whom an official seal is not prescribed by any other law. The last substantial amendment to this law was made in 1981.</p> <p>The MSLC, in its first report, recommends the retention of this law as it provides for seals of public authorities.</p> <p>In <i>T.J.S.B. Sahakari Bank Ltd. v. Divisional Joint Registrar, Pune and Ors.</i> [1962 Supp (2) SCR 411] the Bombay High Court held that the Recovery Officer is not covered by sub-section (1), (2) and (3) of section 3 of the Bombay Public Authorities Seals Act, 1883. It held that it is for the State Government under section 3(4) to direct what official seal such recovery officer shall use. It was also held that once a notification is issued, the Recovery Officer can continue to use the seal until the State Government modifies or rescinds the order made by separate notification.</p>	Retain	
17.	<a href="#">Protection of Pilgrims Act, 1887</a> (Bom. Act 02 of 1887)	Centre	List I, Entry 20 (Pilgrimages to places outside India)	-	Home	No	<p>This law seeks to provide protection of pilgrims at the ports of Bombay. As per this law, a pilgrim is defined as a Muhmmadan who is about to proceed from the port of Bombay on a pilgrimage to the Hedjaz, whether he is going directly to Jeddah, or via any other part. The law empowers the Commissioner of Police, Bombay to issue, suspend and cancel licenses to pilgrim brokers.</p> <p>The MSLC, in its first report, suggests retention of this law as its provisions are in use. Note that a similar law is in force in the State of West Bengal as well. However, no evidence of use of this law has been found in case law.</p>	Review	Since the subject matter of this law falls under the Union List, the State Government can discuss this law with the Central Government with a view to repealing it.



18.	<a href="#">Prevention of Gambling Act, 1887</a> (Bom. Act 04 of 1887)	State	List II, Entry 34 (betting and gambling)	-	Home	Yes	<p>The law pertains to the prevention of gambling in the State. It criminalises anyone who owns, operates, manages or is found in a gaming house. It also gives the police powers to inspect, to enter and search such gaming houses. The most recent substantial amendment made to this Act was in 1976. Apart from that, the short title of the Act was amended in 2012.</p> <p>The MSLC, in its first report, has recommended that this law be retained.</p> <p>An FIR as recent as in 2019 was filed under this Act. The investigating officer sought to additionally invoke the Maharashtra Control of Organised Crime Act, 1990 since she was of the opinion that the accused were members of an organised crime syndicate. The Supreme Court in 2022 held that although gambling may not, by itself, constitute an organised crime, it may be the route through which the accused are abetting the commission of organised crime. In <i>Ronak Mukesh Rawal v. State of Maharashtra</i> [2022 SCC OnLine Bom 3882], the Bombay High Court denied anticipatory bail to a person found to be running an unlicensed online lottery business. The charges in this case were filed under the Prevention of Gambling Act, 1887.</p>	Retain	
19.	<a href="#">Mumbai Municipal Corporation Act, 1888</a> (Bom. Act 03 of 1888)	State	List II, Entry 5 (local government)	-	Urban Development	Yes	<p>This law relates to the municipal government of Mumbai. The last amendment to this law was in 2022. It is still in force.</p>	Retain	

20.	<a href="#">Municipal Servants Act, 1890</a> (Bom. Act 05 of 1890)	State	List II, Entry 5 (local government)	-	Urban Development	No	<p>This law deals with certain classes of municipal servants whose functions concern public health and safety (for example, cleaning streets and drains, members of the fire brigade, members employed to service municipal water works, drains etc.). This law is to be read together with the Municipal Corporation Act 1888. This law places certain conditions on the resignation, withdrawal and absence of municipal servants.</p> <p>The MSLC, in its first report, suggests repeal of this law after incorporating its provisions under the municipal corporation law.</p> <p>No evidence of use was found in case law. The states of Gujarat and Karnataka have repealed this law in 2014 and 1964, respectively.</p>	Review	The State Legislature should incorporate the provisions of this Act under the municipal corporation laws and repeal this Act.
21.	<a href="#">Peint Laws Act, 1894</a> (Bom. Act 02 of 1894)	Centre	List I, Entry 97(Any other matter not enumerated in List II or List III)	-	Law and Judiciary	No	<p>By way of this law, the territory of Peint no longer remained a scheduled district under the Scheduled District Act, 1874. All laws which were in force in the territory of Nashik were implemented to Peint. All laws which were in force in Peint but not in Nashik were repealed.</p> <p>The MSLC, in its first report, suggests that this law be repealed since it has become obsolete.</p> <p>No evidence of use found in case law.</p> <p>Note that the Scheduled District Act, 1874 has been repealed by the Government of India (Adaptation of Indian Laws) Order, 1937. There is no separate territory called Peint today.</p>	Review	The Maharashtra State can discuss this law with the Central Government and suggest repeal.

22.	<a href="#">Hyderabad Destruction of Useless Records Act, 1305 F (Act 3 of 1305 F)</a>	Concurrent	List III, Entry 12 (public acts and records)	Areas under Aurangabad division which were earlier a part of Hyderabad	Law and Judiciary	No	<p>This law was enacted to enable the destruction of useless records, books and other papers in Courts and in Revenue and other Government offices in the Nizam's dominions.</p> <p>In 1963, Karnataka repealed this Act in areas that it applied to and adopted the Central Act called the Destruction of Records Act, 1917. The 1917 Act was originally applicable to all of India except Part B States (former princely states) which included Hyderabad.</p> <p>Maharashtra should also consider repealing this Act in the erstwhile Hyderabad areas and extend the 1917 Act to the entire State.</p>	Review	The State should consider repealing this Act and extending the Central Act to the entire State.
23.	<a href="#">An Act to amend Act VIII of 1870 (Bom. Act 03 of 1897)</a>	Concurrent	List III, Entry 1 (criminal law); Entry 30 (vital statistics)	-	Women and Child Development	No	This Act was analysed by the MSLC in its first report. It extends the Female Infanticide Prevention Act, 1870 to the Bombay Presidency. Since the 1870 Act was repealed by the Parliament in 1952, the amendment may not be relevant and could also be repealed. However, the MSLC suggests that this law be retained since its provisions are found under no other law. It however asks the government to consider if a new act should be introduced in this regard.	Review	The State Government should review this law and assess its relevance. Currently, some of the law's subject matter is covered under the Indian Penal Code and the Preconception and Pre-natal Diagnostic Techniques (Prohibition of Sex Selection) Act, 1994.

24.	<a href="#">Hyderabad General Clauses Act, 1308 F (Act 3 of 1308 F)</a>	Centre	List I, Entry 97 (Any other matter not enumerated in List II or List III)	Areas under Aurangabad division which were earlier a part of Hyderabad	Law and Judiciary	<p>No</p> <p>This Act was enacted as the applicable Act in Hyderabad for the interpretation of words and legal principles.</p> <p>The General Clauses Act of 1897 and the Maharashtra General Clauses Act of 1904 comprehensively cover all the provisions under this Act.</p> <p>There is also no case law involving the application of this Act in the present State of Maharashtra. Karnataka repealed this Act in 2011.</p>	Review	<p>While most of the definitions and principles are covered under the Central and State General Clauses Act, there are a few definitions and explanations such as "Jarida" and "Awwal Talukdar" which are only explained in the Hyderabad General Clauses Act. They might still be relevant with respect to some erstwhile Hyderabad region laws in force in the State.</p> <p>Therefore, the State Government should consider this while taking a decision regarding the repeal of this Act.</p>
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25.	<a href="#">Hyderabad Government Demands Act, 1308 F (Act 4 of 1308 F)</a>	Concurrent	List III, Entry 43 (Recovery in a State of claims in respect of taxes and other public demands)	Areas under Aurangabad division which were earlier a part of Hyderabad	Finance	No	<p>This law was passed to facilitate the recovery of certain Government demands i.e., debts owed to the Government.</p> <p>There is also no case law involving the application of this Act in the present State of Maharashtra. Andhra Pradesh and Karnataka have repealed this Act in 1959 and 2011 respectively.</p>	Review	<p>The State Government should review the provisions of the law to see if it is sufficiently covered by other Acts such as the Land Revenue Code, 1966.</p> <p>Certain States like Sikkim and Odisha have also enacted special legislation to govern the recovery of public debt. The Maharashtra Government can consider doing the same.</p>
26.	<a href="#">Central Provinces and Berar Court of Wards Act, 1899 (Act 24 of 1899)</a>	Concurrent	List III, entry 11A (administration of justice)	The areas comprised within the districts of Nagpur, Wardha, Chanda and Bhandara (which were earlier a part of the Central Provinces)	Law and Judiciary	Yes	<p>This law was passed to consolidate and amend the law on court of wards in the Central Provinces.</p> <p>The Law Commission, in its 249th Report, stated that this Act was not in use. The Central Provinces no longer exist as an administrative unit and therefore this law should 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 P.C. Jain Commission Report in its Appendix A-5. The law was recommended for repeal by the State Government. The Ramanujam Committee had also recommended the law for repeal.</p> <p>The powers under this law were relied upon by the Court of Wards, Nagpur recently. In 2023, the Bombay High Court in the case of <i>Avinisha Realtors Private Ltd. v. The Court of Wards and Collector and Ors.</i> [MANU/MH/0037/2023], refused to issue a writ of prohibition against the Court of Wards, Nagpur since the court was only exercising its</p>	Repeal	<p>Although the law has been relied on recently, the State Legislature may consider repealing the law given the findings of the Law Commission, the P.C. Jain Commission and the Ramanujam Committee. Further, the concept of a court of ward, as existing under the 1899 Act is obsolete in today's day and age. Hence, this law can be repealed subject to drafting an appropriate savings and repealing clause which would ensure that the existing court of wards</p>

						superintendence powers under Section 6(1) of the 1899 Act.		continue to be regulated by the repealed act.	
27.	Hyderabad Prevention of Cruelty to Animals Act, 1313F (Act 1 of 1313 F)	Concurrent	List III, entry 17 (Prevention of cruelty to animals)	If notified by the Government, areas under Aurangabad division which were earlier a part of Hyderabad	Agriculture, Animal Husbandry, Dairy Development and Fisheries	No	This law was enacted to provide for the protection of animals against any abuse or cruelty. A copy of the law, as applicable to the State of Maharashtra, is not available in the public domain.  In 1960, the Central Government passed the Prevention of Cruelty to Animals Act, 1960 which is applicable to all States and is a comprehensive legislation on the subject. Thus, this Act has been impliedly repealed. Note that Karnataka has repealed this Act in 2011.	Repeal	Although the subject matter of law falls under the Concurrent List, the State Government could discuss this law with the Central Government and repeal it like the state of Karnataka.
28.	<a href="#">Bombay General Clauses Act, 1904</a> (Bom. Act 01 of 1904)	Centre	List I, Entry 97 (Any other matter not enumerated in List II or List III)	-	Law and Judiciary	Yes	This law is used to interpret Maharashtra's laws and is important. The MSLC, in its first report, says that this act will need to be retained since it is still in force. Reference and reliance on this case found in multiple case laws.	Retain	
29.	<a href="#">Mamlatdars' Courts Act, 1906</a> (Bom. Act 02 of 1906)	State	List II, Entry 3 (procedure in rent and revenue courts), Entry 18 (land)	-	Revenue and Forest	Yes	This law pertains to the powers and procedures of Mamlatdar's courts, which are still relevant today. The MSLC, in its first report, has also suggested that this law be retained since it is still in force.	Retain	
30.	<a href="#">Chhatrapati Shivaji Maharaj Vastu Sangrahalaya Act, 1909</a> (Bom. Act 03 of 1909)	State	List II, Entry 12 (museums)	-	Tourism and Cultural Affairs Department	Yes	This law provides for the erection and management of the Chhatrapati Shivaji Maharaj Vastu Sangrahalaya and is relevant. The MSLC, in its first report, has also suggested that this law be retained.	Retain	
31.	Hyderabad Railways, Government Irrigation Sources and other Public Buildings Protection Act, 1321F (Act 1 of 1321 F).	State	List II, Entry 17 (Water); List II, Entry 35 (Works, lands and buildings vested in or in the possession of the State)	Areas under Aurangabad division which were earlier a part of Hyderabad	Public Works Department	No	This Act was enacted to enable the Government to inspect and take action regarding any irrigation sources that may, due to overflow of water, damage or affect any railway, Government irrigation sources or other public buildings. A copy of the law, as applicable to the State of Maharashtra, is not available in the public domain.	Repeal	

							No evidence of use of this law in Maharashtra found in case law. Note that Karnataka has repealed this Act in 2011.		
32.	<a href="#">Race-Courses Licensing Act, 1912 (Bom. Act 03 of 1912)</a>	State	List II, Entry 34 (betting and gambling)	-	Home	Yes	This law pertains to the regulation, control and management of horse racing. It stipulates licenses for race courses and conditions for their cancellation, grant etc. Provisions of this law are relevant today. Licenses to race courses are issued under this law. Reference to and reliance on this law found in multiple cases.	Retain	
33.	Central Provinces and Berar Excise Act, 1915 (Act 02 of 1915)	State	List II, Entry 51 (duties of excise on liquor and drugs)	Areas under the Vidarbha Region which formed a part of the Central Provinces	Home (Excise)	No	A copy of this Act, in its application to Maharashtra, is not available in the public domain. This Act was enacted to consolidate the law on excise duty over intoxicating liquor and drugs. Barring Section 27A ( <i>Savings of duties being levied at commencement of Constitution</i> ), it was repealed in its entirety by the Maharashtra Prohibition Act, 1949.	Review	It is unclear whether any pre-constitutional duties continue in the State of Maharashtra and if they do, under which Act/ order/ notification. The relevant department should review Section 27A and assess whether this law should be retained or not.
34.	Central Provinces and Berar Prevention of Adulteration Act, 1919 (Act 02 of 1919)	Concurrent	List III, Entry 18 (adulteration of foodstuff)	Areas under the Vidarbha Region which formed a part of the Central Provinces	Agriculture/ Food, Civil Supply and Consumer Protection	No	A copy of this Act, in its application to Maharashtra, is not available in the public domain.  This law was passed to prevent the adulteration of food. It appears that this law has been impliedly repealed by the Central Prevention of Food Adulteration Act, 1954 which was enacted to ensure uniformity in food standards across all States in the country. Section 25 of this Central law provides that:  "If, immediately before the commencement of this Act, there is in force in any State to which this Act extends any law corresponding to this Act, that corresponding law shall upon such commencement stand repealed."	Review	Although the subject matter of this law falls under the Concurrent List, the State Government could discuss this law with the Central Government and repeal it.

35.	<a href="#">Public Conveyances Act, 1920</a> (Bom. Act 07 of 1920)	State	List II, Entry 13 (vehicles other than mechanically propelled vehicles.)	-	Home (Transport)	Yes	<p>Maharashtra Public Conveyances Act 1920 governs all wheeled vehicles, drawn or propelled on roads and used for the purposes of plying for hire for the conveyance of persons or goods except motor vehicles (which are governed by the Motor Vehicles Act). It mandates licensing of all modes of public conveyance, including horse carriages and hand-pulled carts, and details the procedure and punishment for violation of the same.</p> <p>This law is still in use and has been referred to in judgments such as <i>Animals and Birds Charitable Trust and Ors. v. Municipal Corporation of Greater Mumbai and Ors.</i> (MANU/MH/0958/2015), while discussing the licensing of horse carriages purely for conveyance and not as joyrides. The MSLC, in its first report, has also recommended the retention of this Act.</p>	Retain	
36.	<a href="#">Mahul Creek (Extinguishment of Rights) Act, 1922</a> (Bom. Act 04 of 1922)	State	List II, Entry 13 (inland waterways and traffic thereon subject to the provisions of List I and List III with regard to such waterways; vehicles other than mechanically propelled vehicles.)	-	Home (Transport)	No	<p>This law was enacted in 1922 to keep the drawbridge over Mahul Creek, maintained by the Port Trust Railway, permanently closed to facilitate the laying down of a new oil pipeline at Trombay then. Therefore, the law extinguished all rights of navigation in the Creek and awarded compensation to aggrieved parties.</p> <p>The MSLC, in its second report, had recommended the repeal of this Act.</p> <p>This law is significant in terms of its recognition of the traditional fishermen communities' customary rights to access the sea. It has been referred to by such communities recently in cases filed before the National Green Tribunal and before the Bombay High Court. As of today, compensation for fishermen is covered under a State policy released in 2023. Therefore, this Act may be irrelevant. The State could however consider enacting a legislation (as opposed to a policy) for providing compensation to fishermen affected by projects.</p>	Repeal	



37.	<a href="#">Entertainments Duty Act, 1923</a> <a href="#">(Bom. Act 1 of 1923)</a>	State	List II, Entry 62 (Taxes on luxuries including entertainment)	-	Revenue and Forest	No	<p>This law was introduced to charge and collect entertainment duty in Maharashtra.</p> <p>With the enactment of the Central Goods and Services Tax Act in 2017 (CGST Act), the entertainment tax levied by all State Governments is abolished. Thus, this Act is no longer necessary. A Central Government notification dated 14.11.2018 which lists all of the State laws that will be subsumed by the CGST Act includes the Maharashtra Entertainments Duty Act, 1923.</p> <p>Several States such as Punjab, Haryana and Karnataka in their respective Goods and Services laws have repealed their State Act levying entertainment tax. As the Maharashtra Goods and Services Tax Act, 2017 does not explicitly repeal the 1923 Act, the State Government should consider the repeal of this Act.</p>	Repeal	
38.	Hyderabad Unclaimed Property Act, 1333 F (Act 1 of 1333 F)	State	List II, entry 18 (land)	Areas under Aurangabad division which were earlier a part of Hyderabad	Revenue and Forest	No	<p>As per this Act, the Government shall be the owner of all unclaimed property in areas to which the act applies. The Act details the procedure for filing any claims regarding the ownership of the unclaimed land, manner of conducting investigation, etc. A copy of the law, as applicable to the State of Maharashtra, is not available in the public domain.</p> <p>Presently, the doctrine of escheat is covered by Article 296 of the Constitution as well as in the Indian Succession Act, 1925.</p> <p>Andhra Pradesh and Karnataka repealed this Act in 1974 and 2011 respectively. However, Andhra Pradesh, West Bengal and Rajasthan have enacted new legislation to cover escheats. These laws contain provisions regarding issuing of notice, possession and disposal of claims and challenges, etc.</p>	Review	As this law is no longer necessary, Maharashtra can review the relevance and applicability of the provisions under this Act and enact a new law to govern the subject-matter, if they deem fit.

39.	<a href="#">Invalidation of Hindu Ceremonial Emoluments Act, 1926</a> (Bom. Act 11 of 1926)	Centre	List I, Entry 97 (Any other matter not enumerated in List II or List III)	-	Law and Judiciary	No	<p>The law was introduced to cease the ceremonial emoluments claimable by hereditary Hindu priests unless they personally perform their services. Earlier, ceremonial emoluments were given to hereditary priests irrespective of the services being provided or not.</p> <p>The MSLC, in its second report, says the provisions of this law may not be relevant in today's time and circumstances. It recommends repealing this Act with a saving clause stating that any rights under the Act can be exercised within a year of the repeal, after which it will stand extinguished.</p> <p>No evidence of use of this Act found in recent case law. Gujarat and Karnataka have also repealed this law in 2000 and 2011 respectively.</p>	Review	<p>Although the MSLC has treated this as a State law and the Karnataka and Gujarat States have repealed this law, it may be falling under the legislative competence of the Centre. The Maharashtra State can discuss this law with the Central Government and suggest repeal.</p>
40.	<a href="#">Bombay Non-Agriculturists Loans Act, 1928</a> (Bom. Act 03 of 1928)	State	List II, Entry 30 (money-lending)	-	Finance	No	<p>The law was enacted to govern loans to non-agriculturists, similar to the Agriculturists' Loans Act, 1884.</p> <p>The MSLC, in its second report, has noted that this law enables loans to be granted to non-agriculturists who cannot be granted loans under the Agriculturists' Loans Act, 1884. So it is a relevant legislation and must be retained.</p> <p>However, no evidence of the use of this law has been found in case law.</p>	Review	<p>In light of the recommendation made by the MSLC, the relevant administrative department of the State Government should confirm the relevance of this Act today.</p>

41.	<a href="#">Borstal Schools Act, 1929</a> <a href="#">(Bom. Act 18 of 1929)</a>	State	List II, Entry 4 (prisons, borstal institutions, etc.)	-	Home	<p>This Act was enacted to provide for the establishment of Borstal Schools for young offenders between the ages of 16-21.</p> <p>The MSLC, in its second report, has recommended the retention of this Act.</p> <p>The State Government website and the High Court website state that this Act has been repealed by the Juvenile Justice Act of 1986. However, this is not the case as the Borstals Schools Act is applicable and relevant in the State today. A borstal school is still functioning in Nashik, Maharashtra and there are several news articles on children being sent there. These institutions for young offenders are present in several other States as well. Even the Juvenile Justice (Care and Protection of Children) Act, 2015 ("JJ Act") mentions "borstal schools". However, while the JJ Act deals with a "child in conflict with law" who is below the age of 18 years at the time of the commission of the offence irrespective of the age at the time of conviction, the Borstal Schools Act deals with convicted persons, who, on the date of conviction, are between 15 years and 21 years of age.</p> <p>In <i>N. Gowthaman @ Babu v. The Government of Tamil Nadu</i> [(2016) 5 CTC 225], the Madras High Court stated that "...since the Juvenile Justice Act is a special enactment for dealing with juveniles in conflict with law, <u>it will eclipse a certain portion of the Borstal Schools Act</u>. In other words, a boy or a girl who is in conflict with law and who is below the age of 18 years, can never fall within the purview of the Borstal Schools Act, because, he or she will automatically come under the protective umbrella of the Juvenile Justice Act. To this extent, the Tamil Nadu Borstal Schools Act stands impliedly repealed by the Juvenile Justice Act." Although this case pertained to the Tamil Nadu Borstal Schools Act, 1925, a similar argument could also be made for the Maharashtra Borstal Schools Act 1929.</p>	Review	<p>This law has not been repealed yet. Thus, this must be corrected on the Bombay High Court website and the State Government website. Additionally, we recommend that the State government reassess this law to bring it in line with the JJ Act.</p>
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42.	<a href="#">Central Provinces and Berar Juvenile Smoking Act, 1929</a> (Act 08 of 1929)	Concurrent	List III, Entry 5 (Infants and Minors)	Areas under the Vidarbha Region which formed a part of the Central Provinces	Women and Child Development	No	<p>This Act penalises whoever sells or gives or attempts to sell or give to a child apparently under the age of sixteen any tobacco, whether for his own use or not. It also empowers several public authorities, teachers, etc. to seize such tobacco found in possession of such child.</p> <p>Under Section 77 of the Juvenile Justice (Care and Protection of Children) Act, 2015, whoever gives, or causes to be given, to any child any intoxicating liquor or any narcotic drug or tobacco products or psychotropic substance, except on the order of a duly qualified medical practitioner, is punishable with rigorous imprisonment for a term which may extend to seven years and a fine which may extend up to one lakh rupees. Therefore, there is already a central law occupying this filed and this law is impliedly repealed.</p> <p>The Juvenile Smoking Act, 1929 was explicitly repealed by Madhya Pradesh in 1970.</p>	Repeal	Although the subject matter of this law falls under the Concurrent List, the State Government could discuss this law with the Central Government and repeal it like the state of Madhya Pradesh.
43.	<a href="#">Local Fund Audit Act, 1930</a> (Bom. Act 25 of 1930)	State	List II, Entry 5 (local government)	-	Finance	Yes	<p>The law provides for and regulates the audit of the local funds under the management or control of certain local authorities in the State of Maharashtra. It was amended by the Maharashtra State Legislature in 2011.</p> <p>The MSLC, in its second report, suggested that this Act be retained as it is currently still in use. It appears that the Directorate of Local Fund Accounts Audit under the Finance Department uses this Act regularly for conducting financial audits in the State.</p>	Retain	

44.	<a href="#">Cotton Contracts Act, 1932 (Bom. Act 4 of 1932)</a>	Concurrent	List III, Entry 33 (Trade and commerce in, and the production, supply and distribution of cotton)	-	Co-operation, Marketing and Textiles	<p>No</p> <p>This law was enacted in 1932 to provide for the better regulation and control of transactions in cotton and recognition of prominent cotton associations in Bombay, etc. Unlike the earlier 1922 Act, this Act had certain provisions regarding forward contracts as well. However, as mentioned in <i>Khimji Poonja and Co. v. N. Ramanlal and Co. and Ors.</i> (MANU/MH/0073/1960), "It appears, however, that the Government of Bombay, in the year 1947, was of the view that the control exercised by government over the cotton market under the Bombay Cotton Contracts Act of 1932 had proved ineffective in actual practice and though the Act provided that forward contracts other than those made through recognised association were void, in fact, forward trading took place outside recognised associations and in a manner which was detrimental to genuine trade interests." That is why the Provincial Legislature enacted the Bombay Forward Contracts Control Act, 1947.</p> <p>The Act has a provision which states that on the date on which an association is recognised under section 3 of the Bombay Forward Contracts Control Act, 1947 in respect of cotton, this Act shall cease to have force in each area. Accordingly, in 1948, the East India Cotton Association was recognised as per the provisions of this Section. Thus, this Act ceased to apply barring some contingencies when some provisions could be invoked.</p> <p>No evidence of use of this law has been found in recent case law.</p> <p>While the MSLC, in its second report, had recommended the retention of this law for safety, several years have passed since this recommendation and the State Government should re-assess if this law is still relevant.</p>	Review	
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45.	<a href="#">Live-Stock Improvement Act, 1933 (Bom. Act 22 of 1933)</a>	State	List II, Entry 15 (Preservation, protection and improvement of stock)	-	Agriculture, Animal Husbandry, Dairy Development and Fisheries	Yes	<p>This law was enacted for the improvement of live-stock such as bulls and had provisions for their licensing, etc. It was amended in 2013.</p> <p>The MSLC, after discussion with the Agriculture Department, has also recommended the retention of this Act in its second report.</p>	Retain	
46.	<a href="#">Hyderabad Children Protection Act, 1343 F (Act 9 of 1343 F)</a>	Concurrent	List III, Entry 5 (infants and minors; adoption)	If notified by the Government, towns with a population of not less than 5000	Women and Child Development	No	<p>This Act deals with the protection of children from ill-treatment, including orphans and waifs or those children who are handed over by their parents or relatives to other persons.</p> <p>Presently, the Juvenile Justice (Care and Protection of Children) Act 2015, and the Child Labour (Prohibition &amp; Regulation) Act 1986, amongst others, cover the scope of this Act and ensure the protection of children below the age of 12 years.</p> <p>Telangana as well as Karnataka have repealed this Act in 1979 and 2020, respectively.</p>	Repeal	Although the subject matter of this law falls under the Concurrent List, the State Government could discuss this law with the Central Government and repeal it like Telangana and Karnataka.
47.	Central Provinces and Berar State Aid to Industries Act, 1933 (Act 12 of 1933)	State	List II, Entry 24 (Industries)	Areas under the Vidarbha Region which formed a part of the Central Provinces	Finance/Industries and Labour	No	<p>A copy of this Act, in its application to Maharashtra, is not available. However, it was partially repealed by the Central Provinces and Berar State Aid to Industries and the Hyderabad State Aid to (Small-Scale and Cottage) Industries (Partial Repeal) Act, 1959. Moreover, a later legislation i.e., the Maharashtra State Aid to Industries Act, 1960 was enacted by the State. The 1960 Act applies to the whole State of Maharashtra and regulates the grant of loans to small-scale and cottage industries. However, it does not expressly repeal or refer to this Act.</p>	Review	Since a copy of this Act is not available in the public domain, it is difficult to ascertain whether the scope of this Act is covered under the 1960. The State Government may confirm the same and repeal this Act accordingly.

48.	<a href="#">Opium Smoking Act, 1936</a> (Bom. Act 20 of 1936).	Concurrent	List III, Entry 19 (Drugs and poisons)	-	Home (Excise)	No	<p>This law was enacted to prohibit the smoking of opium and to prevent the assembling of persons for the purpose of such smoking in the State.</p> <p>The Narcotic Drugs and Psychotropic Substances Act, 1985 ("NDPS Act") is a far more comprehensive law passed by the Central Government that regulates narcotics and drugs, including opium. The MSLC, after consultation with the Home Department, stated that the law is no longer in use and recommended the repeal of this Act in its second report. This is because the NDPS Act covered the provisions under the State law.</p> <p>Gujarat and Karnataka repealed this law in 2000 and 2011, respectively.</p>	Repeal	Although the subject matter of this law falls under the Concurrent List, the State Government could discuss this law with the Central Government and repeal it like Gujarat and Karnataka.
49.	<a href="#">The Nagpur Improvement Trust Act, 1936</a> (Act 36 of 1936)	State	List II, Entry 5 (Improvement Trusts)	Nagpur	Urban Development	Yes	<p>This Act provides for the creation of the Nagpur Improvement Trust. The Trust prepares various development schemes. The Trust is a local planning authority under the Urban Development Department. A Government Resolution as recent as 10th August 2023 was issued amending the Nagpur Improvement Trust Recruitment (Classification of Services, Recruitment and Promotion) Rules under this Act. Therefore, the Act is in use. Substantive amendments were made to this law in 2012. Several recent case laws refer to this Act.</p>	Retain	
50.	<a href="#">The Central Provinces and Berar Highway Act, 1936</a> (Act 34 of 1936)	State	List II, Entry 13 (Roads and traffic thereon)	Areas under the Vidarbha Region which formed a part of the Central Provinces	Home	No	<p>This Act empowers the State Government to make rules for the regulation of traffic on public roads or places. As per this Act, the State Government can make rules prohibiting or restricting vehicles or classes of vehicles or animals on some roads and the speed at which vehicles or animals may be driven or ridden etc. This Act also empowers the State Government to close any public roads for some periods.</p> <p>Today, the Commissioner of the respective Municipal Corporation also has powers to prohibit</p>	Repeal	

							the use of public streets for certain kinds of traffic under the Maharashtra Municipal Corporation Act, 1949. As such, this Act may be redundant. No evidence of use of this law in Maharashtra found in case law.		
51.	<a href="#">Central Provinces and Berar Adjustment and Liquidation of Industrial Workers' Debt Act, 1936 (Act 05 of 1936)</a>	Concurrent	List III, Entry 9 (Insolvency and Bankruptcy)	The areas comprised within the districts of Nagpur, Wardha, Chanda and Bhandara (which were earlier a part of the Central Provinces)	Law and Judiciary	No	<p>This Act provides for the procedure for the presentation and adjudication of an industrial worker's liquidation of debts.</p> <p>The Insolvency and Bankruptcy Code, 2016 overrides this Act in as much as it comprehensively covers the adjudication of individuals' liquidation petitions. Therefore, this Act is impliedly repealed. No evidence of use found in case law.</p>	Review	Since the subject matter of this law falls under the Concurrent List, the State may discuss this law with the Central Government with a view to repealing it.
52.	<a href="#">Hyderabad Hindu Widows' Marriage Act, 1347F (Act 1 of 1347 F)</a>	Concurrent	List III, entry 5 (Marriage and divorce)	Areas under Aurangabad division which were earlier a part of Hyderabad	Women and Child Development	No	<p>The Act aimed to recognise the right of a Hindu widow to remarry in accordance with Hindu marriage laws. However, the Act also states that the widow's rights in her deceased husband's property would then be extinguished.</p> <p>A similar Act called the Hindu Widows' Remarriage Act 1856 was in force before the Law Commission of India, in their 81st Report, recommended its repeal due to obsolescence. Consequently, this was repealed by the Hindu Widows' Re-marriage (Repeal) Act, 1983.</p> <p>Today, Central Government Acts such as the Hindu Marriage Act in 1955 and the Hindu Succession Act in 1956 deal with the subject matter covered under this Act. Hence, this Act is redundant.</p> <p>The Karnataka State has repealed this Act in 2011.</p>	Repeal	Although the subject matter of this law falls under the Concurrent List, the State Government could discuss this law with the Central Government and repeal it like Karnataka.



53.	Central Provinces & Berar Co-operative Land Mortgage Banks Act, 1937 (Act 1 of 1937)	Centre	List I, Entry 45 (Banking)	Areas under the Vidarbha Region which formed a part of the Central Provinces	Finance	<p>This Act provides for the grant of long term loans to owners of land or other immovable property, to enable them to discharge their debts, to carry out agricultural improvements, to acquire land for the formation of economic holdings and other like purposes and thereby to promote thrift and self-help among them. For the purpose of financing mortgage banks, this Act authorised the issue of debentures by the Central Mortgage Banks to these mortgage banks. Trustees of the Central Mortgage bank are to be appointed under this Act for the fulfilment of the obligations of the Central Mortgage Bank and the assets transferred to the Central Mortgage Banks as mortgage by the mortgage banks vested in these Trustees.</p> <p>A copy of this law, in its application to Maharashtra, is unavailable. As per the Bombay (Vidarbha Region) Adaptation of Laws (State and Concurrent Subjects) Order, 1956, functions of the Registrar appointed under this Act were to be performed by the Registrar of Co-operative Societies, Joint Registrar of Cooperative Societies (CS), Deputy Registrar of CS and Assistant Registrar of CS, Bombay State.</p> <p>No evidence of use of this law has been found in case law.</p> <p>Two Maharashtra amendments were made to Section 89 of the Indian Registration Act, 1908 in 1929 and 1958. The Amendment made via the Indian Registration (Bombay Provision for Uniformity and Amendment) Act, 1957 stated: "Every sale officer granting a certificate of sale under section 20 of the Central Provinces and Berar Co-operative Land Mortgage Banks Act, 1937, shall send a copy of such certificate to the registering officer within the local limit of whose jurisdiction the whole or any part of the immovable property comprised in such certificate is situated and such registering officer shall file the copy in his Book No. 1."</p>	Review	
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54.	Central Provinces and Berar Recognised Examinations Act, 1937 (Act 10 of 1937)	Concurrent	List III, Entry 25 (Education)	Areas under the Vidarbha Region which formed a part of the Central Provinces	School Education and Sports/ Higher and Technical Education	No	<p>This Act prohibits the divulging of any information in relation to any recognised examination that such person has come into possession due to them being entrusted with some work pertaining to recognised examinations. It also prohibits loitering near examination centres, the use of unfair means in recognised examinations. Anyone found guilty of leaking any examination papers relating to recognised examinations is also disqualified from seeking any employment in the State Government. A copy of this Act, in its application to Maharashtra, is not available in the public domain. No evidence of use of this law has been found in case laws.</p> <p>Maharashtra has enacted a special law called the Maharashtra Prevention of Malpractices at University, Board and other specified Examinations Act, 1982 to prevent malpractices at examinations held or proposed to be held by any University or the Board or any other authority specified by the State Government including leakages of question papers or copying at such examinations, and for matters connected therewith. This law comprehensively deals with all matters present under the 1937 Act.</p>	Review	Since the subject matter of this law falls under the Concurrent List, the State may discuss this law with the Central Government with a view to repealing it.
55.	<a href="#">Gas Supply Act, 1939 (Bom. Act 09 of 1939)</a>	State	List II, Entry 25 (Gas and gas-works)	-	Industries and Labour	Yes	<p>This law regulates the safe supply of gas including the prices in Maharashtra. Although no evidence of use has been found in case law, the provisions of this Act are useful even today. The MSLC, in its second report, had also recommended the retention of this law after discussion with the then-Secretary of the Industries, Energy and Labour Department.</p>	Retain	

56.	<a href="#">Fodder and Grain Control Act, 1939 (Bom. Act 26 of 1939)</a>	Concurrent	List III, Entry 33 (Trade and commerce in foodstuffs, cattle fodder, etc.) and Entry 34 (Price control)	-	Revenue and Forest	No	<p>This law provides for the regulation of the supply and distribution of fodder and grain including price control in Bombay in case of famines or scarcity.</p> <p>In 1955, the Essential Commodities Act was introduced by the Central Government. It is quite comprehensive and covers the scope of this Act.</p> <p>The MSLC consulted the relevant Department, which also suggested repeal since the provisions of the Essential Commodities Act covered provisions under this Act. Thus, the MSLC also suggests the repeal of this Act in its second report.</p> <p>Note that the Gujarat State repealed this law in 2011.</p>	Repeal	
57.	The Central Provinces and Berar Collection of Statistics Act, 1939 (Act 34 of 1939)	Concurrent	List III, Entry 45 (Inquiries and statistics for the purposes of any of the matters specified in List II or List III.)	Areas under the Vidarbha Region which formed a part of the Central Provinces	Industry, Energy and Labour/Planning	No	<p>The Act provides for statutory authority for the collection of statistics relating to economic conditions of labour, unemployment and industrial disputes. A copy of this Act in its application to Maharashtra is not available.</p> <p>Note that a central law - the Collection of Statistics Act, 2008 - also provides for the collection of statistics. However, it provides for the collection of statistics on economic, demographic, social, scientific and environmental aspects, and for matters connected therewith or incidental thereto. Some of these data points are in relation to industries but most other statistics are in relation to broad economic indicators like Consumer Price Index, etc. No data on unemployment or labour is collected under the said Central Act.</p>	Review	The State Government must examine the data points it collects under this Act. If no data is collected as on date and no data is intended to be collected by the State Government in the future, this Act can be repealed in consultation with the Central Government.

58.	Hyderabad Power Alcohol Act, 1350F (Act 11 of 1350 F)	Centre	List I, entry 53 (petroleum and petroleum products)	Areas under Aurangabad division which were earlier a part of Hyderabad	Revenue and Forest	No	<p>This Act was passed for the development of the power alcohol industry in the erstwhile State of Hyderabad and mandated the use of petroleum mixed with power alcohol in petroleum-driven engines. A copy of the law, as applicable to the State of Maharashtra, is not available in the public domain.</p> <p>In 1948, the Central Government passed an Act called the Indian Power Alcohol Act to govern the same subject matter. In 1952, an amendment was introduced to this Central Act extending its application to Part B States (including Hyderabad), impliedly repealing this. The Central Act was itself repealed in 2000 owing to lack of usage.</p> <p>The states of Karnataka and Telangana repealed this Act in 2011 and 2016, respectively.</p>	Review	<p>Since the subject matter of this law falls under the Union List, the State Government can discuss this law with the Central Government with a view to repealing it. Some states have already repealed this law.</p>
59.	<a href="#">Hyderabad Court of Wards Act, 1350 F (Act 12 of 1350 F)</a>	Concurrent	List III, entry 11A (administration of justice)	Areas under Aurangabad division which were earlier a part of Hyderabad	Law and Judiciary	No	<p>The Court of Wards Act was enacted in the erstwhile Hyderabad area of Bombay.</p> <p>The concept of a court of ward, as existing under this Act, is obsolete in today's day and age. A similar law called the Court of Wards Act (C. P. &amp; Berar), 1899 was recommended for repeal in the 249th Law Commission Report, the P.C. Jain Commission Report and the Ramanujam Committee Report.</p> <p>Note that Karnataka repealed this Act in 2020.</p>	Repeal	<p>As this law is obsolete, the State Government can consider repealing the Act subject to drafting an appropriate savings and repealing clause which would ensure that any existing court of wards continue to be regulated by the repealed act.</p>

60.	Hyderabad Insolvency Act, 1351 F (Act 8 of 1351 F)	Concurrent	List III, entry 9 (bankruptcy and insolvency)	Areas under Aurangabad division which were earlier a part of Hyderabad	Law and Judiciary	No	<p>The objective of the Act is to amend and consolidate insolvency laws in the erstwhile Hyderabad areas of Bombay. A copy of the law, as applicable to the State of Maharashtra, is not available in the public domain.</p> <p>As the Insolvency and Bankruptcy Code, 2016 covers the entire insolvency process, it could be argued that the Insolvency Act (Hyderabad), 1351 F is impliedly repealed. The 2016 Code applies to all of India and to all individuals, corporates, partnerships, etc. and occupies the field of insolvency.</p> <p>The Karnataka State has repealed this Act in 1963.</p>	Repeal	Although the subject matter of this law falls under the Concurrent List, the State Government could discuss this law with the Central Government and repeal it like Karnataka.
61.	Central Provinces and Berar Law Provincial Act, 1941 (Act 15 of 1941)	Centre	List I, Entry 97 (Any other matter not enumerated in List II or List III); Articles 3 and 4 of the Constitution (State reorganisation /alteration and incidental steps)	Areas under the Vidarbha Region which formed a part of the Central Provinces	Law and Judiciary	No	A copy of this law is unavailable in the public domain. However, it appears that this law extended certain central acts to the territory of Berar. A similar law - Act IV of 1941 - was recommended for repeal by the Ramanujam Committee and the Law Commission of India in its 148th and 248th reports since Berar ceased to be an independent unit and forms a part of the State of Maharashtra. Act IV of 1941 was thereafter repealed by the Central Repealing and Amending (Second) Act, 2017.	Review	The State Government can discuss this law with the Central Government and suggest repeal.

62.	<a href="#">Land Improvement Schemes Act, 1942 (Bom. Act 28 of 1942)</a>	State	List II, Entry 18 (Land including land improvement)	-	Agriculture, Animal Husbandry, Dairy Development and Fisheries	Yes	<p>This law provides for the making and execution of schemes relating to the construction of tanks, the control of grazing for the purposes of preservation of soil, prevention of soil erosion, improvement of water supply and other matters in order thereby to protect and improve lands and crops in Bombay. It was amended in 2013.</p> <p>The MSLC, in its second report, states this is an extremely useful legislation and recommends that it be retained.</p> <p>The Maharashtra Land Development Corporation ("MLDC") is one Board that was constituted in 1973 under this Act. In a case before the Income Tax Appellate Tribunal at Pune [1991 36 ITD 118 Pune], the Bench referring to it stated that "the principal function of [the MLDC] is to implement the schemes of Agriculture Department of the Government falling within the purview of Bombay Land Improvement Scheme Act, 1942 and all its activities relate to improvement of land, soil conservation, improvement in water supply, improvement in farming methods, etc."</p>	Retain	
63.	<a href="#">Cotton Control Act, 1942 (Bom. Act 30 of 1942)</a>	Concurrent	List III, Entry 33 (Trade and commerce in, and the production, supply and distribution of cotton)	-	Co-operation, Marketing and Textiles	No	<p>This law was enacted to regulate and prohibit the cultivation of certain varieties of cotton, mixing of the prohibited variety of cotton with other cotton and the possession or use of, or trade in, the prohibited variety of cotton.</p> <p>The MSLC, in its second report, stated that the Act seems useful and must be retained. However, there is no evidence of usage in recent times. Most of the important provisions under this Act are now covered, amongst others, under the Seeds Act 1966, Seed Rules 1968, Seeds (Control) Order 1983, the Environmental Protection Act 1986 and its underlying Rules as well as the Maharashtra Cotton Seeds (Regulation of Supply, Distribution, Sale and Fixation of Sale Price) Act, 2009.</p>	Review	The State Government should confirm if this Act is still in use and assess its relevance.

							Karnataka has repealed this law in 2011.		
64.	<a href="#">Central Provinces and Berar Hindu Women's Rights to Property (Extension to Agricultural Land) Act, 1942 (Act 06 of 1942)</a>	Concurrent	List III, Entry 5 (succession)	The areas comprised within the districts of Nagpur, Wardha, Chanda and Bhandara (which were earlier a part of the Central Provinces)	Revenue and Forest	No	This law was enacted to extend the operation of the Hindu Women's Rights to Property Act, 1937, as amended by the Hindu Women's Rights to Property (Amendment) Act, 1938, to agricultural land. Since the Hindu Women's Rights to Property Act, 1937 has been repealed, this law is no longer relevant and can also be repealed. A similar law - the Bombay Hindu Women's Rights to Property Extension to Agricultural Land) Act, 1947 - has been repealed by the Maharashtra Repealing (Second) Act, 2016.	Repeal	Although the subject matter of this law falls under the Concurrent List, the State Government could discuss this law with the Central Government and repeal it like the Bombay Hindu Women's Rights to Property Extension to Agricultural Land) Act, 1947.
65.	<a href="#">Indian Tariff (Bombay Application) Regulation, 1943 (Bom. Reg. 01 of 1943)</a>	Centre	List I, Entry 97 (Any other matter not enumerated in List II or List III); Articles 3 and 4 of the Constitution (State reorganisation /alteration and incidental steps)	-	Home (Excise)	No	These regulations were passed to extend the application of the Indian Tariff Act, 1934 and its amendments to certain partially excluded areas of Bombay. The Indian Tariff Act, 1934 has been repealed by the Customs Tariff Act, 1975. As such, this law may no longer be relevant. The MSLC, in its second report, has also suggested repeal of this Act.	Review	The legislative competence appears to lie with the Centre. The State Government can discuss this law with the Central Government and suggest repeal.

66.	Bhagelas Contract Act, 1353F (Act 9 of 1353 F)	Concurrent	List III, entry 24 (Welfare of labour including conditions of work)	Areas under Aurangabad division which were earlier a part of Hyderabad	Industries and Labour	No	<p>This law was enacted to regulate contracts for bonded labour such as their terms of employment, rate of interest etc. Such contracts were called "Bhagela contracts". A copy of the law, as applicable to the State of Maharashtra, is not available in the public domain.</p> <p>Under the Bonded Labour System (Abolition) Act, 1976, "Bhagelas" is recognised as a form of bonded labour. As this Act abolishes and punishes all forms of forced labour across the country, the Bhagelas Contract Act, 1353 F should be repealed.</p> <p>The states of Karnataka and Telangana have repealed this Act in 2011 and 2016, respectively.</p>	Repeal	Although the subject matter of this law falls under the Concurrent List, the State Government could discuss this law with the Central Government and repeal it like Karnataka and Telangana.
67.	<a href="#">Central Provinces and Berar Regulation of Couching Act, 1944 (Act 02 of 1944)</a>	State	List II, Entry 6 (public health)	Whole State	Public Health	Yes	<p>This law was enacted to prevent couching by unqualified persons. This law was amended in 1962 and extended to the whole State. MSLC, in its second report, has also suggested that this law be retained since it is useful today.</p>	Retain	
68.	Improvement Trust Tribunal (Validation of Proceedings) Act (Nagpur), 1945 (Act 3 of 1945)	Concurrent	List III, Entry 13 (Civil procedure)	-	Law and Judiciary	-	<p>This law appears on the Index of Acts and Regulations in force in the State of Maharashtra (2019). However, a copy of this law is not available on the Government website or any other place in the public domain, which is indicative of its disuse. There are no documented instances where this Act has been used in the last few decades. This law was also not analysed by the MSLC.</p>	Review	The State Government should review this law so as to assess legislative competence and relevance.



69.	<a href="#">Greater Bombay Laws and the Bombay High Court (Declaration of Limits) Act, 1945 (Bom. Act 17 of 1945)</a>	Centre	<p>List I, Entry 95 (Jurisdiction and powers of all courts, except the Supreme Court, with respect to any of the matters in this List);</p> <p>List II, Entry 65 (Jurisdiction and powers of all courts, except the Supreme Court, with respect to any of the matters in List II);</p> <p>List III, Entry 46 (Jurisdiction and powers of all courts, except the Supreme Court, with respect to any of the matters in List III)</p>	-	Law and Judiciary	Yes	<p>This law was enacted to extend the limits of the City of Bombay by including a part of the Bombay Suburban District, collectively naming the whole area as Greater Bombay and also extending the Bombay High Court's ("BHC") Original Civil Jurisdiction to the extended limits. The MSLC, in its second report, noted that as the Act is extending the original civil jurisdiction of the BHC to the rest of Greater Bombay, it should be retained.</p> <p>This law is useful and should be retained.</p>	Retain	<p>All three entries in the seventh schedule are relevant. However, as per Article 246 of the Constitution, legislative predominance is given to the Centre.</p>
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70.	Central Provinces and Berar Co-operative Societies (Amendment of Liquidators' Orders Validation) Act, 1945 (Act 10 of 1945)	State	List II, Entry 32 (Co-operative societies)	Areas under the Vidarbha Region which formed a part of the Central Provinces	Co-operation, Marketing and Textiles	No	A copy of this law is not available in the public domain. However, upon a reading of the cases which refer to this law, it appears that this law amended the application of the Co-operative Societies Act, 1912 in the Central Provinces and Berar. The Co-operative Societies Act, 1912 was repealed in its entirety in its application to the Bombay Presidency by the Bombay Co-operative Societies Act, 1925. Thereafter, the Maharashtra Co-operative Societies Act, 1960 was enacted, repealing the Bombay Co-operative Societies Act, 1925. This 1960 co-operative societies law applies to the whole State of Maharashtra. Therefore, it can be argued that the Co-operative Societies (Amendment of Liquidators' Orders Validation) Act, 1945 is redundant and can be repealed.	Repeal	
71.	<a href="#">Electricity (Special Powers) Act, 1946 (Bom. Act 20 of 1946)</a>	Concurrent	List III, Entry 38 (Electricity)	-	Industries and Labour	No	This law was enacted to bestow certain special powers upon the Government regarding the supply of electricity in the State of Maharashtra. No evidence of use of this law has been found in case law.  The MSLC, in its second report, suggested that this law be retained. However, since the Central Government has passed the more comprehensive Electricity Act in 2003, several provisions of this Act such as powers to regulate supply, revocation of license and so on are covered under the 2003 law.  Note that Karnataka has repealed this Act in 2011.	Review	In light of the Electricity Act, 2003, the State Government should review the 1946 law and discuss it with the relevant administrative department. If the 1946 law is found to be in disuse, it can be repealed.
72.	<a href="#">Special Tribunal (Continuance) Act, 1946 (Bom. Act 21 of 1946)</a>	Concurrent	List III, Entry 11A (Administration of Justice; constitution and organisation of all courts, except the Supreme	-	Law and Judiciary	No	The Second Special Tribunal at Lahore was set up under the Criminal Law Amendment Ordinance 1943. This Act was enacted for the continuance of the jurisdiction and powers of this Tribunal to try two pending cases which are named in the Act's Schedule, despite the expiration of the 1943 Ordinance.	Review	Since the subject matter of this law falls under the Concurrent List, the State Government can discuss this law with the Central Government with a view to repeal.

			Court and the High Courts)				Since the purpose of this Act has been served, it can be repealed. The MSLC, in its second report, had also recommended the repeal of this Act.		
73.	<a href="#">Cotton (Statistics) Act, 1946 (Bom. Act 27 of 1946)</a>	Concurrent	List III, Entry 45 (Inquiries and statistics for all matters in list II or III)	-	Agriculture, Animal Husbandry, Dairy Development and Fisheries/Co-operation, Marketing and Textiles	No	<p>This law was enacted to facilitate the collection of statistics on raw cotton in the State. It mandated traders to provide yearly returns on the quantity of cotton.</p> <p>While the MSLC in its second report suggested that it is safer to retain the Act, they added that it is unclear if the data under this Act is collected and which government agencies collect such data. The Agriculture Department informed the MSLC that they do not administer the Act. No information was received from the Co-operation department. The Maharashtra State Co-operative Cotton Growers Marketing Federation informed the MSLC that no such information was provided to them by the cotton traders or owners of factories.</p> <p>No evidence of usage of this law found in recent case law. Gujarat and Karnataka repealed this Act in 2011.</p>	Review	The State Government should review this law and discuss it with all relevant departments. If no data under this Act is collected, it can be repealed like the repeal by Gujarat and Karnataka.
74.	<a href="#">Ahmedabad and Surat Municipal Administration Validation Act, 1946 (Bom. Act 23 of 1946)</a>	-	-	-	-	-	-	-	Note that this law appears on the State Law and Judiciary Department website. It is not relevant for Maharashtra since it pertains to the Ahmedabad and Surat municipalities. This law should be deleted from the website.
75.	<a href="#">Home Guards Act, 1947 (Bom. Act 03 of 1947)</a>	State	List II, Entry 1 (Public order) and Entry 41 (State public services)	-	Home	Yes	This Act sets up the Maharashtra Home Guards, a volunteer force tasked to be an auxiliary to the Indian police and assist during emergencies. This force continues to exist today and uses this Act and	Retain	

							its underlying rules. The MSLC, in its second report, has also recommended that this law be retained.		
76.	<a href="#">Industrial Relations Act, 1946</a> (Bom. Act 11 of 1947)	Concurrent	List III, Entry 22 (Trade unions, Industrial disputes)	-	Industries and Labour	Yes	<p>This Act was enacted for the regulation of employer-employee relations in certain matters and to consolidate the law relating to the settlement of industrial disputes, etc.</p> <p>This is an important legislation regarding labour disputes in Maharashtra and is currently still in use, especially for certain industries like co-operation banking, sugar, BEST, etc. There are several recent judgments such as <i>Bishan Dyeing, Printing and Weaving Mills. v. Chandrakant R. Patil</i> (MANU/MH/2538/2023) relying on this Act.</p> <p>The MSLC, in its second report, has also recommended that this law be retained.</p>	Retain	This law may have to be reviewed by the State Government for overlaps and conflicts when the central Industrial Relations Code, 2020 is notified.
77.	<a href="#">Agricultural Debtors Relief Act, 1947</a> (Bom. Act 28 of 1947)	State	List II, Entry 30 (relief of agricultural indebtedness)	-	Revenue and Forest	No	<p>This Act was intended to consolidate and amend the law for the relief of agricultural debtors. The Act states that all eligible debtors or creditors seeking adjustment of debts must file an application before 1st August 1947. Similarly, any agricultural labourer claiming that any transfer of land by him or any other person through whom he inherited it was a transfer in the nature of a mortgage, may make an application to the Court before 1st August 1947.</p> <p>This Act also re-enacted the previously repealed Dekkhan Agriculturists Relief Act, 1879 for a period of three years from the said date.</p> <p>As this Act stipulated a timeline of 1st August 1947, it could be argued that these claims must have been completely addressed by now.</p> <p>The MSLC, in its second report, has also stated that the Act can be said to have served its purpose and now be safely repealed.</p>	Repeal	

78.	Central Provinces and Berar Revision of Land Revenue of Mahals, 1947 (Act 25 of 1947)	State	List II, Entry 45 (Land Revenue)	Areas under the Vidarbha Region which formed a part of the Central Provinces	Revenue and Forest	No	A copy of this law is not available in the public domain. However, upon a reading of cases which refer to this law, it appears that this law was enacted to enhance the land revenue of mahals - a form of land tenure existing in the Central Provinces and Berar. Since these land tenures now stand abolished, it could be argued that this law is obsolete.	Repeal	
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## *PART 2: Governor-General in Council Acts*

Sr. No.	Name of the Law	Legislative Competence	Subject Matter of the Law (Entry in the Seventh Schedule)	Applicability to Maharashtra in case of non-Bombay/non-Maharashtra Laws (Name of Area)	Relevant State Department	In Use	About the Law and Analysis of Use/Disuse	Final Recommendation	Additional Comments
1.	<a href="#">Bengal Wills and Intestacy Regulation, 1799 (Reg. 05 of 1799)</a>	Concurrent	List III, entry 5 (wills, intestacy and succession)	The areas comprised within the districts of Nagpur, Wardha, Chanda and Bhandara (which were earlier a part of the Central Provinces)	Law and Judiciary	No	<p>This law was enacted to limit the interference of the Zila Courts of Diwani Adalat in the execution of wills and administration to the estates of persons dying intestate. In 1875, Sections 4, 5, 6 and 7 of this Regulation were declared to be in force in the Central Provinces areas by the Central Provinces Laws Act, 1875. These provisions deal with the inheritance of estates of the intestate, the appointment of an administrator, etc. By way of the Bombay (Vidarbha Region) Adaptation of Laws (State and Concurrent Subjects) Order, 1956 issued under the States Reorganisation Act, 1956, the extent of the Central Provinces Laws Act, 1875 (and consequently, the Bengal Wills and Intestacy Regulation, 1799) was amended to cover the areas comprised within the districts of Nagpur, Wardha, Chanda and Bhandara.</p> <p>With regard to the Bengal Wills and Intestacy Regulation, 1799, the Supreme Court in <i>Prativa Bose v. Kumar Rupendra Deb Raikat and Ors.</i> (MANU/SC/0251/1963) stated that "54. Before parting with the case we would like to draw attention of Government to these provisions which appear to be somewhat out of date and which need to be repealed. Ample power is to be found in the Indian Succession Act and the Code of Civil Procedure to safeguard such rights and there is hardly any need for a provision which was passed to remove certain doubts created by the Regulation of 1793."</p> <p>There is no recent case law or evidence of the applicability of this Regulation to the State of Maharashtra. This law was also repealed by Rajasthan in 1962. Thus, it can be inferred that this Regulation is</p>	Review	Since the subject matter of this regulation falls under the Concurrent List, the State Government can discuss this law with the Central Government with a view to repealing it.

						in disuse and can be repealed.			
2.	<a href="#">Bengal Foreign Immigrants Regulation, 1812 (Reg. 11 of 1812)</a>	Centre	List I, entry 19 (Admission into, and emigration and expulsion from, India; passports and visas)	The areas comprised within the districts of Nagpur, Wardha, Chanda and Bhandara (which were earlier a part of the Central Provinces)	Home	No	<p>This law was passed in 1812 to maintain peaceful relations with neighbouring countries, especially present-day Myanmar. This Act empowered the Government to order the removal or detention of foreign immigrants or their descendants creating disturbances in their home country or any other country as well as those aiding these individuals. In 1875, this Act was declared to be in force in the Central Provinces area by the Central Provinces Laws Act, 1875. By way of the Bombay (Vidarbha Region) Adaptation of Laws (State and Concurrent Subjects) Order, 1956 issued under the States Reorganisation Act, 1956, the extent of the Central Provinces Laws Act, 1875 (and consequently, the Bengal Regulation of 1812) was amended to cover the areas comprised within the districts of Nagpur, Wardha, Chanda and Bhandara.</p>	Review	Since the subject matter of this regulation falls under the Union List, the State Government can discuss this law with the Central Government with a view to repealing it.



3.	<a href="#">Bengal Alluvion and Diluvion Regulation, 1825 (Reg. 11 of 1825)</a>	State	List II, entry 18 (land)	The areas comprised within the districts of Nagpur, Wardha, Chanda and Bhandara (which were earlier a part of the Central Provinces)	Revenue and Forest	No	<p>As a result of the high silt content in the Gangetic delta, small islands often emerged from the river. To avoid confusion as to ownership over such islands, this Regulation was introduced to differentiate between lands belonging to the State and those belonging to private individuals. This Act was declared to be in force in the Central Provinces areas by the Central Provinces Laws Act, 1875. By way of the Bombay (Vidarbha Region) Adaptation of Laws (State and Concurrent Subjects) Order, 1956 issued under the States Reorganisation Act, 1956, the extent of the Central Provinces Laws Act, 1875 (and consequently, the Bengal Regulation of 1825) was amended to cover the areas comprised within the districts of Nagpur, Wardha, Chanda and Bhandara.</p> <p>The P.C. Jain Commission as well as the Law Commission, in its 248th Report, recommended the repeal of a similar Act called the Bengal Alluvion and Dilluvion Regulation, 1847.</p> <p>Note that there is no recent case law or evidence of the applicability of this Act to the State of Maharashtra. States such as West Bengal and Assam have repealed this Regulation in 1965 and 2022 respectively. Thus, it can be inferred that this regulation is in disuse and can be repealed.</p>	Repeal	
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4.	<a href="#">Bengal Attached Estates Management Regulation, 1827 (Reg. 5 of 1827)</a>	State	List II, entry 18 (land); List II, entry 22 (encumbered and attached estates)	The areas comprised within the districts of Nagpur, Wardha, Chanda and Bhandara (which were earlier a part of the Central Provinces)	Revenue and Forest	No	<p>This law was enacted to modify the existing rules under the Wills and Intestacy Regulation (Bengal), 1799 regarding the management of estates under attachment by orders of the Courts of Justice in certain cases. In 1875, this Regulation was declared to be in force in the Central Provinces areas by the Central Provinces Laws Act, 1875. By way of the Bombay (Vidarbha Region) Adaptation of Laws (State and Concurrent Subjects) Order, 1956 issued under the States Reorganisation Act, 1956, the extent of the Central Provinces Laws Act, 1875 (and consequently, the Bengal Regulation of 1827) was amended to cover the areas comprised within the districts of Nagpur, Wardha, Chanda and Bhandara.</p> <p>This Regulation deals with the attachment of estates, placing them under the superintendence of the Collectors of land-revenue, etc. This is no longer necessary as the provisions of the Civil Procedure Code sufficiently cover the matter today. There is no case law or evidence of the applicability of this Act to the State of Maharashtra. This law was also repealed by Rajasthan in 1962. Thus, it can be inferred that this law is in disuse.</p>	Repeal	
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5.	<a href="#">Acknowledgements of debts: Interest, Mortgages Regulation, 1827 (Bom. Reg. 05 of 1827)</a>	State	List II, Entry 30 (money-lending and money lenders, relief of agricultural indebtedness)	-	Revenue and Forest	<p>No</p> <p>This law was passed by the Governor-in-Council of Bombay. Three provisions appear to be in force. Section 9 deals with written acknowledgement of debt in case the consideration has not been received in full. Section 14 deals with interest ceasing when the amount is tendered by the creditor to the debtor. Section 15 (which has been repealed by Transfer of Property Act, 1882 for whole of Bombay except the scheduled districts) deals with certain aspects of mortgaged property.</p> <p>The MSLC, in its first report, says that substantial provisions of these regulations have been covered by other laws. Hence, it suggests repeal.</p> <p>Note that there are no recent cases on this law. The last reference to the mortgage-related provisions of this law was in <i>Maruti Babaji v. Manohar</i> [AIR 1945 Bom 307] and to the limitation-related provisions was in <i>Naubahar Singh v. State of UP</i> [MANU/UP/3438/2016]. Reference was passing and was to Section 15 which was repealed by the Transfer of Property Act. Last reliance on this law in a 1930 Privy Council decision: <i>Nilkanth Balwant Natu v. Vidya Narasinh Bharati</i> [MANU/PR/O184/1930]. Thus, it can be inferred that this law is in disuse and can be repealed.</p> <p>The Karnataka State has repealed this law in 2011.</p>	Repeal	
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6.	<a href="#">Administration of Estates Regulation, 1827 (Bom. Reg. 08 of 1827)</a>	Concurrent	List III, Entry 5 (intestacy and succession)	-	Law and Judiciary	Yes	<p>This law was passed by the Governor-in-Council of Bombay. It deals with the formal recognition of heirs, executors, administrators and for the appointment of administrators by courts. The law allows heirs, executors and administrators to apply for a certificate of heirship, executorship or administratorship and manage and sue for the property. It allows courts to appoint an administrator for the property if no heirs appear, succession is disputed or heirs are incompetent to manage the property.</p> <p>The MSLC, in its first report, has observed that the law is in use and relied on by courts. It suggests that it should be retained but simplified to meet the needs of the present day. The Indian Succession Act, 1925 acknowledges the operation of this law. Cases as recent as 2023 refer to this law. Heirship certificates are issued under this law. It can be inferred that this law is in use.</p>	Review	The State Legislature may consider modernising this law and re-enacting it.
7.	<a href="#">Military Authority (Assistant to Marching Troops) Regulation, 1827 (Bom. Reg. 22 of 1827)</a>	Centre	List I, Entries 1, 2, 2A (defence of India including preparation of defence; naval, military and air forces and any other armed forces of the Union; deployment of armed force in any State in aid of civil power)	-	Home	No	<p>This law was passed by the Governor-in-Council of Bombay. It deals with the relation that military has with civil power and the community at large. Sections 1-39 and 44-55 have been repealed by the Cantonments Act, 1889. Only Sections 40-42 remain in force. These deal with how the military (infantry and cavalry) needs to inform the District Magistrate when they are passing through civilian territory and how they can request aid. These also deal with how individuals suffering injuries on account of the military marching through civilian territory can request compensation.</p> <p>The MSLC, in its first report, suggests repeal since the practice of marching through civilian territory is not in vogue anymore. It states that the law is obsolete and can be repealed. There is no evidence of use found for this law in recent cases. The law was also repealed by the Karnataka State in 2011. It can be inferred that the law is in disuse.</p>	Review	Although the MSLC has treated this as a State law and the Karnataka State has repealed this law in 2011, it technically falls under the legislative competence of the Centre. The State Government can discuss this law with the Central Government with a view to repeal.

8.	<a href="#">Dekkhan and Khandesh (Poona, Ahmednagar and Khandesh District) Regulation, 1827 (Bom. Reg. 29 of 1827)</a>	Centre	<p>List I, Entry 97 (Any other matter not enumerated in List II or List III);</p> <p>Articles 3 and 4 of the Constitution (State reorganisation/alteration and incidental steps like extension of laws)</p>	-	Law and Judiciary	<p>Yes</p> <p>This law was passed by the Governor-in-Council of Bombay. It provides for bringing the areas of Dekkhan and Khandesh under the Bombay regulations after these areas were conquered by the British Government from the Peshwas. The first 26 regulations of 1827 are extended to the conquered areas by way of this law. Further, three classes of high-ranking persons are excluded from the jurisdiction of civil courts and a special procedure for instituting suits against such persons has been provided by the law (before an agent of the government). By way of the Maharashtra Adaptation of Laws (State and Concurrent Subjects) Order, 1960, this law does not apply to territories in the State of Gujarat.</p> <p>The MSLC, in its first report, suggests repeal since provisions of these regulations have become obsolete. The last mention of this law has been in a 1931 BombayHC case: <i>Dattatraya Pandurang Gosavi v. Lakshman Mahadev Pohekar</i> [AIR 1932 Bom 15].</p> <p>However, if Bombay general regulations (including regulation on the administration of estates which is in use) have been made applicable to Dekkhan and Khandesh by way of this law, then this law may be useful.</p>	Review	<p>The State Government should review this law for assessing relevance and legislative competence for repeal.</p>
9.	<a href="#">Regulation of Land Suits-Extending Jurisdiction of Agent, 1831 (Bom. Reg. 1 of 1831)</a>	Concurrent	List III, Entry 13 (civil procedure)	-	Law and Judiciary	<p>No</p> <p>In furtherance of Bombay Regulation XXIX of 1827, this law extends the jurisdiction of the agents to disputes involving high-ranking officials and their land, rent and produce. The MSLC, in its first report, suggests repeal of this law. There is no evidence of its usage in case law. This law was also repealed by Karnataka in 1964. Thus, it can be inferred that this law is in disuse.</p>	Review	<p>Since the subject matter of this regulation falls under the Concurrent List, the State Government can discuss this law with the Central Government with a view to repealing it.</p>

10.	<a href="#">Bombay Rent-Free Estates Act, 1852</a> <a href="#">(Bom. Act 11 of 1852)</a>	State	List II, Entries 18 and 45 (land, rights in and over land, collection of rent; land revenue)	-	Revenue and Forest	Yes	<p>The Act was enacted to provide for adjudication of titles to certain estates in the territories of Dekkhan, Khandesh and Southern Maratha Country and certain other districts annexed to the Bombay Presidency. The law provides for the appointment of an Inam Commissioner who will investigate and adjudicate the title of inams or jagirs or any other claim seeking exemption from land revenue as against the government. It lays down the process for such investigation and adjudication.</p> <p>This law was recommended for repeal by the states by the P.C. Jain Commission and the Law Commission in its 249th report. Consequently, in its letter dated October 24, 2014, the Ministry of Law &amp; Justice has also requested states to repeal this law. The Karnataka State has repealed this law in 2000.</p> <p>The MSLC, in its first report, also suggests repeal of this law since it is unlikely that there are any pending claims to which this Act applies. If claims are pending, by virtue of Section 8 of the General Clauses Act, they would continue under the older law. New claims can be filed under the Maharashtra Land Revenue Code. It also states that this law can also be repealed since inams and jagirs have now been abolished in Maharashtra.</p> <p>In a 2015 Bombay HC decision - <i>Chhatrapati Udyanraje Pratapsinhmaharaj Bhosale and Ors. v. Chhatrapati Vijaysinhraje Shahumaharaj Bhosale and Ors</i> [MANU/MH/0720/2015], this law was extensively interpreted. The court reached the conclusion that the jurisdiction of civil courts was not barred in the areas carved out under the Act.</p>	Review	The State Government should assess the relevance of this law and thereafter repeal it.
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11.	<a href="#">Shore Nuisances (Bombay and Kolaba) Act, 1853 (Bom. Act 11 of 1853)</a>	Centre	List I, Entry 25 (maritime shipping and navigation)	-	Home (Transport)/Environment	No	<p>This law provides for the process of removal of nuisances and encroachments below high-water mark in the Islands of Bombay and Kolaba for the purpose of safe navigation.</p> <p>The 249th Law Commission Report has recommended its repeal because the purpose of the Act has been subsumed by other Acts such as rules framed under the Environment (Protection) Act, 1986 and the Water (Prevention and Control of Pollution) Act, 1974. This Act has also been recommended for repeal by the P.C. Jain Commission. The MSLC, in its first report, has also suggested repeal of this Act.</p> <p>There is no evidence of its usage in cases.</p>	Review	<p>Since the subject matter of this regulation falls under the Union List, the State Government can discuss this law with the Central Government with a view to repealing it.</p>
12.	<a href="#">Stage-Carriages Act, 1861 (Act 16 of 1861)</a>	State	List II, Entry 13 (vehicles other than mechanically propelled vehicles)	-	Home (Transport)	No	<p>This Act provides for licensing and regulating of stage carriages. Stage carriage, for the purposes of this Act, was defined as a carriage drawn by one or more horses ordinarily used for the purpose of conveying passengers for hire.</p> <p>The Law Commission, in its 249th Report, and the Ramanujan Committee noted that States like Maharashtra now have more modern rules to govern the licensing of stage carriages. Thus, this Act is obsolete. This law was also recommended for repeal by the States by the P.C. Jain Commission. Subsequently, a letter was issued by the Ministry of Law &amp; Justice dated October 24, 2014 requesting states to repeal this Act.</p> <p>No evidence of use of this law found in Maharashtra and recent case laws. States such as Karnataka, Madhya Pradesh and West Bengal have repealed this Act in 2002, 2016 and 2017 respectively.</p>	Repeal	<p>Although this law does not appear on the website of the State Law and Judiciary Department or the Index of Laws in force in the State of Maharashtra, it has been identified by the Central Government for repeal by the States. The State Legislature should hence repeal this law in its application to Maharashtra.</p>

13.	<a href="#">Civil Courts Act, 1869 (Bom. Act 14 of 1869)</a>	Concurrent	List III, Entry 11A (Administration of justice; constitution and organisation of all courts, except the Supreme Court and the High Courts)		Law and Judiciary	Yes	<p>This law pertains to district and other subordinate district courts in the State. Amongst other things, this law empowers the State Government to create and alter districts. It requires the presence of a district court in every district which is also to be presided by a district judge. This court will be the principal court of original jurisdiction in the district. Furthermore, this law contains provisions for additional and joint district judges, civil judges etc. The last amendment to this Act was made in 2015.</p> <p>The MSLC, in its first report, observes that the Law and Judiciary Department has not recommended repeal of this Act. As such, the MSLC also does not recommend repealing this Act. However, the P.C. Jain Commission had recommended repeal of this law by the states. The Law Commission, in its 248th report, had also identified this law which was recommended for repeal by the P.C. Jain Commission but had not been repealed by the states.</p> <p>This Act is relied on widely in case laws as on date. For example, in <i>Ramesh v. State of Maharashtra</i> [(2023) 1 AIR Bom R 759], the Bombay High Court relied on Section 7 of this Act.</p>	Retain	
14.	<a href="#">Revenue Jurisdiction Act, 1876 (Bom Act 10 of 1876)</a>	State	List II, Entry 65 (Jurisdiction of Courts except Supreme Court in respect of matters listed in List II)		Law and Judiciary/ Revenue and Forest	Yes	<p>This Act limits the jurisdiction of Civil Courts in matters relating to land revenue.</p> <p>The P.C. Jain Commission has recommended repeal by the states. The Law Commission, in its 248th report, also finds that this Act was recommended for repeal by the P.C. Jain Commission report but has not been repealed by the states. MSLC, in its first report, notes that it has already advised the State Government to repeal this Act. Karnataka has already repealed this Act in 1964.</p> <p>However, this law is widely relied upon in case laws. For instance, recently it was relied upon in <i>Gulab Ayubkhan Pathan v. District Collector, Collectorate Office and Ors.</i> [MANU/MH/0693/2019].</p>	Retain	



15.	<a href="#">Broach and Kaira Encumbered Estates Act, 1877 (Act 14 of 1877)</a>	State	List II, Entry 22 (Encumbered and attached estates)	-	Revenue and Forest	No	<p>This Act seeks to reduce the incumbrances on the properties of Thakurs in Broach and Kaira who were in debt, and whose property was subject to mortgages, charges and liens. The Act laid down a procedure by which these Thakurs could make an application to the concerned authority for relief within 12 months of this Act coming into force to be governed by this Act. Thereafter, a detailed procedure for liquidation is provided for under the Act. Thakurs meant taluqdars, jagirdars and kasbatis. Note that the taluqdari and jagirdari systems do not exist now.</p> <p>This law was recommended for repeal by the States by the PC Jain Commission. Thereafter, a letter was issued by the Ministry of Law &amp; Justice dated October 24, 2014 requesting states to repeal this law. The Law Commission of India, in its report no. 249, also notes that this Act is in disuse and recommends the Centre to remove it from the list of Central acts in force.</p> <p>The last reported case that made a passing reference to this Act was <i>Maharana Jayvantsinghji Ranmalsinghji v. State of Gujarat</i> [1962 Supp (2) SCR 411]. It is unlikely that any applications under this law are pending as on date.</p>	Repeal	Although this law does not appear on the website of the State Law and Judiciary Department or the Index of Laws in force in the State of Maharashtra, it has been identified by the Central Government for repeal by the States. The State Legislature should hence repeal this law in its application to Maharashtra.
16.	<a href="#">Charitable Endowments Act, 1890 (Act 06 of 1890)</a>	Concurrent	List III, Entry 28 (charitable and religious endowments and religious institutions)	-	Law and Judiciary	Yes	<p>This Act was enacted to govern the vesting and administration of property held in trust for charitable purposes, for example, a private foundation or public trust. This Act is still in force. There are several cases evidencing the use of this Act. In Maharashtra, rules under this Act were notified in 1966 and the Charity Commissioner's offices are still functioning.</p>	Retain	This is a central law. It should be removed from the list of "Maharashtra Acts" appearing on the website of the Bombay High Court.

17.	<a href="#">Act to Extend Indian Easements Act, 1882</a> <a href="#">(Bom. Act 8 of 1891)</a>	Centre	<p>List I, Entry 97 (Any other matter not enumerated in List II or List III)</p> <p>Articles 3 and 4 of the Constitution (State reorganisation/alteration and incidental steps, including extension of laws)</p>	-	Revenue and Forest	No	<p>This law extends 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.</p> <p>The 249th Law Commission report states that this law 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 P.C. Jain Commission Report (Appendix A-1 on central acts).</p>	Review	<p>The Maharashtra State can discuss this law with the Central Government and suggest repeal. In any case, this is clearly a central law and should be removed from Maharashtra's Statute Book.</p>
18.	<a href="#">Sir Dinshaw Maneckjee Petit Baronetcy Act, 1893</a> <a href="#">(Bom. Act 06 of 1893)</a>	Concurrent	List III, Entry 10 (Trust and trustees)	-	Law and Judiciary	No	<p>By way of this law, the British Government conferred the title of baronetcy on Dinshaw Maneckjee Petit and provided for the creation of a trust in order to support this title. This law was amended by the Maharashtra State Legislature in 1974. The law was kept alive.</p> <p>The Ramanujam Committee Report has recommended this Act for repeal on the ground that it is not in consonance with Article 18 of the Constitution, which abolishes all titles. The P.C. Jain Commission also recommended its repeal (Appendix A-5).</p> <p>There is a case to be made that the Act has become inconsistent with Part III and is therefore to be declared void upon the commencement of the Constitution.</p> <p>The history of this Act as well as the JJ Baronetcy Trust Act, 1915 is narrated by the Bombay High Court in <i>Official Trustee v. Commissioner of Wealth Tax</i> [MANU/MH/0478/2009]. The Bombay High Court interpreted and relied on the Act in <i>Commissioner of Wealth Tax v. ND Petit</i> [1981 128 ITR 650 Bom], where the assessee was the eldest son of Sir DM Petit, the third Baronet.</p>	Repeal	<p>Although the subject matter of this law falls under the Concurrent List, the State Legislature had amended this law in 1974. It could be argued that the State Legislature is the appropriate body to repeal this law.</p>

19.	<a href="#">Local Authorities Loans Act, 1914 (Act 9 of 1914)</a>	State	List II, Entry 5 (Local government)	-	Finance	No	<p>This Act was enacted to facilitate the grant of loans by the Government to local authorities.</p> <p>The Law Commission, in its 249th Report, states that this Act is no longer in use and can be repealed by States. The P.C. Jain Commission as well as the Ramanujam Committee also recommend the repeal of this Act by relevant States.</p> <p>No recent evidence of use of this law in Maharashtra found in case law. Karnataka and Madhya Pradesh repealed this Act in 2013 and 2016 respectively.</p>	Repeal	
20.	<a href="#">Sir Jamsetji Jeejeebhoy Baronetcy Act, 1915 (Act 10 of 1915)</a>	Concurrent	List III, Entry 10 (Trust and trustees)	-	Law and Judiciary	No	<p>By way of this law, the British Government conferred certain powers on the trust created under the Act. The Maharashtra State Legislature amended this law in 1974, but kept it alive.</p> <p>The Ramanujam Committee Report has recommended this Act for repeal on the ground that it is not in consonance with Article 18 of the Constitution, which abolishes all titles. The P.C. Jain Commission also recommended its repeal (Appendix A-5).</p> <p>There is a case to be made that the Act has become inconsistent with Part III of the Constitution (specifically, Article 18) and is therefore to be declared void upon the commencement of the Constitution.</p> <p>The history of this Act as well as the DM Petit Act, 1893 is narrated by the Bombay HC in <i>Official Trustee v. Commissioner of Wealth Tax</i> [MANU/MH/0478/2009].</p>	Repeal	Although the subject matter of this law falls under the Concurrent List, the State Legislature had amended this law in 1974. It could be argued that the State Legislature is the appropriate body to repeal this law.

21.	<a href="#">Police (Incitement to Disaffection) Act, 1922 (Act 22 of 1922)</a>	State	List II, Entry 2 (Police)	-	Home	<p>Yes</p> <p>This Act was enacted to prevent and penalise the spreading of disaffection among the police and other such offences against the State Government during colonial rule.</p> <p>The Ramanujam Committee notes that this colonial Act is loosely worded, does not describe what amounts to 'disaffection' and is prone to misuse. Thus, they state that it is now archaic and recommend its repeal by the State Legislatures. The Law Commission, in its 248th report, also recommends the repeal of this legislation. It states that despite sporadic uses of this Act in recent cases, the Act has the potential to significantly curb freedom of speech and needs to be re-examined in light of its potential infringement of the fundamental rights guaranteed under Article 19(1)(a) and (b) of the Constitution. Today, this Act is still often invoked in Courts of law across the country. It is regularly used against journalists as seen in <i>Vinod Dua v. UOI and Ors.</i> [MANU/SC/0363/2021] and against social activists like in <i>Ravindra S/O. Baliram Dhawale v. The State Of Maharashtra And Ors.</i> [2021 (4) Mh.L.J. (Cri.) 432]. However, High Courts and the Supreme Court have time and again quashed F.I.R.s and proceedings with respect to this Act.</p> <p>Karnataka repealed this Act in 1964.</p>	Repeal	<p>The Ramanujam Committee states that this entry falls under List II, Entry 2 (Police), thus, the legislative competence to repeal this Act lies with the State Governments.</p> <p>However, it appears that the Central Government has already begun the process of repealing it by including it in the Repealing and Amending Bill, 2023.</p>
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## *PART 3: State Amendments to State Acts*

Sr. No.	Name of the Amending Act	Act amended (Parent Act)	Status of Parent Act	Amendment Act Notified (Yes/No)	Standalone/Substantive provisions in Amendment Act (Yes/No)	Relevant State Department	Final Recommendation	Comment
1.	<a href="#">Hereditary Offices (Amendment) Act, 1886 (Bom. Act 05 of 1886)</a>	Maharashtra Hereditary Offices Act, 1874	Active	Yes	Yes	Revenue and Forest	Repeal	<p>This amendment act has two substantive provisions. One states that the right of a female family member and any of her heirs to the watan will be second to any male member claiming inheritance. Another states that a widow mother or paternal grandmother's right to inheritance will be only up till the term of her life or marriage.</p> <p>These provisions are discriminatory in nature. Moreover, when different kinds of hereditary offices and watans were abolished in Maharashtra, the State Legislature also repealed such discriminatory provisions on succession. Therefore, the relevant State department should consider repealing this amendment act.</p>
2.	<a href="#">Abkari (Amendment) Act, 1912 (Bom. Act 12 of 1912)</a>	The Bombay Abkari Act, 1878	Active	Yes	Yes (Section 42)	Home (Excise)	Repeal	<p>Only one provision of the Bombay Abkari Act, 1878 is in force. This provision is Section 29A. There is no evidence of use found for this provision in case law.</p> <p>The Abkari (Amendment) Act, 1912 made amendments to the Bombay Abkari Act, 1878 and also repealed the Excise (Spirits) Act, 1863 in the Presidency of Bombay. The amendment act can be repealed safely.</p> <p>Section 8 of the Maharashtra General Clauses Act, 1904 provides that repealed enactments are not automatically revived unless explicitly provided. As such, a repeal of the amendment act will not revive the Excise (Spirits) Act, 1863.</p>

3.	<a href="#">Prince of Wales Museum (Amendment) Act, 1913</a> (Bom. Act 07 of 1913)	Chhatrapati Shivaji Maharaj Vastu Sangrahalaya Act, 1909	Active	Yes	Yes (Sections 2 and 3)	Tourism and Cultural Affairs Department	Retain	Section 2 of the amendment act excludes certain areas from the land specified in the Schedule of the parent act. Section 3 of the amendment act provides that this land shall vest in his Majesty. While Section 3 may be irrelevant in Independent India, Section 2 is a provision which should be retained.
4.	<a href="#">City of Bombay Municipal (Amendment) Act, 1933</a> (Bom. Act 13 of 1933)	City of Bombay Municipal Act, 1888	Active	Yes	Yes (Sections 38-42)	Urban Development	Retain	

## *PART 4: State Amendments to Central Acts*



S. No.	Name of the Amending Act	Act amended (Parent Act)	Status of Parent Act	Amendment Act Notified (Yes/No)	Standalone/Substantive provisions in Amendment Act (Yes/No)	Relevant State Department	Final Recommendation	Comment
1.	<a href="#">Societies Registration (Amendment) Act, 1912 (Bom. Act 2 of 1912)</a>	Societies Registration Act, 1860	Active	Yes	Yes (Section 1)	Co-operation, Marketing and Textiles	Retain	
2.	<a href="#">Indian Registration (Bombay Amendment) Act, 1929 (Bom. Act 5 of 1929)</a>	Registration Act, 1908	Active	Yes	No	Revenue and Forest	Repeal	<p>Section 7A of the Maharashtra General Clauses Act, 1904 provides that where any Maharashtra Act repeals any enactment by which the text of any previous enactment was amended by the express omission, or substitution of any matter, then, unless, a different intention appears, the repeal shall not affect the continuance of any such amendment made by the enactment so repealed and in operation at the time of such repeal.</p> <p>In other words, the repeal of an amendment act shall not impact the effect of the amendment made to the parent act. Given this provision, the State Legislature can repeal state amendments to central acts. Such repeal will not impact the effect of the amendment made to the central act. For abundant caution, a savings clause can be drafted in the repealing act which reiterates the position under Section 7A.</p> <p>States such as Karnataka have adopted this approach. For example, see the Karnataka Repealing and Amending Act, 2002.</p> <p>The Code of Criminal Procedure, 1973 has repealed the Code of Criminal Procedure, 1898. Hence, this amendment act can be safely repealed.</p>
3.	<a href="#">Provincial Small Cause Courts (Bombay Amendment) Act, 1930 (Bom. Act 6 of 1930)</a>	The Provincial Small Cause Courts Act, 1887	Active	Yes	No	Law and Judiciary	Repeal	
4.	<a href="#">Indian Registration (Bombay Amendment) Act, 1930 (Bom. Act 17 of 1930)</a>	Registration Act, 1908	Active	Yes	No	Revenue and Forest	Repeal	
5.	<a href="#">Cattle-Trespass (Bombay Amendment) Act, 1931 (Bom. Act 5 of 1931)</a>	Cattle Trespass Act, 1871	Active	Yes	No	Agriculture, Animal Husbandry, Dairy Development and Fisheries	Repeal	
6.	<a href="#">Provincial Small Cause Courts (Bombay Amendment) Act, 1932 (Bom. Act 9 of 1932)</a>	The Provincial Small Cause Courts Act, 1887	Active	Yes	No	Law and Judiciary	Repeal	
7.	<a href="#">Presidency Small Cause Courts (Bombay Amendment) Act, 1933 (Bom. Act 5 of 1933)</a>	The Presidency Small Cause Courts Act, 1882	Active	Yes	No	Law and Judiciary	Repeal	
8.	<a href="#">Indian Registration (Bombay Amendment) Act, 1933 (Bom. Act 18 of 1933)</a>	Registration Act, 1908	Active	Yes	No	Revenue and Forest	Repeal	
9.	<a href="#">Bombay Criminal Procedure (Election Offences) Amendment Act, 1935 (Bom. Act 29 of 1935)</a>	Code of Criminal Procedure, 1898	Repealed	Yes	No	Law and Judiciary	Repeal	

10.	<a href="#">Cotton Ginning and Pressing Factories (Bombay Amendment) Act, 1936 (Bom. Act 4 of 1936)</a>	Cotton Ginning and Pressing Factories Act, 1925	Repealed	Yes	No	Co-operation, Marketing and Textiles	Repeal	The Cotton Ginning And Pressing Factories (Repeal) Act, 1998 has repealed the Cotton Ginning and Pressing Factories Act, 1925. Hence, this amendment act can be safely repealed.
11.	<a href="#">Indian Registration (Bombay Amendment) Act, 1938 (Bom. Act 24 of 1938)</a>	Registration Act, 1908	Active	Yes	Yes (Section 8)	Revenue and Forest	Retain	
12.	<a href="#">Indian Lunacy (Bombay Amendment) Act, 1938 (Bom. Act 15 of 1938)</a>	Indian Lunacy Act, 1912	Repealed	Yes	No	Public Health	Repeal	The Mental Health Act 1987 repealed the Indian Lunacy Act, 1912. Hence, this amendment act can be safely repealed.
13.	<a href="#">Cotton Ginning and Pressing Factories (Bombay Amendment) Act, 1938 (Bom. Act 20 of 1938)</a>	Cotton Ginning and Pressing Factories Act, 1925	Repealed	Yes	No	Co-operation, Marketing and Textiles	Repeal	The Cotton Ginning And Pressing Factories (Repeal) Act, 1998 has repealed the Cotton Ginning and Pressing Factories Act, 1925. Hence, this amendment act can be safely repealed.
14.	<a href="#">Transfer of Property and the Indian Registration (Bombay Amendment) Act, 1939 (Bom. Act 14 of 1939)</a>	Registration Act, 1908 and Transfer of Property Act, 1882	Active	Yes	No	Revenue and Forest	Retain	The application clause of the amendment act states that the amendment act will only apply to certain areas of the State.
15.	<a href="#">Indian Post Office (Bombay Amendment) Regulation, 1942 (Bom. Reg. 1 of 1942)</a>	Indian Post Office Act, 1898	Active	Yes	No	General Administration	Review	While the Indian Post Office Act is still in force, this State amendment is in relation to the application of the central act to the "partially excluded areas" of Bombay. The relevant department to check whether this amendment act should be repealed.

16.	<a href="#">Local Authorities Loans (Bombay Amendment) Act, 1942</a> (Bom. Act 2 of 1942)	Local Authorities Loans Act, 1914	Active	Yes	No	Finance	Review	<p>This amendment amends provisions of the Local Authorities Loans Act, 1914 that relate to Section 4 and 93 of the Bombay Local Boards Act, 1923. As the MSLC noted in their second Report, the Bombay Local Boards Act, 1923 which this Act deals with, is itself repealed now. Thus, this Amendment Act may not be relevant anymore.</p> <p>However, this Amendment Act is said to have been repealed and re-enacted by the Local Authorities Loans (Bombay Amendment) (Repeal and Re-enactment) Act, 1947. Due to the unavailability of this 1947 Act in the public domain, this cannot be confirmed.</p> <p>Therefore, the State Government should, thus, review this legislation to see if it has already been repealed or not.</p> <p>Karnataka has repealed this Act in 2011.</p>
17.	<a href="#">Indian Electricity (Bombay Amendment) Act, 1946</a> (Bom. Act 18 of 1946)	Indian Electricity Act, 1910	Repealed	Yes	Yes	Industries and Labour	Repeal	<p>The Indian Electricity Act, 1910 has been repealed by the Electricity Act, 2003. Hence, this amendment act can be safely repealed.</p>
18.	<a href="#">Code of Criminal Procedure (Bombay Amendment) Act, 1946</a> (Bom. Act 30 of 1946)	Code of Criminal Procedure, 1898	Repealed	Yes	No	Law and Judiciary	Repeal	<p>The Code of Criminal Procedure, 1973 has repealed the Code of Criminal Procedure, 1898. Hence, this amendment act can be safely repealed.</p>
19.	Motor Vehicles (Bombay Amendment) Act, 1947 (Bom. Act 7 of 1947)	Motor Vehicles Act, 1939	Repealed	-	-	Home (Transport)	Repeal	<p>A copy of the amendment act is not available in the public domain. However, the Motor Vehicles Act, 1988 repealed the Motor Vehicles Act, 1939. Hence, this amendment act can be safely repealed.</p>

20.	<a href="#">Indian Registration (Bombay Amendment) Act, 1947</a> (Bom. Act 14 of 1947)	Registration Act, 1908	Active	Yes	No	Revenue and Forest	Repeal	<p>Section 7A of the Maharashtra General Clauses Act, 1904 provides that where any Maharashtra Act repeals any enactment by which the text of any previous enactment was amended by the express omission, or substitution of any matter, then, unless, a different intention appears, the repeal shall not affect the continuance of any such amendment made by the enactment so repealed and in operation at the time of such repeal.</p> <p>In other words, the repeal of an amendment act shall not impact the effect of the amendment made to the parent act. Given this provision, the State Legislature can repeal state amendments to central acts. Such repeal will not impact the effect of the amendment made to the central act. For abundant caution, a savings clause can be drafted in the repealing act which reiterates the position under Section 7A.</p> <p>States such as Karnataka have adopted this approach. For example, see the Karnataka Repealing and Amending Act, 2002.</p>
21.	<a href="#">Prisoners (Bombay Amendment) Act, 1947</a> (Bom. Act 17 of 1947)	Prisoners Act, 1900	Active	Yes	No	Home (Prisons)	Repeal	<p>The Bombay amendment deals with Sections 35, 37, 38, 39, 43 of the Prisoners Act, 1900. These provisions have been repealed by the Prisoners (Attendance in Courts) Act, 1955. Hence, the amendment act is redundant.</p>

## *PART 5: Repealing Acts*

Name of the Act	Legislative Competence	Subject Matter of the Law (Entry in the Seventh Schedule)	In Use	Relevant State Department	About the Law and Analysis of Use/Disuse	Final Recommendation
<a href="#">Cotton Contracts Control (War Provisions) Repeal Act, 1922 (Bom. Act 03 of 1922)</a>	Concurrent	List III, Entry 33 (Trade and commerce in, and the production, supply and distribution of cotton)	No	Co-operation, Marketing and Textiles	<p>This Act was enacted to repeal the Cotton Contracts Control (War Provisions) Act, 1919. Additionally, it also extended the applicability of the 1919 Act to some contracts and disputes until 31st May, 1922.</p> <p>As it has been more than 100 years since the timeline prescribed under the Act, it can be safely assumed that all contracts and disputes must have been settled. The MSLC, in its second report, has also recommended that the State Government should repeal this Act.</p> <p>Note that Karnataka repealed this Act in 2011.</p>	Repeal

# ANNEXURE D

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## *List of Laws to be Repealed, Reviewed and Retained*

## **List of laws recommended for repeal**

1. Hereditary Offices Act, 1874 (Bom. Act 03 of 1874)
2. Central Provinces and Berar Court of Wards Act, 1899 (Act 24 of 1899)
3. Hyderabad Prevention of Cruelty to Animals Act, 1313F (Act 1 of 1313 F)
4. Hyderabad Railways, Government Irrigation Sources and other Public Buildings Protection Act, 1321F (Act 1 of 1321 F)
5. Mahul Creek (Extinguishment of Rights) Act, 1922 (Bom. Act 04 of 1922)
6. Entertainments Duty Act, 1923 (Bom. Act 1 of 1923)
7. Central Provinces and Berar Juvenile Smoking Act, 1929 (Act 08 of 1929)
8. Hyderabad Children Protection Act, 1343 F (Act 9 of 1343 F)
9. Opium Smoking Act, 1936 (Bom. Act 20 of 1936)
10. The Central Provinces and Berar Highway Act, 1936 (Act 34 of 1936)
11. Hyderabad Hindu Widows' Marriage Act, 1347F (Act 1 of 1347 F)
12. Fodder and Grain Control Act, 1939 (Bom. Act 26 of 1939)
13. Hyderabad Court of Wards Act, 1350 F (Act 12 of 1350 F)
14. Hyderabad Insolvency Act, 1351 F (Act 8 of 1351 F)
15. Central Provinces and Berar Hindu Women's Rights to Property (Extension to Agricultural Land) Act, 1942 (Act 06 of 1942)
16. Bhagelas Contract Act, 1353F (Act 9 of 1353 F)
17. Central Provinces and Berar Co-operative Societies (Amendment of Liquidators' Orders Validation) Act, 1945 (Act 10 of 1945)
18. Agricultural Debtors Relief Act, 1947 (Bom. Act 28 of 1947)
19. Central Provinces and Berar Revision of Land Revenue of Mahals, 1947 (Act 25 of 1947)
20. Bengal Alluvion and Diluvion Regulation, 1825 (Reg. 11 of 1825)
21. Bengal Attached Estates Management Regulation, 1827 (Reg. 5 of 1827)
22. Acknowledgements of debts; Interest, Mortgages Regulation, 1827 (Bom. Reg. 05 of 1827)
23. Stage-Carriages Act, 1861 (Act 16 of 1861)
24. Broach and Kaira Encumbered Estates Act, 1877 (Act 14 of 1877)
25. Sir Dinshaw Maneckjee Petit Baronetcy Act, 1893 (Bom. Act 06 of 1893)
26. Local Authorities Loans Act, 1914 (Act 9 of 1914)
27. Sir Jamsetji Jeejeebhoy Baronetcy Act, 1915 (Act 10 of 1915)
28. Police (Incitement to Disaffection) Act, 1922 (Act 22 of 1922)
29. Hereditary Offices (Amendment) Act, 1886 (Bom. Act 05 of 1886)
30. Abkari (Amendment) Act, 1912 (Bom. Act 12 of 1912)
31. Indian Registration (Bombay Amendment) Act, 1929 (Bom. Act 5 of 1929)
32. Provincial Small Cause Courts (Bombay Amendment) Act, 1930 (Bom. Act 6 of 1930)
33. Indian Registration (Bombay Amendment) Act, 1930 (Bom. Act 17 of 1930)
34. Cattle-Trespass (Bombay Amendment) Act, 1931 (Bom. Act 5 of 1931)
35. Provincial Small Cause Courts (Bombay Amendment) Act, 1932 (Bom. Act 9 of 1932)
36. Presidency Small Cause Courts (Bombay Amendment) Act, 1933 (Bom. Act 5 of 1933)
37. Indian Registration (Bombay Amendment) Act, 1933 (Bom. Act 18 of 1933)
38. Bombay Criminal Procedure (Election Offences) Amendment Act, 1935 (Bom. Act 29 of 1935)
39. Cotton Ginning and Pressing Factories (Bombay Amendment) Act, 1936 (Bom. Act 4 of 1936)
40. Indian Lunacy (Bombay Amendment) Act, 1938 (Bom. Act 15 of 1938)
41. Cotton Ginning and Pressing Factories (Bombay Amendment) Act, 1938 (Bom. Act 20 of 1938)
42. Indian Electricity (Bombay Amendment) Act, 1946 (Bom. Act 18 of 1946)
43. Code of Criminal Procedure (Bombay Amendment) Act, 1946 (Bom. Act 30 of 1946)
44. Motor Vehicles (Bombay Amendment) Act, 1947 (Bom. Act 7 of 1947)
45. Indian Registration (Bombay Amendment) Act, 1947 (Bom. Act 14 of 1947)
46. Prisoners (Bombay Amendment) Act, 1947 (Bom. Act 17 of 1947)
47. Cotton Contracts Control (War Provisions) Repeal Act, 1922 (Bom. Act 03 of 1922)



## **List of laws recommended for review**

1. Exemptions From Land-Revenue (No.1) Act, 1863 (Bom. Act 02 of 1863)
2. Satara, Sholapur and Southern Maratha Country Laws Act, 1863 (Bom. Act 03 of 1863)
3. Exemptions From Land-Revenue (No.2) Act, 1863 (Bom. Act 07 of 1863)
4. Steam-Vessels Act, 1864 (Bom. Act 02 of 1864)
5. Hindu Heirs' Relief Act, 1866 (Bom. Act 07 of 1866)
6. Edulabad and Warangaon Parganas Laws Act, 1866 (Bom. Act 14 of 1866)
7. Ferries and Inland Vessels Act, 1868 (Bom. Act 02 of 1868)
8. Abkari Act, 1878 (Bom. Act 05 of 1878)
9. Protection of Pilgrims Act, 1887 (Bom. Act 02 of 1887)
10. Municipal Servants Act, 1890 (Bom. Act 05 of 1890)
11. Peint Laws Act, 1894 (Bom. Act 02 of 1894)
12. Hyderabad Destruction of Useless Records Act, 1305 F (Act 3 of 1305 F)
13. An Act to amend Act VIII of 1870 (Bom. Act 03 of 1897)
14. Hyderabad General Clauses Act, 1308 F (Act 3 of 1308 F)
15. Hyderabad Government Demands Act, 1308 F (Act 4 of 1308 F)
16. Central Provinces and Berar Excise Act, 1915 (Act 02 of 1915)
17. Central Provinces and Berar Prevention of Adulteration Act, 1919 (Act 02 of 1919)
18. Hyderabad Unclaimed Property Act, 1333 F (Act 1 of 1333 F)
19. Invalidation of Hindu Ceremonial Emoluments Act, 1926 (Bom. Act 11 of 1926)
20. Bombay Non-Agriculturists Loans Act, 1928 (Bom. Act 03 of 1928)
21. Borstal Schools Act, 1929 (Bom. Act 18 of 1929)
22. Cotton Contracts Act, 1932 (Bom. Act 4 of 1932)
23. Central Provinces and Berar State Aid to Industries Act, 1933 (Act 12 of 1933)
24. Central Provinces and Berar Adjustment and Liquidation of Industrial Workers' Debt Act, 1936 (Act 05 of 1936)
25. Central Provinces & Berar Co-operative Land Mortgage Banks Act, 1937 (Act 1 of 1937)
26. Central Provinces and Berar Recognised Examinations Act, 1937 (Act 10 of 1937)
27. The Central Provinces and Berar Collection of Statistics Act, 1939 (Act 34 of 1939)
28. Hyderabad Power Alcohol Act, 1350F (Act 11 of 1350 F)
29. Central Provinces and Berar Law Provincial Act , 1941 (Act 15 of 1941)
30. Cotton Control Act, 1942 (Bom. Act 30 of 1942)
31. Indian Tariff (Bombay Application) Regulation, 1943 (Bom. Reg. 01 of 1943)
32. Improvement Trust Tribunal (Validation of Proceedings) Act (Nagpur), 1945 (Act 3 of 1945)
33. Electricity (Special Powers) Act, 1946 (Bom. Act 20 of 1946)
34. Special Tribunal (Continuance) Act, 1946 (Bom. Act 21 of 1946)
35. Cotton (Statistics) Act, 1946 (Bom. Act 27 of 1946)
36. Bengal Wills and Intestacy Regulation, 1799 (Reg. 05 of 1799)
37. Bengal Foreign Immigrants Regulation, 1812 (Reg. 11 of 1812)
38. Administration of Estates Regulation, 1827 (Bom. Reg. 08 of 1827)
39. Military Authority (Assistant to Marching Troops) Regulation, 1827 (Bom. Reg. 22 of 1827)
40. Dekkhan and Khandesh (Poona, Ahmednagar and Khandesh District) Regulation, 1827 (Bom. Reg. 29 of 1827)
41. Regulation of Land Suits-Extending Jurisdiction of Agent, 1831 (Bom. Reg. 1 of 1831)
42. Bombay Rent-Free Estates Act, 1852 (Bom. Act 11 of 1852)
43. Shore Nuisances (Bombay and Kolaba) Act, 1853 (Bom. Act 11 of 1853)
44. Act to Extend Indian Easements Act, 1882 (Bom. Act 8 of 1891)
45. Indian Post Office (Bombay Amendment) Regulation, 1942 (Bom. Reg. 1 of 1942)
46. Local Authorities Loans (Bombay Amendment) Act, 1942 (Bom. Act 2 of 1942)

## **List of laws to be retained**

1. Markets and Fairs Act, 1862 (Bom. Acts 04 of 1862)
2. Gas Companies Act, 1863 (Bom. Act 05 of 1863)
3. Avoiding Wagers (Amd) Act, 1865 (Bom. Act 03 of 1865)
4. Civil Jails Act, 1874 (Bom. Act 02 of 1874)
5. Bombay Port Trust Act, 1879 (Bom. Act 06 of 1879)
6. Public Authorities Seals Act, 1883 (Bom. Act 05 of 1883)
7. Prevention of Gambling Act, 1887 (Bom. Act 04 of 1887)
8. Mumbai Municipal Corporation Act, 1888 (Bom. Act 03 of 1888)
9. Bombay General Clauses Act, 1904 (Bom. Act 01 of 1904)
10. Mamlatdars' Courts Act, 1906 (Bom. Act 02 of 1906)
11. Chhatrapati Shivaji Maharaj Vastu Sangrahalaya Act, 1909 (Bom. Act 03 of 1909)
12. Race-Courses Licensing Act, 1912 (Bom. Act 03 of 1912)
13. Public Conveyances Act, 1920 (Bom. Act 07 of 1920)
14. Local Fund Audit Act, 1930 (Bom. Act 25 of 1930)
15. Live-Stock Improvement Act, 1933 (Bom. Act 22 of 1933)
16. The Nagpur Improvement Trust Act, 1936 (Act 36 of 1936)
17. Gas Supply Act, 1939 (Bom. Act 09 of 1939)
18. Land Improvement Schemes Act, 1942 (Bom. Act 28 of 1942)
19. Central Provinces and Berar Regulation of Couching Act, 1944 (Act 02 of 1944)
20. Greater Bombay Laws and the Bombay High Court (Declaration of Limits) Act, 1945 (Bom. Act 17 of 1945)
21. Home Guards Act, 1947 (Bom. Act 03 of 1947)
22. Industrial Relations Act, 1946 (Bom. Act 11 of 1947)
23. Civil Courts Act, 1869 (Bom. Act 14 of 1869)
24. Revenue Jurisdiction Act, 1876 (Bom Act 10 of 1876)
25. Charitable Endowments Act, 1890 (Act 06 of 1890)
26. Prince of Wales Museum (Amendment) Act, 1913 (Bom. Act 07 of 1913)
27. City of Bombay Municipal (Amendment) Act, 1933 (Bom. Act 13 of 1933)
28. Societies Registration (Amendment) Act, 1912 (Bom. Act 2 of 1912)
29. Indian Registration (Bombay Amendment) Act, 1938 (Bom. Act 24 of 1938)
30. Transfer of Property and the Indian Registration (Bombay Amendment) Act, 1939 (Bom. Act 14 of 1939)

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