ANNEXURE -V

NAMES OF THE WATANS AND INAMS ABOLITION ACTS FROM VOLUME NO. III OF THE MAHARASHTRA CODE WHICH ARE KEPT FOR SEPARATE CONSIDERATION.

- THE BOMBAY BHAGDARI & NARWADARI TENURES ABOLITION ACT, 1949 (BOM, ACT NO. XXXII OF 1949)
- THE BOMBAY KHOTI ABOLITION ACT, 1949 (BOM. ACT NO. VI OF 1950)
- THE BOMBAY PARAGANA AND KULKARNI WATANS (ABOLITION) ACT, 1950 (BOM. ACT NO. LX OF 1950)
- THE SALSETTE ESTATES (LAND REVENUE EXEMPTION ABOLITION) ACT, 1951 (BOM. ACT NO. XLVII OF 1951)
- THE BOMBAY LAND TENURES ABOLITION (AMENDMENT) ACT, 1953 (BOM. ACT NO. XXXVIII OF 1953)
- THE BOMBAY PERSONAL INAMS ABOLITION ACT, 1952 (BOM. ACT NO. XLII OF 1953)
- THE BOMBAY KAULI AND KATUBAN TENURES (ABOLITION) ACT, 1953 (BOM. ACT NO. XLIV OF 1953)
- THE BOMBAY LAND TENURES ABOLITION (RECOVERY OF RECORDS) ACT, 1953 (BOM, ACT NO. L OF 1953)
- THE BOMBAY SERVICE INAMS (USEFUL TO COMMUNITY) ABOLITION ACT, 1953 (BOM. ACT NO. LXX OF 1953)
- THE BOMBAY MERGED TERRITORIES (JANJIRA AND BHOR) KHOTI TENURE ABOLITION ACT, 1953 (BOM. ACT NO. LXXI OF 1953)
- 11. THE BOMBAY MERGED TERRITORIES AND AREAS JAGIRS ABOLITION ACT, 1953 (BOM, ACT NO. XXXIX OF 1954)

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STATE LAB CONVENIENCE OF THE STATE LAB CONVEN

Chairman

Maharashtra State Law Commission Govt. Barrack No.13, Free Press Journal Road, Opp. Mantralaya, Mumbai - 400 021.

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Ref. No. MLC - 672 / 2002

16th August, 2002

Dear Sir,

It gives me great pleasure in forwarding herewith the Fifth Report of the Law Commission on the repeal or otherwise of the State Laws contained in Volume No. V of the Maharashtra Code.

Until now, the Commission has submitted four Reports on the Four Volumes of the Maharashtra Code, namely, Volume Nos. I, II, III and IV, the last Report being of 2nd July, 2002. We expect to send the Sixth Report on the Volume No. VI by end of this month.

With kind regards,

Yours Sincerely,

(B.G. MORE)

Hon'ble Shri Vilasrao Balkrishna Patil Minister, Law and Judiciary, Mantralaya, Mumbai-400 032.

(Constituted under Government Resolution No. LAC-1093/566/(122)-19 dated 30.09.1996 and Resolution No.MLC-1400/P.K.39/DESK-19, dated 21.12.2001)

Shri B.G. More ... Chairman

Shri A.S. Bobde ... Member

Shri K.M. Dhakephalkar ... Member

Shri Shrihari Aney ... Member

Shri Vijay Savant ... Member

Shri V.B. Bedre ... Member

Shri J.D. Jaybhave ... Member

Shri V.G. Munshi ... Principal Secretary

& R.L.A.

Law & Judiciary Dept. (Ex-officio Member)

Smt. P.M. Umarji ... Principal Secretary

(Legislation)

Law & Judiciary Dept. (Ex-officio Member)

Kum. I.H. Patel ... Member Secretary

Until this date, the Commission has submitted four Reports on Four Volumes of the Maharashtra Code, namely, Volume Nos. I, II, III and IV. This Fifth Report is being submitted on the Volume No.V of the Maharashtra Code.

There are in all 56 enactments in Volume - V. Out of them, none is found to be already repealed, while 2 Acts have been kept aside for consideration by the Commission separately. The said two Acts relate to the Watans and Inams Abolition. Remaining 54 Acts were critically examined and the Commission found that 12 Acts are required to be repealed and 42 are required to be retained. Thus, it will be seen that as compared to the first four Volumes a large number of enactments from the Fifth Volume are required to be retained, mainly because they are still useful and necessary for the administration of the State.

As usual, each of these enactments was carefully examined, initially by the Office of the Commission and thereafter by the Hon'ble Members of the Commission in its various meetings held in the month of July 2002. The decisions are unanimous.

As already reported in our Fourth Report, the Commission has decided to retain all the amendments made by the State to the Central Laws.

In this Report also we have attached Five Annexures. Annexure – I contains the number of enactments in this Volume and examined by the Commission. Annexure – II contains the laws already repealed. Annexure – III contains the laws required to be repealed, while Annexure – IV contains the laws required to be retained. Annexure – V contains the Watans and Inams Abolition Acts which need separate consideration and the Report about which is likely to be submitted by the Commission on completion of the Report on Volume No. VI of the Maharashtra Code.

(B.G.MORE) CHAIRMAN

K.M. DHAKEPHALKAR Member

SHRIHARI ANEY

Member

Agranti

VIJAY SAVANT

Member

Dahamy. In

J.D. JAYBHAVE Member V.B. BEDR Member

V. C. Munch

V.G. MUNSHI Ex-officio Member

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P.M. UMARJI Ex-officio Member

I.H. PATEL Member Secretary

Received

ANNEXURE - I

NAMES OF THE ACTS AND REGULATIONS CONTAINED IN VOLUME- V OF THE MAHARASHTRA CODE CONSIDERED BY THE COMMISSION FOR REPEAL

SR.NO.

NAME OF THE ACTS

- 1 THE BOMBAY WAREHOUSES ACT, 1959 (BOM. ACT NO. V OF 1960)
- 2 THE BOMBAY PUBLIC TRUSTS (UNIFICATION AND AMENDMENT) ACT, 1959 (BOM. ACT NO. VI OF 1960)
- 3 THE PAYMENT OF WAGES (BOMBAY AMENDMENT AND VALIDATION) ACT, 1959 (BOM. ACT NO. VIII OF 1960)
- THE SIR CURRIMBHOY EBRAHIM BARONETCY (REPEAL AND DISTRIBUTION OF TRUST PROPERTIES) ACT, 1959 (BOM. ACT NO. IX OF 1960)
- THE BOMBAY PREVENTION OF BEGGING ACT, 1959 (BOM. ACT NO. X OF 1960)
- 6 THE BOMBAY DRUGS (CONTROL) ACT, 1959 (BOM. ACT NO. XI OF 1960)
- 7 THE BOMBAY HOMOEOPATHIC AND BIOCHEMIC PRACTITIONERS' ACT, 1959 (BOM. ACT NO. XII OF 1960)
- 8 THE BOMBAY KHADI AND VILLAGE INDUSTRIES ACT, 1960 (BOM, ACT NO. XIX OF 1960)
- 9 THE BOMBAY STATUTORY CORPORATIONS (REGIONAL REORGANISATION) ACT, 1960 (BOM. ACT NO. XXI OF 1960)
- 7 THE SUITS VALUATION (MAHARASHTRA EXTENSION AND AMENDMENT)
 ACT, 1960 (MAHARASHTA ACT NO. IV OF 1960)
- 11 THE MAHARASHTRA CONSTRUCTION OF REFERENCES TO "DISTRICT MAGISTRATE" IN THE HYDERABAD AREA (REPEAL) ACT, 1960 (MAHARASHTRA ACT NO. XIV OF 1960)
- 12 THE MAHARASHTRA STATE-AID TO INDUSTRIES ACT, 1960 (MAHARASHTRA ACT NO. XVII OF 1960)
- 13 THE INDIAN REGISTRATION (MAHARASHTRA AMENDMENT) ACT, 1960 (MAHARASHTRA ACT NO. XIX OF 1960)
- 14 THE COMMERCIAL DOCUMENTS EVIDENCE (MAHARASHTRA EXTENSION) ACT, 1960 (MAHARASHTRA ACT NO. XX OF 1960)
- 15 THE BOMBAY BORSTAL SCHOOLS (EXTENSION AND AMENDMENT)
 ACT, 1960 (MAHARASHTRA ACT NO. XXI OF 1960)
 - 16 THE INTEREST (EXTENSION) ACT, 1960 (MAHARASHTRA ACT NO. XXIII OF 1960)
 - 17 THE MAHARASHTRA EVACUEE INTEREST (SEPARATION)
 SUPPLEMENTARY ACT, 1960 (MAHARASHTRA ACT NO. XXV OF 1960)

- 19 THE GLANDERS AND FARCY AND DOURINE ACTS (EXTENSION) ACT, 1960 (MAHARASHTRA ACT NO. XXXIV OF 1960)
- 20 THE MAHARASHTRA FISHERIES ACT, 1960 (MAHARASHTRA ACT NO. I OF 1961)
- THE INDIAN FOREST (MAHARASHTRA UNIFICATION AND AMENDMENT)
 ACT, 1960 (MAHARASHTRA ACT NO. VI OF 1961)
- THE BOMBAY MUNICIPAL TAXES AND URBAN IMMOVEABLE PROPERTY TAX (VALIDATION IN CERTAIN AREAS OF THE EXTENDED SUBURBS OF GREATER BOMBAY) ACT, 1960 (MAHARASHTRA ACT NO. VIII OF 1961)
- 23 THE MINIMUM WAGES (MAHARASHTRA AMENDMENT) ACT, 1960 (MAHARASHTRA ACT NO. X OF 1961)
- 24 THE MAHARASHTRA ANCIENT MONUMENTS AND ARCHAEOLOGICAL SITES AND REMAINS ACT, 1960 (MAHARASHTRA ACT NO. XII OF 1961)
- THE PAYMENT OF WAGES (MAHARASHTRA PROVISION FOR UNIFORM APPLICATION AND AMENDMENT) ACT, 1960 (MAHARASHTRA ACT NO. XIII OF 1961)
- 26 THE HYDERABAD (ABOLITION OF CASH GRANTS) (AMENDMENT) ACT, 1960 (MAHARASHTRA ACT NO. XXIII OF 1961)
- 27 THE MAHARASHTRA CO-OPERATIVE SOCIETIES ACT, 1960 (MAHARASHTRA ACT NO. XXIV OF 1961)
- 28 THE MAHARASHTRA AGRICULTURAL LANDS (CEILING ON HOLDINGS) ACT, 1961 (MAHARASHTRA ACT NO. XXVII OF 1961)
- 29 THE MAHARASHTRA MEDICAL PRACTITIONERS ACT, 1961 (MAHARASHTRA ACT NO. XXVIII OF 1961)
- 30 THE PRESIDENCY SMALL CAUSE COURTS (MAHARASHTRA AMENDMENT) ACT, 1961 (MAHARASHTRA ACT NO. XXXV OF 1961)
- 31 THE HYDERABAD PUBLIC LIBRARIES (REPEAL) ACT, 1961 (MAHARASHTRA ACT NO. XL OF 1961)
- 32 THE PAYMENT OF WAGES (MAHARASHTRA AMENDMENT) ACT, 1961 (MAHARASHTRA ACT NO. XLII OF 1961)
- 33 THE INDIAN MEDICAL DEGREES (MAHARASHTRA EXTENSION AND PROVISION FOR UNIFORMITY) ACT, 1961 (MAHARASHTRA ACT NO. XLIV OF 1961)
- 34 THE HYDERABAD TENANCY AND AGRICULTURAL LANDS (RE-ENACTMENT, VALIDATION AND FURTHER AMENDMENT) ACT, 1961 (MAHARASHTRA ACT NO. XLV OF 1961)
- THE COTTON GINNING AND PRESSING FACTORIES (MAHARASHTRA PROVISION FOR UNIFORM APPLICATION AND AMENDMENT) ACT, 1961 (MAHARASHTRA ACT NO. I OF 1962)
- 36 THE MAHARASHTRA INDUSTRIAL DEVELOPMENT ACT, 1961 (MAHARASHTRA ACT NO. III OF 1962)
- 37 THE MAHARASHTRA ZILLA PARISHADS AND PANCHAYAT SAMITIES ACT, 1961 (MAHARASHTRA ACT NO. V OF 1962)

- 39 THE MAHARASHTRA EDUCATION AND EMPLOYMENT GUARANTEE (CESS) ACT, 1962 (MAHARASHTRA ACT NO. XXVII OF 1962)
- THE MAHARASHTRA REVENUE PATELS (ABOLITION OF OFFICE)
 ACT, 1962 (MAHARASHTRA ACT NO. XXXV OF 1962)
- THE URBAN IMMOVABLE PROPERTY TAX (ABOLITION) AND GENERAL TAX (INCREASE OF MAXIMUM RATE) ACT, 1962 (MAHARASHTRA ACT NO. XL OF 1962)
- THE MAHARASHTRA POLICE OFFICERS (CHANGE IN DESIGNATION)
 ACT, 1962 (MAHARASHTRA ACT NO. XLVI OF 1962)
- THE WEST KHANDESH MEHWASSI ESTATES (PROPRIETARY RIGHTS ABOLITION, ETC.) REGULATION, 1961
 (MAHARASHTRA REGULATION NO. I OF 1962)
- THE INDUSTRIAL DISPUTES (MAHARASHTRA AMENDMENT) ACT, 1962 (MAHARASHTRA ACT NO. II OF 1963)
- THE MINIMUM WAGES (MAHARASHTRA AMENDMENT) ACT, 1962 (MAHARASHTRA ACT NO. III OF 1963)
- THE INDIAN PORTS (MAHARASHTRA AMENDMENT) ACT, 1962 (MAHARASHTRA ACT NO. IV OF 1963)
- THE MAHARASHTRA PROVISIONAL COLLECTION OF TAXES ACT, 1962 (MAHARASHTRA ACT NO. V OF 1963)
- THE CENTRAL PROVINCES AND BERAR REGULATION OF COUCHING (MAHARASHTRA EXTENSION AND AMENDMENT) ACT, 1962 (MAHARASHTRA ACT NO. X OF 1963)
- 49 THE CENTRAL PROVINCES AND BERAR REFUGEES REHABILITATION (LOANS) (MAHARASHTRA REPEAL) ACT, 1962 (MAHARASHTRA ACT NO. XI OF 1963)
- 50 THE MAHARASHTRA TAX ON SALE OF ELECTRICITY ACT, 1963 (MAHARASHTRA ACT NO. XXI OF 1963)
- 51 THE MAHARASHTRA LOCAL AUTHORITIES (POSTPONEMENT OF ELECTIONS FOR THE DURATION OF THE EMERGENCY) (REPEAL) ACT, 1963 (MAHARASHTRA ACT NO. XXII OF 1963)
- 52 THE MAHARASHTRA REMOVAL OF DISQUALIFICATIONS (OF HOLDERS OF OFFICE®S IN CO-OPERATIVE SOCIETIES) ACT, 1963 (MAHARASHTRA ACT NO. XXIII OF 1963)
- 53 THE MAHARASHTRA REPEALING AND AMENDING ACT, 1963 (MAHARASHTRA ACT NO. XXVI OF 1963)
- THE MAHARASHTRA DELETION OF THE TERM "FAMINE" (FROM LAWS APPLICABLE TO THE STATE) ACT, 1963 (MAHARASHTRA ACT NO. XL OF 1963)
- THE PRESIDENCY SMALL CAUSE COURTS (MAHARASHTRA AMENDMENT)
 ACT, 1963 (MAHARASHTRA ACT NO. XLI OF 1963)
- THE MAHARASHTRA OWNERSHIP FLATS (REGULATION OF THE PROMOTION OF CONSTRUCTION, SALE, MANAGEMENT AND TRANSFER) ACT, 1963 (MAHARASHTRA ACT NO XLV OF 1963)

ANNEXURE - II

NAMES OF THE ACTS AND REGULATIONS FROM VOLUME NO. V OF THE MAHARASHTRA CODE WHICH ARE ALREADY REPEALED AND THEREFORE REQUIRED TO BE REMOVED FROM THE STATUTE BOOK.

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MAHARASHTRA LAW COMMISSION

ANNEXURE - III

NAMES OF THE ACTS AND REGULATIONS FROM VOLUME NO. V OF THE MAHARASHTRA CODE WHICH ARE REQUIRED TO BE REPEALED

SR.NO.1

THE SIR CURRIMBHOY EBRAHIM BARONETCY
(REPEAL AND DISTRIBUTION OF TRUST
PROPERTIES) ACT, 1959
(BOM, ACT NO. IX OF 1960)

This Act has been passed to repeal the Sir Currimbhoy Ebrahim Baronetcy Act, 1913 (Act No. IV of 1913); to revoke the trusts, powers, provisions and declarations declared and expressed in that Act for the purposes of supporting the title and dignity of Baronet; to dissolve the Corporation constituted Trustees for executing the powers and purposes of the said Act; to vest all the property which is subject to the settlement created by the said Act and vesting in the aforesaid Corporation, in the official trustee for the purpose of the distribution thereof to persons rightfully entitled thereto in accordance with law; and to make provision for matters connected with the purposes aforesaid. This long recital of the preamble clearly shows that by this time all the proceedings under this Act must have been over. By Section 3, the Baronetcy Act is repealed and properties are vested in the aforesaid Trustees. By Section 4, official trustees are to hold the property and manage it till it is distributed to the rightful claimants. In subsequent Sections, procedure how it is to be distributed is laid down. It is presumed that the purpose of this Act is fulfilled and there is no necessity for this Act to remain on record. However, if it is found that certain duties and responsibilities enjoined by the Act are still not complete, the repeal may be postponed till that is over.

SR.NO.2 THE BOMBAY STATUTORY CORPORATIONS (REGIONAL REORGANISATION) ACT, 1960 (BOM. ACT NO. XXI OF 1960)

This Act has been passed to take power for the reorganisation of certain corporations; and for matters connected therewith. The main purpose of this Act it appears is to reorganise the Corporations regionwise, so that there are established or functioning separate Corporations in Maharashtra and Gujarat areas. Once this reorganisation is complete, the purpose of this Act would be over. Such reorganisation must have been completed by now and therefore, this Act may be repealed.

SR.NO.3 THE INTEREST (EXTENSION) ACT, 1960 (MAHARASHTRA ACT NO. XXIII OF 1960)

Since the Interest Act, 1839 (Act No. XXXII of 1839) has been repealed by the Interest Act, 1978 (Act No. 14 of 1978), the provisions of this Act are no longer necessary and therefore, it may be repealed.

SR.NO.4

THE HYDERABAD TENANCY AND AGRICULTURAL LANDS (AMENDMENT) ACT, 1960 (MAHARASHTRA ACT NO. XXVIII OF 1960)

This Act has been passed further to amend the Hyderabad Tenancy and Agricultural Lands Act, 1950 (Act No. XXI of 1950). All the amendments have been incorporated in the Principal Act and therefore, this Act may be repealed.

THE BOMBAY MUNICIPAL TAXES AND URBAN IMMOVEABLE PROPERTY TAX (VALIDATION IN CERTAIN AREAS OF THE EXTENDED SUBURBS OF GREATER BOMBAY) ACT, 1960 (MAHARASHTRA ACT NO. VIII OF 1961)

This Act has been passed to validate the taxes collected by certain Municipalties mentioned in the Act and by Bombay Municipal Corporation of Greater Bombay for period mentioned in the First Schedule and further to allow these bodies to recover those taxes due for that period. Thus, the provisions of this Act were for a limited period and the purpose having been achieved, the Act has spent itself and therefore, it may be repealed.

SR.NO.6

THE HYDERABAD (ABOLITION OF CASH GRANTS) (AMENDMENT) ACT, 1960 (MAHARASHTRA ACT NO. XXIII OF 1961)

This Act has been passed further to amend the Hyderabad (Abolition of Cash Grants) Act, 1952 (Hyd. Act No. XXXIII of 1952). This Act makes further amendments to the Hyderabad (Abolition of Cash Grants) Act, 1952. The amendments have been incorporated in the Principal Act. Therefore, this Act may be repealed.

SR.NO.7

THE HYDERABAD PUBLIC LIBRARIES (REPEAL) ACT, 1961 (MAHARASHTRA ACT NO. XL OF 1961)

 This Act has been passed to repeal the Hyderabad Public Libraries Act, 1955 (Hyd. Act No. III of 1955) and having served its purpose, the repealing Act may be repealed.

SR.NO.8

THE URBAN IMMOVABLE PROPERTY TAX (ABOLITION) AND GENERAL TAX (INCREASE OF MAXIMUM RATE) ACT, 1962 (MAHARASHTRA ACT NO. XL OF 1962)

By Section 2 of this Act Part VI of the Bombay Finance Act, 1932 (Act No. II of 1932) is repealed. By Sections 3 and 4 the amendments are made to the Bombay Municipal Corporation Act and the Bombay Rents, Hotel and Lodging House Rates Control Act, 1947 respectively. The amendments made by these last two sections have been incorporated in the Principal Act. Therefore, they are not printed. Section 2 is a repealing section and the repeal having taken place this Section is also no longer necessary on statute book. Therefore, this whole Act may be repealed.

SR.NO.9

THE CENTRAL PROVINCES AND BERAR REGULATION OF COUCHING (MAHARASHTRA EXTENSION AND AMENDMENT) ACT, 1962 (MAHARASHTRA ACT NO. X OF 1963)

This Act has been passed to extend the Central Provinces and Berar Regulation of Couching Act, 1944 (C.P. & Berar Act No. II of 1944), to the rest of the State of Maharashtra and for that and certain other purposes to amend the said Act. The amendments made by this amending Act have been incorporated in the Principal Act and therefore, this Act may be repealed.

THE CENTRAL PROVINCES AND BERAR REFUGEES REHABILITATION (LCANS) (MAHARASHTRA REPEAL) ACT, 1962 (MAHARASHTRA ACT NO. XI OF 1963)

This Act has been passed to repeal the Central Provinces and Berar Refugees Rehabilitation (Loans) Act, 1949 (C.P. & Berar Act No. XIX of 1949). This is a repealing Act and its purpose is over. Therefore, this Act may also be repealed.

SR.NO.11

THE MAHARASHTRA LOCAL AUTHORITIES
(POSTPONEMENT OF ELECTIONS FOR THE
DURATION OF THE EMERGENCY) (REPEAL)

ACT, 1963
(MAHARASHTRA ACT NO. XXII OF 1963)

This Act has been passed to repeal the Maharashtra Local Authorities (Postponement of Elections for the Duration of the Emergency) Act, 1962 (Act No. XXXIX of 1962). This is a repealing Act and its purpose having been served is no more required and therefore, it may also be repealed.

SR.NO.12

THE MAHARASHTRA REMOVAL OF DISQUALIFICATIONS (OF HOLDERS OF OFFICES IN CO-OPERATIVE SOCIETIES) ACT, 1963

(MAHARASHTRA ACT NO. XXIII OF 1963)

This Act has been passed to declare that certain offices of profit in connection with the affairs of co-operative societies in the State of Maharashtra shall be deemed not to have disqualified the holders thereof for membership of the State Legislature or a local authority, and to validate the election of such persons notwithstanding their holding those offices, and to indemnify the persons aforesaid from any penal consequences which they may have incurred by sitting and voting as members of the State Legislature or the local authority while holding those offices; and to provide that members of the State Legislature and certain local authorities are not remunerated while holding such offices. The amendments made by this Act have been incorporated in the Principal Act and therefore, this amending Act may be repealed.

ANNEXURE - IV.

NAMES OF THE ACTS AND REGULATIONS FROM VOLUME NO. V OF THE MAHARASHTRA CODE WHICH ARE REQUIRED TO BE RETAINED

SR.NO.1

THE BOMBAY WAREHOUSES ACT, 1959 (BOM, ACT NO. V OF 1960)

This Act has been passed to provide for the regulation of the warehousing of certain goods in the State of Bombay. The contents of this Act show that its provisions are useful and even necessary in these days to store the different kinds of goods in good condition and therefore, this Act may be retained.

SR.NO.2

THE BOMBAY PUBLIC TRUSTS (UNIFICATION AND AMENDMENT) ACT, 1959 (BOM. ACT NO. VI OF 1960)

This Act has been passed to extend the Bombay Public Trusts Act, 1950 (Act No. XXIX of 1950), to the rest of the State of Bombay, to provide for the repeal or cessation of certain corresponding laws in force in parts of the State relating to public trusts to which that Act is applied; and for those and certain other purposes further to amend that Act. This amending Act contains in all 43 Sections. Sections 3 to 42 contain amendments to Bombay Public Trusts Act, 1950. They have been incorporated in the Principal Act and therefore, these Sections have not been printed in this Act. By Section 2 the provisions of the Bombay Public Trust Act, 1950 are extended to the rest of the State of Bombay and by Section 43 certain amendments are made to the Indian Registration Act, 1908 (Act No. XVI of 1908) in its application to the State of Bombay. The Principal Act being the Central Act, the amendments made by the State do not get automatically incorporated in the Principal Act. Therefore, the amendments will have to be retained so that they can be read alongwith the Principal Act.

Note: This Act may be considered alongwith the amendments proposed by the Office of the Charity Commissioner.

SR.NO.3

AND VALIDATION) ACT, 1959 (BOM. ACT NO. VIII OF 1960)

This Act has been passed to amend the Payment of Wages Act, 1936 (Act No. IV of 1936), in its application to the State of Bombay and to validate certain payments of bonus. Section 2 of this Act is an amending Section whereby in Section 6 of the Principal Act, a new proviso is substituted for the original proviso in its application to the State of Bombay. Section 3 validates certain payments made during a small interval from 1st April, 1958 ending on the date of the commencement of this Act and that period having been over and payments having been validated, the purpose of this Section is also served. However, since the Principal Act being the Central Act, the amendment made by the State does not get automatically incorporated in the Principal Act. and therefore, the amendment made to Section 6 of the Principal Act will have to be retained so that it can be read alongwith the Principal Act. Therefore, this Act will have to be retained.

THE BOMBAY PREVENTION OF BEGGING ACT, 1959 (BOM. ACT NO. X OF 1960)

This Act has been passed to consolidate and amend the law relating to beggers for the purpose of making uniform and better provision for the prevention of begging in the State of Bombay and for matters connected therewith. The preamble of the Act shows that the law relating to beggers is consolidated and made uniform and better provision for prevention of begging is made. The provisions of this Act are essential and useful, therefore, it may be retained.

SR.NO.5

THE BOMBAY DRUGS (CONTROL) ACT, 1959 (BOM. ACT NO. XI OF 1960)

This Act has been passed to provide for the control, in the interest of the general public, of the sale, possession, transport and use of certain drugs and for certain other purposes. The provisions of this Act are useful and necessary and therefore, it will have to be retained.

SR.NO.6

PRACTITIONERS' ACT, 1959 (BOM, ACT NO. XII OF 1960)

This Act has been passed to consolidate and amend the law relating to the regulation of qualifications and registration of Homoeopathic and Biochemic Practitioners in the State of Bombay with a view to encourage the study and spread of such systems. The Act is in force and is useful even today. Therefore, it will have to be retained.

SR.NO.7

THE BOMBAY KHADI AND VILLAGE INDUSTRIES ACT, 1960 (BOM. ACT NO. XIX OF 1960)

This Act has been passed to provide for the encouragement, organisation, development and regulation of Khadi and Village Industries in the State of Bombay and to constitute a board to carry out the said objects and to provide for the matters connected therewith. The Act is in force and is useful even today. Therefore, it may be retained.

SR.NO.8

AND AMENDMENT) ACT, 1960 (MAHARASHTA ACT NO. IV OF 1960)

This Act has been passed to extend the Suits Valuation Act, 1887 (Act No. VII of 1887), to the rest of the State of Maharashtra, for certain purposes further to amend that Act and to repeal the corresponding law in force in a part of the State. By Section 2 of this Act, the provisions of the Suits Valuation Act, 1887 are extended to the Hyderabad area of the State of Maharashtra. Sections 3 to 11 make amendments to certain Sections and substitute certain Sections in Principal Act and are made applicable to the State of Maharashtra, while Section 12 repeals the Suits Valuation (for purpose of jurisdiction) Act, 1318 (Hyderabad Act No. IV of 1318 Fasli) in its application to the Hyderabad area of State of Maharashtra. The Principal Act being the Central Act, the amendments made by the State do not get automatically incorporated in the Principal Act. Therefore, the amendments will have to be retained so that they can be read alongwith the Principal Act. Hence, this Act will have to be retained.

THE MAHARASHTRA CONSTRUCTION OF REFERENCES TO "DISTRICT MAGISTRATE" IN THE HYDERABAD AREA (REPEAL) ACT, 1960 (MAHARASHTRA ACT NO. XIV OF 1960)

This Act has been passed to delete from certain laws, in relation to the Hyderabad area of the State of Maharashtra certain provisions about construing references to District Magistrate as references to Collector and Additional District Magistrate. Since the requisite factual data about the applicability of this change to the Hyderabad Laws that may still be operating in Maharashtra is not available to the Commission and also as there is some doubt about the nomenclature of the posts referred to as Collector and Additional District Magistrate, the Commission is unable to come to a conclusion in the matter of advising repeal of this Act. The Commission therefore, advises to retain this Act. However, the Government may look into the matter from the above point of view and then, it may draw its own conclusion.

SR.NO.10

THE MAHARASHTRA STATE-AID TO INDUSTRIES ACT, 1960 (MAHARASHTRA ACT NO. XVII OF 1960)

This Act has been passed to regulate grant of loans to Small Scale and Cottage Industries in the State of Maharashtra and for purposes connected therewith. For the purpose of encouraging economic development of the State in general, the State has decided to grant loans to Small Scale and Cottage Industries. The provisions are beneficial and therefore, they will have to be retained.

SR.NO.11

THE INDIAN REGISTRATION (MAHARASHTRA AMENDMENT) ACT, 1960 (MAHARASHTRA ACT NO. XIX OF 1960)

This Act has been passed to amend the Indian Registration Act, 1908 (Act No. XVI of 1908), in its application to the State of Maharashtra. By this amending Act further amendment is made to the Indian Registration Act, 1908, in its application to the State of Maharashtra. The Principal Act being the Central Act, the amendment made by the State does not get automatically incorporated in the Principal Act. Therefore, the amendment will have to be retained so that it can be read alongwith the Principal Act. Hence, this Act will have to be retained.

SR.NO.12

(MAHARASHTRA EXTENSION) ACT, 1960 (MAHARASHTRA ACT NO. XX OF 1960)

This Act has been passed to extend the Commercial Documents Evidence Act, 1939 (Act No. XXX of 1939), throughout the State of Maharashtra. By this Act, the Commercial Documents Evidence Act, 1939 as in force immediately before the commencement of this Act in the Bombay and Vidarbha area of the State of Maharashtra, is extended to the rest of State of Maharashtra. By Section 3, an amendment is made to sub-section (2) of Section 1 of the Principal Act. The Principal Act being the Central Act, the amendment made by the State does not get automatically incorporated in the Principal Act. Therefore, the amendment will have to be retained so that it can be read alongwith the Principal Act. Hence, this Act will have to be retained.

THE BOMBAY BORSTAL SCHOOLS (EXTENSION AND AMENDMENT) ACT, 1960 (MAHARASHTRA ACT NO. XXI OF 1960)

This Act has been passed to extend the Bombay Borstal Schools Act, 1929 (Born, Act No. XVIII of 1929), to the rest of the State of Maharashtra, for that and certain other purposes further to amend that Act, to repeal corresponding laws in force in those parts of the State to which that Act is extended, and for certain purposes further to amend the Reformatory Schools Act, 1897 (Act No. VIII of 1897), in its application to the Vidarbha region of the State. By this provision of the Bombay Borstal Schools Act, 1929 as in force in the Bombay area of State of Maharashtra are extended to that part of the State of Maharashtra to which, immediately before the commencement of this Act it did not extend. Sections 3 to 16 have not been printed as the amendments made by those Sections have been incorporated in the Bombay Borstal Schools Act, 1929. By Section 17, certain amendments are made to the Reformatory Schools Act, 1897. The Principal Acts being the Central Acts, the amendments made by the State do not get automatically incorporated in the Principal Acts. Therefore, the amendments will have to be retained so that they can be read alongwith the Principal Acts. Hence, this Act will have to be retained.

SR.NO.14

THE MAHARASHTRA EVACUEE INTEREST (SEPARATION) SUPPLEMENTARY ACT, 1960 (MAHARASHTRA ACT NO. XXV OF 1960)

This Act has been passed to supplement certain provisions of the Evacuee Interest (Separation) Act, 1951 (Act No. LXIV of 1951), in its application to the State of Maharashtra. This Act will have to be retained as it makes a supplementary provision to Evacuee Interest (Separation) Act, 1951 as amended by the Evacuee Interest (Separation) Amendment Act, 1960 (Act No. XXVII of 1960).

SR.NO.15

THE GLANDERS AND FARCY AND DOURINE ACTS
(EXTENSION) ACT, 1960
(MAHARASHTRA ACT NO. XXXIV OF 1960)

This Act has been passed to extend the Glanders and Farcy Act, 1899 (Act No. 13 of 1899) and the Dourine Act, 1910 (Act No. 5 of 1910), throughout the State of Maharashtra. By this Act, the above two Acts, as in force immediately before the comencement of this Act in the Bombay and Vidarbha area of the State of Maharashtra are extended to the rest of the State. By Sections 3 and 4, certain amendments have been made in those Acts and, by Section 5, the Act mentioned in it, is repealed. The Principal Acts being the Central Acts, the amendments made by the State do not get automatically incorporated in the Principal Act. Therefore, the amendments made by this Act will have to be retained so that they can be read alongwith the Principal Act. Hence, this Act may be retained.

SR.NO.16

THE MAHARASHTRA FISHERIES ACT, 1960 (MAHARASHTRA ACT NO. I OF 1961)

This Act has been passed to provide for the protection, conservation and development of fisheries in the State of Maharashtra and therefore, it will have to be retained.

THE INDIAN FOREST (MAHARASHTRA UNIFICATION AND AMENDMENT) ACT, 1960 (MAHARASHTRA ACT NO. VI OF 1961)

This Act has been passed to provide for uniformity in the law relating to forests and the transit (otherwise than across customs frontiers) of forest produce in the State of Maharasthra, and for that and certain other purposes further to amend the Indian Forest Act, 1927 (Act No. XVI of 1927). By Section 2, all amendments made to the Indian Forest Act, 1927, in its application to the Bombay area of the State of Maharashtra, as in force immediately before the commencement of this Act in the Bombay area, have been extended to the remaining part of the State and certain amending provisions made by M.P. Indian Forest (Amendment) Act, 1950 (M.P. Act No. XXVI of 1950) and the Indian Forest (Madhya Pradesh Amendment) Act, 1954 (M.P. Act No. XX of 1954) are made to have no effect to the Vidarbha region of the State of Maharashtra and the Hyderabad Forest Act, 1355F (except Chapter VII thereof) is repealed. Sections 3 to 16 make amendments in Principal Act in its application to the State of Maharashtra. The Principal Act being the Central Act, the amendments made by the State do not get automatically incorporated in the Principal Act. Therefore, the amendments made will have to be retained so that they can be read alongwith the Principal Act. Hence, this Act will have to be retained.

SR.NO.18

THE MINIMUM WAGES (MAHARASHTRA AMENDMENT) ACT, 1960 (MAHARASHTRA ACT NO. X OF 1961)

This Act has been passed further to amend the Minimum Wages Act, 1948 (Act No. XI of 1948), in its application to the State of Maharashtra. The Principal Act being the Central Act, the amendments made by the State do not get automatically incorporated in the Principal Act. Therefore, the amendments made will have to be retained so that they can be read alongwith the Principal Act. Hence, this Act will have to be retained.

SR.NO.19

THE MAHARASHTRA ANCIENT MONUMENTS AND ARCHAEOLOGICAL SITES AND REMAINS ACT, 1960 (MAHARASHTRA ACT NO. XII OF 1961)

This Act has been passed to make better provision for the preservation of ancient and historical monuments and records and archaeological sites and remains (other than those declared to be of national importance) in the State of Maharashtra, and for matters connected with the purposes aforesaid. The provisions of this Act are essential for preservation of ancient, historical monuments etc. in the State of Maharashtra and therefore, they will have to be retained.

SR.NO.20

THE PAYMENT OF WAGES (MAHARASHTRA PROVISION FOR UNIFORM APPLICATION AND AMENDMENT) ACT, 1960 (MAHARASHTRA ACT NO. XIII OF 1961)

This Act has been passed to provide for uniformity in the provisions of the Payment of Wages Act, 1936 (Act No. IV of 1936), in its application to the State of Maharashtra and further to amend that Act as so uniformly applied. The Principal Act being the Central Act, the amendments made by the State do not get automatically incorporated in the Principal Act. Therefore, the amendments made will have to be retained so that they can be read alongwith the Principal Act. Hence, this Act will have to be retained.

THE MAHARASHTRA CO-OPERATIVE SOCIETIES ACT, 1960 (MAHARASHTRA ACT NO. XXIV OF 1961)

This Act has been passed to consolidate and amend the law relating to co-operative societies in the State of Maharashtra. The Act is in force and is vital for management of co-operative societies in the State and therefore, it will have to be retained.

SR.NO.22

THE MAHARASHTRA AGRICULTURAL LANDS (CEILING ON HOLDINGS) ACT, 1961 (MAHARASHTRA ACT NO. XXVII OF 1961)

This Act has been passed to impose a maximum limit (or ceiling) on the holding of agricultural land in the State of Maharashtra; to provide for the acquisition and distribution of land in excess of such ceiling; to provide that the lands taken over from undertakings and the integrity of which is maintained in compact blocks, for ensuring the full and efficient use of the land for agriculture and its efficient management through corporations (including a company) owned or controlled by the State, be granted to such corporations or company; and for matters connected with the purposes aforesaid. Eventhough, the main proceedings for determining the surplus land and payment of compensation for it may have been over, yet the Act continues to apply to the land acquired later and thereafter, may become surplus at any time in future. Thus, the provisions of this Act continue to apply even now and in future and therefore, this Act will have to be retained.

SR.NO.23

THE MAHARASHTRA MEDICAL PRACTITIONERS

ACT, 1961

(MAHARASHTRA ACT NO. XXVIII OF 1961)

This Act has been passed to regulate the qualifications and to provide for the registration of practitioners of the Ayurvedic, Siddha and Unani Systems of Medicine with a view to encourage the study and spread of such systems, and to make certain provisions relating to Medical Practitioners generally, in the State of Maharashtra; and for that purpose to consolidate and amend the law relating thereto. The Act is in force and is necessary for the purpose for which it is enacted and therefore, the same will have to be retained.

SR.NO.24

THE PRESIDENCY SMALL CAUSE COURTS (MAHARASHTRA AMENDMENT) ACT, 1961 (MAHARASHTRA ACT NO. XXXV OF 1961)

This Act has been passed further to amend the Presidency Small Cause Courts Act, 1882 (Act No. XV of 1882), in its application to the State of Maharashtra. The Principal Act being the Central Act, the amendments made by the State do not get automatically incorporated in the Principal Act. Therefore, the amendments made will have to be retained so that they can be read alongwith the Principal Act. Hence, this Act will have to be retained.

THE PAYMENT OF WAGES (MAHARASHTRA AMENDMENT) ACT, 1961 (MAHARASHTRA ACT NO. XLII OF 1961)

This Act further amends the Payment of Wages Act, 1936 (Act No. IV of 1936), in its application to the State of Maharashtra. The Principal Act being the Central Act, the amendments made by the State do not get automatically incorporated in the Principal Act. Therefore, the amendments made will have to be retained so that they can be read alongwith the Principal Act. Hence, this Act will have to be retained.

SR.NO.26

THE INDIAN MEDICAL DEGREES (MAHARASHTRA EXTENSION AND PROVISION FOR UNIFORMITY) ACT, 1961 (MAHARASHTRA ACT NO. XLIV OF 1961)

This Act has been passed to extend the Indian Medical Degrees Act, 1916 (Act No. VII of 1916) to the whole of the State of Maharashtra, to provide for uniformity in the provisions of that Act, in its application to the whole State and for those purposes further to amend that Act. However, the Principal Act being the Central Act, the amendments made by the State do not get automatically incorporated in the Principal Act. Therefore, the amendments made will have to be retained so that they can be read alongwith the Principal Act. Hence, this Act will have to be retained.

SR.NO.27

THE HYDERABAD TENANCY AND AGRICULTURAL LANDS (RE-ENACTMENT, VALIDATION AND FURTHER AMENDMENT) ACT, 1961 (MAHARASHTRA ACT NO. XLV OF 1961)

This Act has been passed to re-enact the Hyderabad Tenancy and Agricultural Lands Act, 1950 (Hyd. Act No. XXI of 1950) and all laws amending that Act; to validate action taken thereunder; and also further to amend, for the purposes mentioned in that Act as so re-enacted and amended. The Act is re-enacted and further amended continues to be in force and is necessary. Therefore, it may be retained.

SR.NO.28

THE COTTON GINNING AND PRESSING FACTORIES (MAHARASHTRA PROVISION FOR UNIFORM APPLICATION AND AMENDMENT) ACT, 1961 (MAHARASHTRA ACT NO. I OF 1962)

This Act has been passed to provide for uniformity in the application of the Cotton Ginning and Pressing Factories Act, 1925 (Act No. XII of 1925) to the whole of the State of Maharashtra and to further amend that Act as so uniformly applied. For the purpose of uniform application, in addition to the above Act, the eanctments mentioned in the Schedule to the Act are extended to the rest of the State of Maharashtra alongwith certain other amendments made to the Principal Act. However, the Principal Act being the Central Act, the amendments made by the State do not get automatically incorporated in the Principal Act. Therefore, the amendments made will have to be retained so that they can be read alongwith the Principal Act. Hence, this Act will have to be retained.

SR.NO.32

THE MAHARASHTRA INDUSTRIAL DEVELOPMENT ACT, 1961 (MAHARASHTRA ACT NO. III OF 1962)

This Act has been passed to make special provision for securing the orderly establishment in industrial areas and industrial estates of industries in the State of Maharashtra, and to assist generally in the organisation thereof and for the purpose to establish an Industrial Development Corporation, and for the purposes connected with the matters aforesaid. The provisions of this Act are necessary and therefore, it will have to be retained.

SR.NO.30 THE MAHARASHTRA ZILLA PARISHADS AND PANCHAYAT SAMITIES ACT, 1961

(MAHARASHTRA ACT NO. V OF 1962)

SR.NO.31 THE MAHARASHTRA PURCHASE TAX ON SUGARCANE

ACT, 1962 (MAHARASHTRA ACT NO. IX OF 1962)

GUARANTEE (CESS) ACT, 1962
(MAHARASHTRA ACT NO. XXVII OF 1962)

The above mentioned three Acts are in force and are necessary even today and therefore, they may be continued.

SR.NO.33 THE MAHARASHTRA POLICE OFFICERS (CHANGE IN DESIGNATION) ACT, 1962 (MAHARASHTRA ACT NO. XLVI OF 1962)

This Act has been passed to change the designation of the Superintendent of Police in any area under the charge of the Commissioner of Police and of the District Superintendent of Police elsewhere. Section 2 specifically states that the present designation of the Superintendent of Police in any area under the charge of the Commissioner of Police, and that of the District Superintendent of Police in any area, is hereby changed to Assistant Commissioner of Police and Superintendent of Police respectively; and accordingly, any reference by whatever form of words to the Superintendent of Police, or as the case may be, to the District Superintendent of Police, in any law for the time being in force, or any instrument or other document, shall, after the commencement of this Act, be a reference to the Assistant Commissioner of Police, or as the case may be, the Superintendent of Police. Therefore, eventhough Section 3 states that enactments specified in Column 1 of the Schedule to the Act are hereby amended in the manner, and to the extent, shown in Column 2 thereof, apart from the Acts mentioned in the Schedule there is bound to be other laws or instruments or documents in which this change has to be carried out. Therefore, this Act will have to be retained for the purpose of reference.

SR.NO.34 THE INDUSTRIAL DISPUTES (MAHARASHTRA AMENDMENT) ACT, 1962 (MAHARASHTRA ACT NO. II OF 1963)

This Act has been passed to further amend the Industrial Disputes Act, 1947 (Act No. XIV of 1947), in its application to the State of Maharashtra. The Principal Act being the Central Act, the amendments made by the State do not get automatically incorporated in the Principal Act. Therefore, the amendments made will have to be retained so that they can be read alongwith the Principal Act. Hence this Act will have to be retained.

THE MINIMUM WAGES (MAHARASHTRA AMENDMENT) ACT, 1962 (MAHARASHTRA ACT NO. III OF 1963)

This Act has been passed further to amend the Minimum Wages Act, 1948 (Act No. XI of 1948), in its application to the State of Maharashtra. By this Act, the Minimum Wages Act, 1948, in its application to the State of Maharashtra, is further amended. However, the Principal Act being the Central Act, the amendments made by the State do not get automatically incorporated in the Principal Act. Therefore, the amendments made will have to be retained so that they can be read alongwith the Principal Act. Hence, this Act will have to be retained.

SR.NO.36

THE INDIAN PORTS (MAHARASHTRA AMENDMENT) ACT, 1962 (MAHARASHTRA ACT NO. IV OF 1963)

This Act has been passed to amend the Indian Ports Act, 1908 (Act No. XV of 1908), in its application to the State of Maharashtra. However, the Principal Act being the Central Act, the amendments made by the State do not get automatically incorporated in the Principal Act. Therefore, the amendments made will have to be retained so that they can be read alongwith the Principal Act. Hence, this Act will have to be retained.

SR.NO.37

THE MAHARASHTRA PROVISIONAL COLLECTION OF TAXES ACT, 1962 (MAHARASHTRA ACT NO. V OF 1963)

This Act has been passed to provide for immediate effect being given, for a limited period, to provisions in Bills relating to the imposition or increase of taxes. The provisions of this Act continue to be necessary and therefore, it may be retained.

SR.NO.38

THE MAHARASHTRA TAX ON SALE OF ELECTRICITY ACT, 1963 (MAHARASHTRA ACT NO. XXI OF 1963)

This Act has been passed to levy a tax on the sale of electricity in the State of Maharashtra and to provide for the creation of a Fund therefrom for the improvement and development of power supply in the State. The Act is in force and will have to be continued further.

SR.NO.39

THE MAHARASHTRA REPEALING AND AMENDING ACT, 1963 (MAHARASHTRA ACT NO. XXVI OF 1963)

This Act has been passed to repeal certain enactments and to amend certain other enactments. This is a repealing and amending Act which may be retained on the statute book for the purpose of future reference.

THE MAHARASHTRA DELETION OF THE TERM "FAMINE" (FROM LAWS APPLICABLE TO THE STATE) ACT, 1963 (MAHARASHTRA ACT NO. XL OF 1963)

This Act has been enacted to delete the term "famine" from all laws in the State of Maharashtra. Section 2 of this Act states that from the commencement of this Act, in all enactments relating to any of the matters enumerated in Lists II and III in the Seventh Schedule to the Constitution of India, in their application to the State of Maharashtra (hereinafter referred to as "State Laws") and in all instruments and other documents, the word "famine" shall be deemed to have been deleted. Therefore, eventhough this word may be deleted from the enactments, this Act will have to be retained for the purpose of reference so far as other instruments and documents are concerned.

SR.NO.41

(MAHARASHTRA AMENDMENT) ACT, 1963 (MAHARASHTRA ACT NO. XLI OF 1963)

This Act has been passed further to amend the Presidency Small Cause Courts Act, 1882 (Act No. XV of 1882). The Principal Act being the Central Act, the amendments made by the State do not get automatically incorporated in the Principal Act. Therefore, the amendments made will have to be retained so that they can be read alongwith the Principal Act. Hence, this Act will have to be retained.

SR.NO.42

THE MAHARASHTRA OWNERSHIP FLATS
(REGULATION OF THE PROMOTION OF
CONSTRUCTION, SALE, MANAGEMENT
AND TRANSFER) ACT, 1963
(MAHARASHTRA ACT NO. XLV OF 1963)

This Act has been passed to regulate for a certain period, in the State of Maharashtra, the promotion of the construction of the sale and management, and the transfer of flats on ownership basis. By Maharashtra Act No. XLIX of 2000 the duration of this Act is further extended for a period upto and inclusive of the 31st day of March 2005 and therefore, the same will have to be retained on statute book.

ANNEXURE - V

NAMES OF THE WATANS AND INAMS ABOLITION ACT AND REGULATION FROM VOLUME NO. V OF THE MAHARASHTRA CODE WHICH ARE KEPT FOR SEPARATE CONSIDERATION.

- THE MAHARASHTRA REVENUE PATELS (ABOLITION OF OFFICE) ACT, 1962 (MAHARASHTRA ACT NO. XXXV OF 1962)
- THE WEST KHANDESH MEHWASSI ESTATES (PROPRIETORY RIGHTS ABOLITION, ETC.) REGULATION, 1961 (MAHARASHTRA REGULATION NO. I OF 1962)