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**MAHARASHTRA STATE
LAW COMMISSION**

FOURTH REPORT

ON

THE MAHARASHTRA CODE VOLUME NO.IV

JULY 2002

1234

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MAHARASHTRA LAW COMMISSION

(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. Jaybhawe	...	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

MAHARASHTRA LAW COMMISSION

Till this date, the Commission has submitted three Reports on three Volumes of the Maharashtra Code, namely, Volume No. I, II and III. This Fourth Report is being submitted on the Volume No. IV of the Maharashtra Code.

This Volume contains a large number of enactments, namely, 94. Out of them, none is found to be already repealed, while 9 Acts have been kept aside for separate consideration, they being the Watans and Inams Abolition Acts. Remaining 85 Acts were critically examined and the Commission found that 17 Acts are required to be repealed and 68 are required to be retained. Thus, it will be seen that as compared to the first three Volumes a large number of enactments from the Fourth 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 months of May and June 2002. The decisions are unanimous.

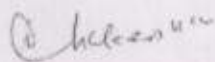
One significant departure from the first two Reports and adopted from the Third Report is that the Commission has decided to retain all the amendments made by the State to the Central Laws. What the Commission found is that the amendments made by the

ate to the State Laws normally get incorporated in the State Laws. We also found that the amendments made by the Central Legislature to the Central Acts also normally get incorporated in the Central Acts. The amendments made by the State Legislature to the Central Acts do not get automatically incorporated in the Central Acts. The necessary consequence is that while reading the Central Acts in relation to the State, the amendments made by the State to the Central Acts will have to be read alongwith the provisions in the Central Acts. For this reason, the Commission has decided to retain all the amendments made by the State Legislature to the Central Acts.

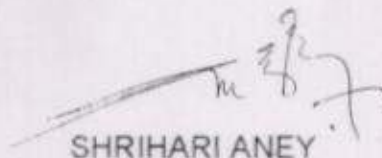
In this Report also we have attached Five Annexures. To get correct perspective the sequence of Annexures is maintained in this Report also. Thus, the Annexure - I contains the number of enactments in this Volume and examined by the Commission. Annexure - II contains the laws already repealed. Annexure - III contains the laws required to be repealed, while Annexure - IV contains the laws required to be retained. Annexure - V is added. This Annexure contains the Watans and Inams Abolition Acts which need a separate treatment and the Report about which is likely to be submitted by the Commission in the next month or in the month following the next month.




(B.G.MORE)
CHAIRMAN




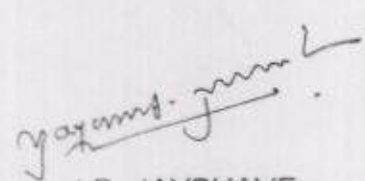
K.M. DHAKEPHALKAR
Member

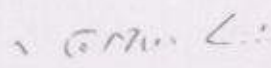


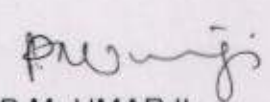
SHRIHARI ANEY
Member



VIJAY SAVANT
Member


V.B. BEDRE
Member


J.D. JAYBHAVE
Member


V.G. MUNSHI
Ex-officio Member


P.M. UMARJI
Ex-officio Member


I. H. PATEL
Member Secretary

MAHARASHTRA LAW COMMISSION

ANNEXURE - I

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

<u>SR.NO.</u>	<u>NAME OF THE ACTS</u>
1	THE BOMBAY REPEALING AND AMENDING ACT, 1955 (BOM. ACT NO. II OF 1955)
2	THE PROVINCIAL SMALL CAUSE COURTS (SUITS VALIDATION) ACT, 1955 (BOM. ACT NO. XVI OF 1955)
3	THE BOMBAY JUDICIAL PROCEEDINGS (REGULATION OF REPORTS) ACT, 1955 (BOM. ACT NO. XVIII OF 1955)
4	THE BOMBAY BHIL NAIK INAMS ABOLITION ACT, 1955 (BOM. ACT NO. XXI OF 1955)
5	THE BOMBAY MERGED TERRITORIES MISCELLANEOUS ALIENATIONS ABOLITION ACT, 1955 (BOM. ACT NO. XXII OF 1955)
6	THE INDIAN FOREST (BOMBAY AMENDMENT) ACT, 1955 (BOM. ACT NO. XXIV OF 1955)
7	THE BOMBAY (SECOND) REPEALING AND AMENDING ACT, 1955 (BOM. ACT NO. XXIX OF 1955)
8	THE PRESIDENCY SMALL CAUSE COURTS (BOMBAY AMENDMENT) ACT, 1955 (BOM. ACT NO. XLIV OF 1955)
9	THE BOMBAY SHILOTRI RIGHTS (KOLABA) ABOLITION ACT, 1955 (BOM. ACT NO. XLVII OF 1955)
10	THE PAYMENT OF WAGES (BOMBAY AMENDMENT) ACT, 1955 (BOM. ACT NO. XLVIII OF 1955)
11	THE BOMBAY HIGHWAYS ACT, 1955 (BOM. ACT NO. LV OF 1955)
12	THE BOMBAY ELECTRICITY (SPECIAL POWERS) ACT (APPLICATION TO SCHEDULED AREAS) REGULATIONS, 1955 (BOM. REGULATION NO. I OF 1955)
13	THE BOMBAY GOVERNMENT PREMISES (EVICTION) ACT, 1955 (BOM. ACT NO. II OF 1956)
14	THE BOMBAY AERIAL ROPEWAYS ACT, 1955 (BOM. ACT NO. III OF 1956)
15	THE INDIAN FOREST (BOMBAY AMENDMENT) ACT, 1956 (BOM. ACT NO. X OF 1956)
16	THE SOCIETIES REGISTRATION (BOMBAY AMENDMENT) ACT, 1956 (BOM. ACT NO. XI OF 1956)
17	THE INDIAN FOREST (BOMBAY SECOND AMENDMENT) ACT, 1956 (BOM. ACT NO. XVII OF 1956)
18	THE COTTON GINNING AND PRESSING FACTORIES (BOMBAY AMENDMENT) ACT, 1956 (BOM. ACT NO. XXVII OF 1956)

- 19 THE BOMBAY HINDU PLACES OF PUBLIC WORSHIP (ENTRY AUTHORIZATION) ACT, 1956 (BOM. ACT NO. XXXI OF 1956)
- 20 THE INDIAN TRADE UNIONS (BOMBAY AMENDMENT) ACT, 1956 (BOM. ACT NO. XXXII OF 1956)
- 21 THE INDUSTRIAL EMPLOYMENT (STANDING ORDERS) (BOMBAY AMENDMENT) ACT, 1956 (BOM. ACT NO. XXXVI OF 1956)
- 22 THE PAYMENT OF WAGES (BOMBAY AMENDMENT) ACT, 1956 (BOM. ACT NO. XXXVII OF 1956)
- 23 THE BOMBAY MOLASSES (CONTROL) ACT, 1956 (BOM. ACT NO. XXXVIII OF 1956)
- 24 THE BOMBAY LAND TENURES ABOLITION (AMENDMENT) ACT, 1956 (BOM. ACT NO. XL OF 1956)
- 25 THE MAHARASHTRA CONTINGENCY FUND ACT, 1956 (BOM. ACT NO. XLVI OF 1956)
- 26 THE MAHARASHTRA LEGISLATIVE COUNCIL (CHAIRMAN AND DEPUTY CHAIRMAN) AND MAHARASHTRA LEGISLATIVE ASSEMBLY (SPEAKER AND DEPUTY SPEAKER) SALARIES AND ALLOWANCES ACT (BOM. ACT NO. XLVII OF 1956)
- 27 THE MAHARASHTRA MINISTERS' SALARIES AND ALLOWANCES ACT (BOM. ACT NO. XLVIII OF 1956)
- 28 THE MAHARASHTRA LEGISLATURE MEMBERS' SALARIES AND ALLOWANCES ACT (BOM. ACT NO. XLIX OF 1956)
- 29 THE MAHARASHTRA LEGISLATURE MEMBERS (REMOVAL OF DISQUALIFICATIONS) ACT (BOM. ACT NO. LII OF 1956)
- 30 THE BOMBAY MUNICIPAL (FURTHER EXTENSION OF LIMITS AND SCHEDULE BBA (AMENDMENT) ACT, 1956 (BOM. ACT NO. LVIII OF 1956)
- 31 THE SIR CHINUBHAI MADHAVLAL RANCHHODLAL BARONETCY (REPEALING) ACT, 1956 (BOM. ACT NO. I OF 1957)
- 32 THE BOMBAY SHETGI WATAN RIGHTS (RATNAGIRI) ABOLITION ACT, 1956 (BOM. ACT NO. II OF 1957)
- 33 THE BOMBAY TOWN PLANNING SCHEMES (BOMBAY CITY NOS. II, III AND IV (MAHIM AREA) VALIDATION ACT, 1956 (BOM. ACT NO. III OF 1957)
- 34 THE HYDERABAD AGRICULTURAL DEBTORS RELIEF (BOMBAY AMENDMENT) ACT, 1957 (BOM. ACT NO. X OF 1957)
- 35 THE BOMBAY PROHIBITION OF SIMULTANEOUS MEMBERSHIP ACT, 1957 (BOM. ACT NO. XII OF 1957)
- 36 THE INDIAN FOREST (BOMBAY AMENDMENT) ACT, 1957 (BOM. ACT NO. XXVI OF 1957)
- 37 THE BOMBAY CORNEAL GRAFTING ACT, 1957 (BOM. ACT NO. XXXIII OF 1957)
- 38 THE SIR SASSOON JACOB DAVID BARONETCY (REPEALING) ACT, 1957 (BOM. ACT NO. XXXVI OF 1957)
- 39 THE BOMBAY ABOLITION OF WHIPPING ACT, 1957 (BOM. ACT NO. XXXIX OF 1957)

- 40 THE BOMBAY COMMISSIONERS OF DIVISIONS ACT, 1957
(BOM. ACT NO. VIII OF 1958)
- 41 THE LAND ACQUISITION (BOMBAY AMENDMENT) ACT, 1957
(BOM. ACT NO. XII OF 1958)
- 42 THE COTTON GINNING AND PRESSING FACTORIES (BOMBAY
AMENDMENT) ACT, 1957 (BOM. ACT NO. XX OF 1958)
- 43 THE INDUSTRIAL EMPLOYMENT (STANDING ORDERS) (BOMBAY
AMENDMENT) ACT, 1957 (BOM. ACT NO. XXI OF 1958)
- 44 THE LAND IMPROVEMENT LOANS AND AGRICULTURISTS' LOANS
(EXTENSION AND AMENDMENT) ACT, 1957 (BOM. ACT NO. XXVII OF 1958)
- 45 THE HYDERABAD TENANCY AND AGRICULTURAL LANDS
(AMENDMENT) ACT, 1957 (BOM. ACT NO. XXXII OF 1958)
- 46 THE INDIAN TREASURE-TROVE (EXTENSION TO THE HYDERABAD AND
SAURASHTRA AREAS OF BOMBAY STATE) ACT, 1957
(BOM. ACT NO. XXXIII OF 1958)
- 47 THE INDIAN REGISTRATION (BOMBAY PROVISION FOR UNIFORMITY AND
AMENDMENT) ACT, 1957 (BOM. ACT NO. XXXV OF 1958)
- 48 THE BOMBAY ELECTRICITY DUTY ACT, 1958 (BOM. ACT NO. XL OF 1958)
- 49 THE BOMBAY ENTERTAINMENT DUTY (EXTENSION AND AMENDMENT)
ACT, 1958 (BOM. ACT NO. XLI OF 1958)
- 50 THE BOMBAY DISQUALIFICATION OF MUNICIPAL COUNCILLORS
(REMOVAL OF DOUBTS) ACT, 1958 (BOM. ACT NO. XLVI OF 1958)
- 51 THE CENTRAL PROVINCES AND BERAR FINANCE (BOMBAY REPEAL) ACT,
1958 (BOM. ACT NO. XLVII OF 1958)
- 52 THE BOMBAY RACE-COURSES LICENSING AND THE BOMBAY BETTING
TAX ACTS (EXTENSION AND AMENDMENT) ACT, 1958
(BOM. ACT NO. XLVIII OF 1958)
- 53 THE BOMBAY LAND TENURE ABOLITION LAWS (AMENDMENT)
ACT, 1958 (BOM. ACT NO. LVII OF 1958)
- 54 THE BOMBAY STAMP ACT, 1958 (BOM. ACT NO. LX OF 1958)
- 55 THE BOMBAY ESSENTIAL COMMODITIES AND CATTLE (CONTROL)
ACT, 1958 (BOM. ACT NO. LXII OF 1958)
- 56 THE BOMBAY MOTOR VEHICLES TAX ACT, 1958
(BOM. ACT NO. LXV OF 1958)
- 57 THE BOMBAY SALES OF MOTOR SPIRIT TAXATION ACT, 1958
(BOM. ACT NO. LXVI OF 1958)
- 58 THE BOMBAY MOTOR VEHICLES (TAXATION OF PASSENGERS)
ACT, 1958 (BOM. ACT NO. LXVII OF 1958)
- 59 THE BOMBAY WEIGHTS AND MEASURES (ENFORCEMENT) ACT,
1958 (BOM. ACT NO. LXIX OF 1958)
- 60 THE HYDERABAD AGRICULTURAL INCOME-TAX (BOMBAY REPEAL) ACT,
1958 (BOM. ACT NO. LXXII OF 1958)
- 61 THE SOCIETIES REGISTRATION (BOMBAY EXTENSION AND
AMENDMENT) ACT, 1958 (BOM. ACT NO. LXXVI OF 1958)

- 62 THE POLICE (INCITEMENT TO DISAFFECTION) (BOMBAY EXTENSION AND AMENDMENT) ACT, 1958 (BOM. ACT NO. LXXVII OF 1958)
- 63 THE JUDICIAL OFFICERS' PROTECTION (EXTENSION TO HYDERABAD AND SAURASHTRA AREAS OF BOMBAY STATE) ACT, 1958 (BOM. ACT NO. LXXVIII OF 1958)
- 64 THE CITY OF NAGPUR COPORATION (AMENDMENT) ACT, 1958 (BOM. ACT NO. LXXIX OF 1958)
- 65 THE BOMBAY LOTTERIES (CONTROL AND TAX) AND PRIZE COMPETITIONS (TAX) ACT, 1958 (BOM. ACT NO. LXXXII OF 1958)
- 66 THE BOMBAY STATE SCARCITY RELIEF FUND ACT, 1958 (BOM. ACT NO. LXXXIII OF 1958)
- 67 THE PROVINCIAL SMALL CAUSE COURTS (BOMBAY UNIFICATION AND AMENDMENT) ACT, 1958 (BOM. ACT NO. LXXXVII OF 1958)
- 68 THE BOMBAY HINDU DIVORCE (DECREES VALIDATION) ACT, 1958 (BOM. ACT NO. LXXXVIII OF 1958)
- 69 THE BOMBAY RELIEF UNDERTAKINGS (SPECIAL PROVISIONS) ACT, 1958 (BOM. ACT NO. XCVI OF 1958)
- 70 THE BOMBAY SEPARATION OF JUDICIAL AND EXECUTIVE FUNCTIONS (EXTENSION) AND THE CODE OF CRIMINAL PROCEDURE (PROVISION FOR UNIFORMITY) ACT, 1958 (BOM. ACT NO. XCVII OF 1958)
- 71 THE BOMBAY TENANCY AND AGRICULTURAL LANDS (VIDARBHA REGION) ACT, 1958 (BOM. ACT NO. XCIX OF 1958)
- 72 THE BOMBAY INFERIOR VILLAGE WATANS ABOLITION ACT, 1958 (BOM. ACT NO. I OF 1959)
- 73 THE BOMBAY VILLAGE PANCHAYATS ACT, 1958 (BOM. ACT NO. III OF 1959)
- 74 THE PRESIDENCY SMALL CAUSE COURTS (BOMBAY AMENDMENT) ACT, 1959 (BOM. ACT NO. XI OF 1959)
- 75 THE CATTLE-TRESPASS (BOMBAY EXTENSION AND AMENDMENT) ACT, 1959 (BOM. ACT NO. XIII OF 1959)
- 76 THE PRISONERS (BOMBAY EXTENSION AND AMENDMENT) ACT, 1958 (BOM. ACT NO. XV OF 1959)
- 77 THE INDUSTRIAL DISPUTES (BOMBAY PROVISION FOR UNIFORMITY) ACT, 1959 (BOM. ACT NO. XV OF 1959)
- 78 THE PRISONS AND CIVIL JAILS (BOMBAY EXTENSION, UNIFICATION AND AMENDMENT) ACT, 1958 (BOM. ACT NO. XXIII OF 1959)
- 79 THE CRIMINAL LAW AMENDMENT (BOMBAY AMENDMENT AND EXTENSION) ACT, 1959 (BOM. ACT NO. XXIV OF 1959)
- 80 THE BOMBAY NON-TRADING CORPORATIONS ACT, 1959 (BOM. ACT NO. XXVI OF 1959)
- 81 THE HYDERABAD TENANCY AND AGRICULTURAL LANDS (AMENDMENT) ACT, 1959 (BOM. ACT NO. XXXII OF 1959)
- 82 THE BOMBAY BANDHIJAMA, UDHAD AND UGADIA TENURES ABOLITION ACT, 1959 (BOM. ACT NO. XXXV OF 1959)
- 83 THE BOMBAY COURT FEES ACT, 1959 (BOM. ACT NO. XXXVI OF 1959)

- 84 THE PRISONS (BOMBAY AMENDMENT) ACT, 1959
(BOM. ACT NO. XLV OF 1959)
- 85 THE BOMBAY SALES TAX ACT, 1959 (BOM. ACT NO. LI OF 1959)
- 86 THE BOMBAY STATE COMMISSIONERS OF POLICE ACT, 1959
(BOM. ACT NO. LVI OF 1959)
- 87 THE TRANSFER OF PROPERTY (BOMBAY PROVISION FOR UNIFORMITY
AND AMENDMENT) ACT, 1959 (BOM. ACT NO. LVII OF 1959)
- 88 THE BOMBAY HABITUAL OFFENDERS ACT, 1959
(BOM. ACT NO. LXI OF 1959)
- 89 THE BOMBAY REPEALING AND AMENDING ACT, 1959
(BOM. ACT NO. LXIII OF 1959)
- 90 THE HYDERABAD ABOLITION OF INAM (AMENDMENT) ACT, 1959
(BOM. ACT NO. LXIV OF 1959)
- 91 THE CENTRAL PROVINCES AND BERAR STATE AID TO INDUSTRIES AND
THE HYDERABAD STATE AID TO (SMALL SCALE AND COTTAGE)
INDUSTRIES (PARTIAL REPEAL) ACT, 1959 (BOM. ACT NO. LXVII OF 1959)
- 92 THE BOMBAY EXECUTION OF DECREES (TEMPORARY POSTPONEMENT)
ACT, 1959 (BOM. ACT NO. LXX OF 1959)
- 93 THE BOMBAY STATUTORY FUNDS ACT, 1959
(BOM. ACT NO. LXXI OF 1959)
- 94 THE BOMBAY TOBACCO LAWS (REPEAL) ACT, 1959
(BOM. ACT NO. LXXIII OF 1959)

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MAHARASHTRA LAW COMMISSION

ANNEXURE - II

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

SR.NO.1 THE PROVINCIAL SMALL CAUSE COURTS (SUITS VALIDATION) ACT, 1955 (BOM. ACT NO. XVI OF 1955)

This Act is passed to validate certain suits and proceedings in the Small Cause Court established in the State under the Provincial Small Cause Courts Act, 1887 (Act No. IX of 1887). It has only 3 Sections and by Section 3 this Act validates all special jurisdiction suits, the cognizance of which was taken after the commencement of the Provincial Small Cause Courts (Bombay Amendment) Act, 1950 (Act No.LVII of 1950), but before the 25th day of February 1955 by the Small Cause Courts. Thus, this Act is passed for a particular purpose and that purpose being over, the Act has spent itself and therefore, it may be repealed.

SR.NO.2 THE BOMBAY ELECTRICITY (SPECIAL POWERS) ACT (APPLICATION TO SCHEDULED AREAS) REGULATIONS, 1955 (BOM. REGULATION NO.I OF 1955)

By this Regulation the Bombay Electricity (Special Powers) Act, 1946 (Act No.XX of 1946) is made applicable to the scheduled areas specified in the schedule annexed to the Regulation. These areas form part of State of Bombay. Subsequently, by amendment Act, namely, Bombay Act No.II of 1959 the provisions of this Act are made applicable to the whole State of Bombay. Therefore, the continuance of this Regulation is no longer necessary and hence, it may be repealed.

SR.NO.3 THE BOMBAY MUNICIPAL (FURTHER EXTENSION OF LIMITS AND SCHEDULE BBA (AMENDMENT) ACT, 1956 (BOM. ACT NO. LVIII OF 1956)

By this Act the limits of the Municipal Corporation of Greater Bombay have been further enhanced by including the villages mentioned in Schedule II of Thana District and further abolishing the Municipalities in which these villages were included.

Section 3 - 28 of this amending Act have already been incorporated in the Bombay Municipal Corporation Act, 1888 (Act, No.III of 1888), making necessary amendments in the Principal Act so far as the extended area is concerned. Therefore, this Act may be repealed.

SR.NO.4 THE SIR CHINUBHAI MADHAVLAL RANCHHODLAL BARONETCY (REPEALING) ACT, 1956 (BOM. ACT NO. I OF 1957)

By this Act the trust created under the Sir Chinubhai Madhavlal Ranchhodlal Baronetcy Act, 1924 (Act No.VIII of 1924) is revoked and extinguished and other necessary consequential provisions have been made. This being a repealing Act having taken place long back, it appears that this repealing Act may not be necessary and therefore, it may be repealed.

SR.NO.5 THE BOMBAY TOWN PLANNING SCHEMES (BOMBAY CITY NOS. II, III AND IV (MAHIM AREA) VALIDATION ACT, 1956 (BOM. ACT NO. III OF 1957)

This Act has been passed to validate certain planning schemes being executed or executed in the Mahim area under the provisions of Bombay Town Planning Act, 1915 (Act No. I of 1915) and Bombay Municipal Corporation Act, 1888 (Act No. III of 1888). The purpose of this Act is over now. Thus, it has spent itself and therefore, it may be repealed.

SR.NO.6 THE HYDERABAD AGRICULTURAL DEBTORS RELIEF (BOMBAY AMENDMENT) ACT, 1957 (BOM. ACT NO. X OF 1957)

This Act amends Hyderabad Agricultural Debtors Relief Act, 1956 (Hyderabad Act No. XVI of 1956) by substituting sub-section 1 of Section 4 by new sub-section (1). The amendments have been incorporated in the Principal Act and therefore, this Act may be repealed.

SR.NO.7 THE SIR SASSOON JACOB DAVID BARONETCY (REPEALING) ACT, 1957 (BOM. ACT NO. XXXVI OF 1957)

By this Act the Trust created under Sir Sassoon Jacob David Baronetcy Act, 1915 (Act No. II of 1915) is revoked and extinguished. It also contains the other provisions necessary for consequential reliefs. It appears that this Act is not necessary now and therefore, it may be repealed.

SR.NO.8 THE HYDERABAD TENANCY AND AGRICULTURAL LANDS (AMENDMENT) ACT, 1957 (BOM. ACT NO. XXXII OF 1958)

By this amending Act several Sections from the Hyderabad Tenancy and Agricultural Lands Act, 1950 (Act No. XXI of 1950) have been amended. The amendments have been incorporated in the Principal Act and therefore, the purpose of this Act is over and it may be repealed.

SR.NO.9 THE BOMBAY ENTERTAINMENT DUTY (EXTENSION AND AMENDMENT) ACT, 1958 (BOM. ACT NO. XLI OF 1958)

By this amending Act, the Principal Act, namely, the Bombay Entertainment Duty Act, 1923 (Act No. I of 1923) has been extended to that part of the State of Bombay to which immediately before the commencement of this Act it did not extend. Now, the Principal Act is applicable to the whole of Maharashtra and therefore, there is no necessity of this amending Act to remain on the Statute Book and hence, it may be repealed.

SR.NO.10 THE BOMBAY DISQUALIFICATION OF MUNICIPAL COUNCILLORS (REMOVAL OF DOUBTS) ACT, 1958 (BOM. ACT NO. XLVI OF 1958)

This Act is passed to legalise, or remove doubts with respect to the legality of the election or continuance in office of certain Councillors of the Municipalities or Municipal Borough constituted by or under the Bombay District Municipal Act, 1901 (Act No. III of 1901) or the Bombay Municipal Boroughs Act, 1925 (Act No. XVIII of 1925). Both these Acts have been repealed by Maharashtra Municipalities Act, 1965 (Act No. XL of 1965). Thus, this amending Act loses its significance now and therefore, it may be repealed.

SR.NO.11 THE CENTRAL PROVINCES AND BERAR FINANCE (BOMBAY REPEAL) ACT, 1958
(BOM. ACT NO. XLVII OF 1958)

By this Act the C.P. and Berar Finance Act, 1938 (Act No.XIII of 1938) is repealed. Now this repealing Act has served its purpose and therefore, it may also be repealed.

SR.NO.12 THE BOMBAY RACE-COURSES LICENSING AND THE BOMBAY BETTING TAX ACTS (EXTENSION AND AMENDMENT) ACT, 1958
(BOM. ACT NO. XLVIII OF 1958)

This amending Act is passed to extend the Bombay Racecourses Licensing Act, 1912 (Act No.III of 1912) and the Bombay Betting Tax Act, 1925 (Act No.VI of 1925) to the rest of the State of Bombay and amend them for certain purposes. These two Acts have been extended by this amendment Act to that part of the State of Bombay to which immediately before the commencement of this Act, they did not extend. The amendments made by this amending Act have been incorporated in the two Principal Acts mentioned above, extending their application to the areas included in Maharashtra. Therefore, the purpose of this Act is served and it may be repealed.

SR.NO.13 THE HYDERABAD AGRICULTURAL INCOME-TAX (BOMBAY REPEAL) ACT, 1958
(BOM. ACT NO. LXXII OF 1958)

This Act is passed to repeal the Hyderabad Agricultural Income-tax Act, 1950 (Act No.XIII of 1950). Now, the repeal has taken place and therefore, the repealing Act is also not necessary in the Statute Book. It may therefore, be repealed.

SR.NO.14 THE BOMBAY HINDU DIVORCE (DECREES VALIDATION) ACT, 1958
(BOM. ACT NO. LXXXVIII OF 1958)

This Act has been passed to validate certain decrees of divorce passed under the Bombay Hindu Divorce Act, 1947 (Act No.XXII of 1947) and the Saurashtra Hindu Divorce Act, 1952 (Act No. XXX of 1952). This Act is passed for limited purpose mainly to validate decrees of divorce passed by Court in a suit instituted after commencement of the Hindu Marriage Act, 1955 but before the 3rd day of July 1957, on the ground of desertion for a continuous period of 4 years under the Bombay Hindu Divorce Act, 1947 or under the Saurashtra Hindu Divorce Act, 1952. The purpose of the Act has been accomplished. Thus, the Act has spent itself and therefore, it may be repealed.

SR.NO.15 THE HYDERABAD TENANCY AND AGRICULTURAL LANDS (AMENDMENT) ACT, 1959
(BOM. ACT NO. XXXII OF 1959)

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

SR.NO.16 THE CENTRAL PROVINCES AND BERAR STATE AID TO INDUSTRIES AND THE HYDERABAD STATE AID TO (SMALL SCALE AND COTTAGE) INDUSTRIES (PARTIAL REPEAL) ACT, 1959
(BOM. ACT NO. LXVII OF 1959)

This Act partially repeals two Acts, namely, the Central Provinces and Berar State Aid to Industries Act, 1933 (C.P. and Berar Act No.XII of 1933) and the Hyderabad State Aid to (Small Scale and Cottage) Industries Act, 1956 (Hyderabad Act No.VII of 1956). After repealing the above two Acts, the purpose of the Act is achieved and therefore, this Act may be repealed.

SR.NO.17 THE BOMBAY TOBACCO LAWS (REPEAL) ACT, 1959
(BOM. ACT NO. LXXIII OF 1959)

This Act is passed to repeal certain laws relating to the levy of duties and taxes on, and the regulation of the sale and warehousing of tobacco. This Act repeals the laws mentioned in its Schedule. After repealing these laws the purpose of the Act is achieved and therefore, this repealing Act may also be repealed.

MAHARASHTRA LAW COMMISSIONANNEXURE - IVNAMES OF THE ACTS AND REGULATIONS FROM VOLUME NO. IV OF THE MAHARASHTRA CODE WHICH ARE REQUIRED TO BE RETAINEDSR.NO.1 THE BOMBAY REPEALING AND AMENDING ACT, 1955
(BOM. ACT NO. II OF 1955)

This Act repeals the enactments mentioned in the column No. 3 to the extent mentioned in the column No. 4 of the Schedule No. I and amends the enactments mentioned in the column No. 3 in the manner mentioned in the column No. 4 of the 2nd Schedule. Normally this Act could have been repealed but it appears that such repealing and amending Act may be required for reference in future. Therefore, it is better to keep it unrepealed. Law and Judiciary Department is also of the same opinion. Therefore, the Act may be retained.

SR.NO.2 THE BOMBAY JUDICIAL PROCEEDINGS (REGULATION OF REPORTS) ACT, 1955
(BOM. ACT NO. XVIII OF 1955)

This Act is passed to regulate the publication of reports of judicial proceedings so as to prevent the publication of obscene or indecent matter and other matters, the publication of which will not be in the public interest. Section 2 of this Act defines certain legal terms while Section 3 prohibits publication of certain matters in judicial proceedings. Clause (a) of this Section says that no person shall print or publish or cause to be printed or published in respect of any judicial proceedings, any indecent or obscene matter or any indecent or obscene details whether medical, surgical or physiological which would be calculated to injure the public morals. Clause (b) also says that no person shall print or publish or cause to be printed or published in respect of any matrimonial matter or any judicial proceedings in connection with the offence under Section 497 of the Indian Penal Code, any particulars other than the following, that is to say:-

- (1) the names of the parties; and
- (2) the order of the Court

Clause (c) also prohibits publication of any matter in respect of judicial proceedings in connection with the offence under Section 354, 366, 366 A, 366 B, 376, 377 and 498 of the Indian Penal Code, any particulars other than the following, namely,

- (1) the name, occupation and address of the accused; and
- (2) the order of the Court, without disclosing the identity of, or giving any particulars calculated to lead to the identification of, any person who may have been a victim of the offence.

Such restrictions on the printing and publishing certain matters of judicial proceedings as stated by these clauses of the Section 3 are necessary and therefore, this Act will have to be retained.

SR.NO.3 THE INDIAN FOREST (BOMBAY AMENDMENT) ACT, 1955
(BOM. ACT NO.XXIV OF 1955)

This Act amends the Indian Forest Act, 1927 (Act No.XVI of 1927) in its application to the State of Bombay. Section 2 of this Act inserts certain words in Section 2 of the Indian Forest Act and Section 3 inserts certain words and figures in Section 28 of the same Act. Section 4 inserts certain words in Section 35 of the Principal Act and its sub-Section 2 makes addition to the Act. Similarly, in Section 5 certain new Sections, namely, Section 36-A, 36-B and 36-C have been added and by Section 6 Section 80-A is added to the Principal Act.

The Principal Act being the Central Act, the amendments made by the State cannot get automatically incorporated in the Principal Act. Therefore, the amendments will have to be retained, so that they could be read alongwith the Principal Act. Hence, this Act will have to be retained.

SR.NO.4 THE BOMBAY (SECOND) REPEALING AND AMENDING
ACT, 1955
(BOM. ACT NO.XXIX OF 1955)

This Act may be retained for the same reasons given for the Act at Sr.No.1 above.

SR.NO.5 THE PRESIDENCY SMALL CAUSE COURTS (BOMBAY
AMENDMENT) ACT, 1955
(BOM. ACT NO.XLIV OF 1955)

This Act amends the Presidency Small Cause Courts Act, 1882 (Act No.XV of 1882) in its application to the State of Bombay. It has only two Sections and the operating Section is 2 which has a proviso after sub-section 1 and further adds sub-section 2 to Section 73 of the Principal Act. A marginal note of this Section is also changed. However, the Principal Act being the Central Act, the amendments made by the State cannot get automatically incorporated in the Principal Act. Therefore, the amendments will have to be retained, so that they could be read alongwith the Principal Act. Hence, this Act will have to be retained.

SR.NO.6 THE PAYMENT OF WAGES (BOMBAY AMENDMENT)
ACT, 1955
(BOM. ACT NO. XLVIII OF 1955)

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

SR.NO.7 THE BOMBAY HIGHWAYS ACT, 1955
(BOM.ACT NO.LV OF 1955)

This Act is passed to provide for the restrictions on ribbon development along highways, for the prevention and removal of encroachment thereon, for the construction, maintenance and development of highways, for the levy of betterment charges and for certain other matters. This Act is useful even now and therefore, it may be retained.

SR.NO.8 THE BOMBAY GOVERNMENT PREMISES (EVICTION)
ACT, 1955
(BOM. ACT NO.II OF 1956)

This Act is useful even today and is being administered whenever the occasion arises and therefore, it will have to be retained.

SR.NO.9 THE BOMBAY AERIAL ROPEWAYS ACT, 1955
(BOM. ACT NO. III OF 1956)

This Act authorizes, facilitates and regulates the construction and working of aerial ropeways in the State of Maharashtra. Its provisions are useful and necessary even today and therefore, it may be retained.

SR.NO.10 THE INDIAN FOREST (BOMBAY AMENDMENT) ACT, 1956
(BOM. ACT NO. X OF 1956)

This Act amends the Principal Act, namely, the Indian Forest Act, 1927 (Act No. XVI of 1927) in its application to the State of Bombay. However, the Principal Act being the Central Act, the amendments made by the State cannot get automatically incorporated in the Principal Act. Therefore, the amendments will have to be retained, so that they could be read alongwith the Principal Act. Hence, this Act will have to be retained.

SR.NO.11 THE SOCIETIES REGISTRATION (BOMBAY AMENDMENT)
ACT, 1956
(BOM. ACT NO.XI OF 1956)

This is an amending Act which amends the Societies Registration Act, 1860 (Act No.XXI of 1860) in its application to the State of Bombay. However, the Principal Act being the Central Act, the amendments made by the State cannot get automatically incorporated in the Principal Act. Therefore, the amendments will have to be retained, so that they could be read alongwith the Principal Act. Hence, this Act will have to be retained.

SR.NO.12 THE INDIAN FOREST (BOMBAY SECOND AMENDMENT)
ACT, 1956
(BOM. ACT NO.XVII OF 1956)

By this Act a small amendment is made in Section 2 of the Principal Act as applicable to the State of Bombay. However, the Principal Act being the Central Act, the amendments made by the State cannot get automatically incorporated in the Principal Act. Therefore, the amendments will have to be retained, so that they could be read alongwith the Principal Act. Hence, this Act will have to be retained.

SR.NO.13 THE COTTON GINNING AND PRESSING FACTORIES
(BOMBAY AMENDMENT) ACT, 1956
(BOM. ACT NO.XXVII OF 1956)

This is an amending Act which amends the Cotton Ginning and Pressing Factories Act, 1925 (Act No.XII of 1925) in its application to the State of Bombay. The amendments made are very few. However, the Principal Act being the Central Act, the amendments made by the State cannot get automatically incorporated in the Principal Act. Therefore, the amendments will have to be retained, so that they could be read alongwith the Principal Act. Hence, this Act will have to be retained.

SR.NO.14 THE BOMBAY HINDU PLACES OF PUBLIC WORSHIP (ENTRY AUTHORIZATION) ACT, 1956
(BOM. ACT NO.XXXI OF 1956)

The provisions of this Act are useful even today and therefore, this Act will have to be retained.

SR.NO.15 THE INDIAN TRADE UNIONS (BOMBAY AMENDMENT) ACT, 1956
(BOM. ACT NO.XXXII OF 1956)

This Act amends the Principal Act, namely, the Indian Trade Unions Act, 1926 (Act No.XVI of 1926) in its application to the State of Bombay. However, the Principal Act being the Central Act, the amendments made by the State cannot get automatically incorporated in the Principal Act. Therefore, the amendments will have to be retained, so that they could be read alongwith the Principal Act. Hence, this Act will have to be retained.

SR.NO.16 THE INDUSTRIAL EMPLOYMENT (STANDING ORDERS) (BOMBAY AMENDMENT) ACT, 1956
(BOM. ACT NO.XXXVI OF 1956)

This is an amending Act which amends the Industrial Employment (Standing Orders) Act, 1946 (Act No.XX of 1946) in its application to the State of Bombay. However, the Principal Act being the Central Act, the amendments made by the State cannot get automatically incorporated in the Principal Act. Therefore, the amendments will have to be retained, so that they could be read alongwith the Principal Act. Hence, this Act will have to be retained.

SR.NO.17 THE PAYMENT OF WAGES (BOMBAY AMENDMENT) ACT, 1956
(BOM. ACT NO. XXXVII OF 1956)

By this amending Act a short amendment is made to Section 7, sub-section (2). However, the Principal Act being the Central Act, the amendments made by the State cannot get automatically incorporated in the Principal Act. Therefore, the amendments will have to be retained, so that they could be read alongwith the Principal Act. Hence, this Act will have to be retained.

SR.NO.18 THE BOMBAY MOLASSES (CONTROL) ACT, 1956
(BOM. ACT NO.XXXVIII OF 1956)

This Act is passed to provide for the regulation and control of the supply of molasses for the purpose of development of certain industries by securing their equitable distribution and availability at fair prices. The provisions of this Act are useful even today and therefore, it may be retained.

SR.NO.19 THE MAHARASHTRA CONTINGENCY FUND ACT, 1956
(BOM. ACT NO. XLVI OF 1956)

The provisions of this Act are necessary and are useful even today and therefore, this Act will have to be retained.

SR.NO.20 THE MAHARASHTRA LEGISLATIVE COUNCIL (CHAIRMAN AND DEPUTY CHAIRMAN) AND MAHARASHTRA LEGISLATIVE ASSEMBLY (SPEAKER AND DEPUTY SPEAKER) SALARIES AND ALLOWANCES ACT
(BOM. ACT NO. XLVII OF 1956)

SR.NO.21 THE MAHARASHTRA MINISTERS' SALARIES AND ALLOWANCES ACT
(BOM. ACT NO. XLVIII OF 1956)

SR.NO.22 THE MAHARASHTRA LEGISLATURE MEMBERS' SALARIES AND ALLOWANCES ACT
(BOM. ACT NO. XLIX OF 1956)

SR.NO.23 THE MAHARASHTRA LEGISLATURE MEMBERS (REMOVAL OF DISQUALIFICATIONS ACT
(BOM. ACT NO. LII OF 1956)

The provisions of all the above 4 Acts are useful and are necessary even today and therefore, they will have to be retained.

SR.NO.24 THE BOMBAY PROHIBITION OF SIMULTANEOUS MEMBERSHIP ACT, 1957
(BOM. ACT NO. XII OF 1957)

The provisions of this Act are necessary and therefore, this Act may be retained.

SR.NO.25 THE INDIAN FOREST (BOMBAY AMENDMENT) ACT, 1957
(BOM. ACT NO. XXVI OF 1957)

A short amendment by this amending Act is made to the Original Act, namely, Indian Forest Act, 1927 (Act No. XVI of 1927) in its application to the pre-reorganisation State of Bombay, excluding the transferred territories. However, the Principal Act being the Central Act, the amendments made by the State cannot get automatically incorporated in the Principal Act. Therefore, the amendments will have to be retained, so that they could be read alongwith the Principal Act. Hence, this Act will have to be retained.

SR.NO.26 THE BOMBAY CORNEAL GRAFTING ACT, 1957
(BOM. ACT NO. XXXIII OF 1957)

This Act makes provision in respect of the use of eyes of deceased persons for therapeutic purposes. The provisions of this Act are very useful even now and therefore, the Act will have to be continued.

SR.NO.27 THE BOMBAY ABOLITION OF WHIPPING ACT, 1957
(BOM. ACT NO. XXXIX OF 1957)

The Parliament abolished Whipping Act, 1955 (Act No. XLIV of 1955) and therefore, the State of Bombay passed this Act to abolish Whipping as a punishment in the State of Bombay. Thus, by this Act the Bombay (Emergency Powers) Whipping Act, 1947 (Act No. XXVII of 1947) is repealed. Some consequential amendments have been made in other 2 Acts, namely, the Bombay Prevention of Prostitution Act, 1923 (Act No. XI of 1923) and the Prisons Act, 1894 (Act No. IX of 1894). One of the above Acts being Central Act and since, the amendments made by the State cannot get automatically incorporated in the Principal Act, the amendments will have to be retained, so that they could be read alongwith the Principal Act. Hence, this Act will have to be retained.

SR.NO.28 THE BOMBAY COMMISSIONERS OF DIVISIONS ACT, 1957
(BOM. ACT NO. VIII OF 1958)

This Act has been passed to provide for the offices of Commissioners of Divisions in the State of Bombay, for prescribing their powers and duties and to make provisions consequent on the provision for such offices and for certain other matters. For the purpose of constituting offices of Commissioners of Divisions and conferring powers and imposing duties on the Commissioners and for certain other purposes the enactments specified in the Column No.1 of the Schedule in this Act have been amended in the manner and to the extent specified in the Column No.2 thereof. Column No.1 contains a number of enactments and their provisions are amended as specified in the Column No.2. Thus, this Act mainly amends so many Acts mentioned in the Column No.1 of the Schedule for the purpose of providing the offices of the Commissioners of Divisions and for prescribing their powers and duties. Therefore, this Act may be retained.

SR.NO.29 THE LAND ACQUISITION (BOMBAY AMENDMENT) ACT, 1957
(BOM. ACT NO. XII OF 1958)

By this amending Act a small amendment is made in Section 11 of the Land Acquisition Act, 1894 (Act No.1 of 1894) in its application to the State of Bombay. However, the Principal Act being the Central Act, the amendments made by the State cannot get automatically incorporated in the Principal Act. Therefore, the amendments will have to be retained, so that they could be read alongwith the Principal Act. Hence, this Act will have to be retained.

SR.NO.30 THE COTTON GINNING AND PRESSING FACTORIES
(BOMBAY AMENDMENT) ACT, 1957
(BOM. ACT NO. XX OF 1958)

This Act amends the Cotton Ginning and Pressing Factories Act, 1925 (Act No.XII of 1925) in its application to the State of Bombay. However, the Principal Act being the Central Act, the amendments made by the State cannot get automatically incorporated in the Principal Act. Therefore, the amendments will have to be retained, so that they could be read alongwith the Principal Act. Hence, this Act will have to be retained.

SR.NO.31 THE INDUSTRIAL EMPLOYMENT (STANDING ORDERS)
(BOMBAY AMENDMENT) ACT, 1957
(BOM. ACT NO. XXI OF 1958)

By this Act the Industrial Employment (Standing Orders) Act, 1946 (Act No. XX of 1946) in its application to the State of Bombay is amended. Various amendments have been made to the different Sections of the Principal Act. However, the Principal Act being the Central Act, the amendments made by the State cannot get automatically incorporated in the Principal Act. Therefore, the amendments will have to be retained, so that they could be read alongwith the Principal Act. Hence, this Act will have to be retained.

SR.NO.32 THE LAND IMPROVEMENT LOANS AND AGRICULTURISTS' LOANS (EXTENSION AND AMENDMENT) ACT, 1957 (BOM. ACT NO. XXVII OF 1958)

This Act is passed to extend the Land Improvement Loans Act, 1883 (Act No. XIX of 1883) and the Agriculturists' Loans Act, 1884 (Act No. XII of 1884) in the Hyderabad and Saurashtra areas of the State of Bombay and further to amend the said Acts for certain purposes. So far as the Agriculturists' Loans Act, 1884 is concerned, we advised the State Government that it may inform the Central Government that this Act may be repealed in its application to the State of Maharashtra. This advice was given when we submitted our Report in relation to the Jain Commission's Report. So far as the other Act, namely, the Land Improvement Loans Act, 1883 is concerned, it being the Central Act, the amendments made by the State cannot get automatically incorporated in the Principal Act. Therefore, the amendments will have to be retained, so that they could be read alongwith the Principal Act. Hence, this Act will have to be retained.

SR.NO.33 THE INDIAN TREASURE-TROVE (EXTENSION TO THE HYDERABAD AND SAURASHTRA AREAS OF BOMBAY STATE) ACT, 1957 (BOM. ACT NO. XXXIII OF 1958)

This Act extends the Indian Treasure-trove Act, 1878 (Act No. VI of 1878) to the Hyderabad and Saurashtra areas of the State of Bombay. The amendment in respect of extension of area has been made as applicable to the State of Bombay. However, the Principal Act being the Central Act, the amendments made by the State cannot get automatically incorporated in the Principal Act. Therefore, the amendments will have to be retained, so that they could be read alongwith the Principal Act. Hence, this Act will have to be retained.

SR.NO.34 THE INDIAN REGISTRATION (BOMBAY PROVISION FOR UNIFORMITY AND AMENDMENT) ACT, 1957 (BOM. ACT NO. XXXV OF 1958)

This amending Act is passed to provide for uniformity in the provisions of the Indian Registration Act, 1908 (Act No. XVI of 1908) in its application to the State of Bombay and further to amend the said Act. The amendment as to the extension of area and other amendments have been made. However, the Principal Act being the Central Act, the amendments made by the State cannot get automatically incorporated in the Principal Act. Therefore, the amendments will have to be retained, so that they could be read alongwith the Principal Act. Hence, this Act will have to be retained.

SR.NO.35 THE BOMBAY ELECTRICITY DUTY ACT, 1958 (BOM. ACT NO. XL OF 1958)

This Act has been passed to provide for levy of the duty on consumption of electrical energy in the State of Bombay. The State levies continue to be levied on consumption of electricity under the provisions of this Act. The provisions of this Act will have to be continued as they generate the revenue for the Government.

SR.NO.36 THE BOMBAY STAMP ACT, 1958
 (BOM. ACT NO. LX OF 1958)

The provisions of this Act are necessary for the administration of justice. Incidentally, they are also a source of revenue for the State Government and therefore, this Act will have to be retained.

SR.NO.37 THE BOMBAY ESSENTIAL COMMODITIES AND CATTLE
 (CONTROL) ACT, 1958
 (BOM. ACT NO. LXII OF 1958)

Section 21 of this Act is as follows :-

"Nothing in this Act shall apply to any commodity or class of commodity which is an essential commodity, or which is declared to be an essential commodity, under the Essential Commodities Act, 1955 ; and if any commodity included in Part I of the Schedule is declared to be an essential commodity under that Act, then on such declaration, this Act shall cease to apply thereto, except as respects things done or omitted to be done before such declaration."

These provisions show that the Bombay Act is supplementary to the Central Act and has been passed after the Central Act has been passed and therefore, it continues to be in force inspite of the Central Act. The powers conferred by this Bombay Act on the State Government are necessary and therefore, this Act will have to be continued.

SR.NO.38 THE BOMBAY MOTOR VEHICLES TAX ACT, 1958
 (BOM. ACT NO. LXV OF 1958)

The provisions of this Act are necessary and useful and therefore, it will have to be retained.

SR.NO.39 THE BOMBAY SALES OF MOTOR SPIRIT TAXATION
 ACT, 1958
 (BOM. ACT NO. LXVI OF 1958)

The provisions of this Act are necessary as it is one of the sources of revenue to the State Government. Therefore, this Act will have to be retained.

SR.NO.40 THE BOMBAY MOTOR VEHICLES (TAXATION OF
 PASSENGERS) ACT, 1958
 (BOM. ACT NO. LXVII OF 1958)

The provisions of this Act are necessary and it is one of the sources of revenue to the State Government and therefore, this Act will have to be retained.

SR.NO.41 THE BOMBAY WEIGHTS AND MEASURES (ENFORCEMENT)
 ACT, 1958
 (BOM. ACT NO. LXIX OF 1958)

We have the Standards of Weights and Measures Act, 1976 (Act No. 60 of 1976) of the Central Government. It establishes the standards of weights and measures throughout India, while the Bombay Act provide for enforcement of standard weights and measures in the State of Bombay. Thus, the provisions of this Act are complementary to the Central Act and they are useful and therefore, the Act will have to be retained.

SR.NO.42 THE SOCIETIES REGISTRATION (BOMBAY EXTENSION AND AMENDMENT) ACT, 1958
(BOM. ACT NO. LXXVI OF 1958)

This Act is passed to extend the Societies Registration Act, 1860 (Act No. XXI of 1860) and bring it into force in the rest of the State of Bombay to provide for uniformity in the provisions of that Act in its application to the whole of the State by extending certain amendments made thereto in relation to a part of the State to the rest of the State; and for those and certain other purposes further to amend the said Act, and to repeal corresponding laws in force in those parts of the State to which the Act is now extended. The necessary amendments to the extent of areas by substitution of new clauses and repealing of certain provisions have been made in the Principal Act in its application to the State of Bombay. However, the Principal Act being the Central Act, the amendments made by the State cannot get automatically incorporated in the Principal Act. Therefore, the amendments will have to be retained, so that they could be read alongwith the Principal Act. Hence, this Act will have to be retained.

SR.NO.43 THE POLICE (INCITEMENT TO DISAFFECTION) (BOMBAY EXTENSION AND AMENDMENT) ACT, 1958
(BOM. ACT NO. LXXVII OF 1958)

This amending Act is passed to extend the Police (Incitement to Disaffection) Act, 1922 (Act No. XXII of 1922) to the Saurashtra and Hyderabad areas of the State of Bombay. However, the Principal Act being the Central Act, the amendments made by the State cannot get automatically incorporated in the Principal Act. Therefore, the amendments made will have to be retained, so that they could be read alongwith the Principal Act. Hence, this Act will have to be retained.

SR.NO.44 THE JUDICIAL OFFICERS' PROTECTION (EXTENSION TO HYDERABAD AND SAURASHTRA AREAS OF BOMBAY STATE) ACT, 1958
(BOM. ACT NO. LXXVIII OF 1958)

This amending Act is passed to extend the Judicial Officers' protection Act, 1850 (Act No. XVIII of 1850) to the Saurashtra and Hyderabad areas of the State of Bombay. However, the Principal Act being the Central Act, the amendments made by the State will have to be retained as it cannot get automatically incorporated in the Central Act. Therefore, this Act may be retained.

SR.NO.45 THE CITY OF NAGPUR COPORATION (AMENDMENT) ACT, 1958
(BOM. ACT NO. LXXIX OF 1958)

Eventhough this is an amending Act, all the amendments made by this Act would not necessarily get incorporated in the Principal Act. For instance, Sections 2 and 4 are substantive Sections and they will have to continue alongwith the Principal Act. Therefore, eventhough, some Sections could be deleted, some Sections will have to be retained. It is therefore, better to retain the entire Act.

SR.NO.46 THE BOMBAY LOTTERIES (CONTROL AND TAX) AND PRIZE COMPETITIONS (TAX) ACT, 1958
(BOM. ACT NO. LXXXII OF 1958)

The provisions of this Act are necessary for the purpose of controlling and taxing lotteries and prize competitions and therefore, it should be retained.

SR.NO.47 THE BOMBAY STATE SCARCITY RELIEF FUND ACT, 1958
(BOM. ACT NO. LXXXIII OF 1958)

This Act is passed to provide for the establishment and maintenance in the State of Bombay of a Scarcity Relief Fund for meeting expenditure on preventive and remedial measures connected with scarcity conditions or on relief of distress caused by serious drought, food or other natural calamities in the State. The provisions of this Act are necessary to meet the above-mentioned contingencies and therefore, this Act will have to be retained.

SR.NO.48 THE PROVINCIAL SMALL CAUSE COURTS (BOMBAY UNIFICATION AND AMENDMENT) ACT, 1958
(BOM. ACT NO. LXXXVII OF 1958)

This Act is passed to provide for uniformity in the provisions of the Provincial Small Cause Courts Act, 1887 (Act No. IX of 1887), in its application to the State of Bombay, and further to amend the said Act. However, the Principal Act being the Central Act, the amendments made by the State cannot get automatically incorporated in the Principal Act. Therefore, the amendments will have to be retained, so that they could be read alongwith the Principal Act. Hence, this Act will have to be retained.

SR.NO.49 THE BOMBAY RELIEF UNDERTAKINGS (SPECIAL PROVISIONS) ACT, 1958
(BOM. ACT NO. XCVI OF 1958)

This Act has been passed to make temporary provisions for industrial relations and other matters to enable the State Government to conduct, or to provide loan, guarantee or financial assistance for the conduct of, certain industrial undertakings as a measure of preventing unemployment or of unemployment relief. The provisions of this Act are necessary to provide relief to certain industrial undertakings and therefore, it will have to be retained.

SR.NO.50 THE BOMBAY SEPARATION OF JUDICIAL AND EXECUTIVE FUNCTIONS (EXTENSION) AND THE CODE OF CRIMINAL PROCEDURE (PROVISION FOR UNIFORMITY) ACT, 1958
(BOM. ACT NO. XCVII OF 1958)

This Act is passed to provide for the separation of the performance of judicial and executive functions by officers throughout the State of Bombay, to provide for uniformity in the Code of Criminal Procedure, 1898 (Act No. V of 1898) in its application to the whole of the State, and for matters connected with the purposes of the said Act. However, the Principal Act being the Central Act, the amendments made by the State cannot get automatically incorporated in the Principal Act. Therefore, the amendments will have to be retained, so that they could be read alongwith the Principal Act. Hence, this Act will have to be retained.

SR.NO.51 THE BOMBAY TENANCY AND AGRICULTURAL LANDS (VIDARBHA REGION) ACT, 1958
(BOM. ACT NO. XCIX OF 1958)

The Act is in force in Vidarbha area of the Maharashtra State and will have to be retained till all tenancy laws in force in different parts of the State are unified and the single Act is passed on the subject applying to the entire area of the State of Maharashtra.

SR.NO.52 THE BOMBAY VILLAGE PANCHAYATS ACT, 1958
(BOM. ACT NO. III OF 1959)

The provisions of this Act are in force and they are essential and have become more essential in recent years in view of dissemination of powers to all levels of administering institutions. Therefore, this Act will have to be retained.

SR.NO.53 THE PRESIDENCY SMALL CAUSE COURTS (BOMBAY
AMENDMENT) ACT, 1959
(BOM. ACT NO. XI OF 1959)

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

SR.NO.54 THE CATTLE-TRESPASS (BOMBAY EXTENSION AND
AMENDMENT) ACT, 1959
(BOM. ACT NO. XIII OF 1959)

SR.NO.55 THE PRISONERS (BOMBAY EXTENSION AND AMENDMENT)
ACT, 1958
(BOM. ACT NO. XV OF 1959)

SR.NO.56 THE INDUSTRIAL DISPUTES (BOMBAY PROVISION FOR
UNIFORMITY) ACT, 1959
(BOM. ACT NO. XV OF 1959)

SR.NO.57 THE PRISONS AND CIVIL JAILS (BOMBAY EXTENSION,
UNIFICATION AND AMENDMENT) ACT, 1958
(BOM. ACT NO. XXIII OF 1959)

SR.NO.58 THE CRIMINAL LAW AMENDMENT (BOMBAY AMENDMENT
AND EXTENSION) ACT, 1959
(BOM. ACT NO. XXIV OF 1959)

All these Acts have been passed, to extend the provisions of these Acts to the new areas added to the State and for making consequential amendments at necessary places. All the aforesaid Acts being the Central Acts, the amendments made by the State cannot get automatically incorporated in the said Acts. Therefore, the amendments made to the aforesaid Central Acts will have to be retained, so that they could be read alongwith the Principal Act. Hence, all these Acts will have to be retained.

SR.NO.59 THE BOMBAY NON-TRADING CORPORATIONS ACT, 1959
(BOM. ACT NO. XXVI OF 1959)

The provisions of this Act are in force and are useful and therefore, this Act may be retained.

SR.NO.60 THE BOMBAY COURT FEES ACT, 1959
(BOM. ACT NO. XXXVI OF 1959)

The Act is in force and is used day-to-day in the Courts of State of Maharashtra. Therefore, its provisions will have to be retained.

SR.NO.61 THE PRISONS (BOMBAY AMENDMENT) ACT, 1959
(BOM. ACT NO. XLV OF 1959)

This Act is passed to further amend the Prisons Act, 1894 (Act No.IX of 1894) in its application to the State of Bombay. However, the Principal Act being the Central Act, the amendments made by the State cannot get automatically incorporated in the Principal Act. Therefore, the amendments will have to be retained, so that they could be read alongwith the Principal Act. Hence, this Act will have to be retained.

SR.NO.62 THE BOMBAY SALES TAX ACT, 1959
(BOM. ACT NO. LI OF 1959)

The provisions of this Act will have to be retained as they are major source of revenue to the State.

SR.NO.63 THE BOMBAY STATE COMMISSIONERS OF POLICE ACT, 1959
(BOM. ACT NO. LVI OF 1959)

This Act has been passed to make provision for matters consequent on appointment of a Commissioner of Police for any area in the State of Bombay outside Greater Bombay. The provisions of this Act are necessary for proper functioning of the Office of the Commissioner of Police outside Greater Bombay and therefore, they may be retained.

SR.NO.64 THE TRANSFER OF PROPERTY (BOMBAY PROVISION FOR UNIFORMITY AND AMENDMENT) ACT, 1959
(BOM. ACT NO. LVII OF 1959)

This Act is to be retained for the reasons given for retention of the Acts at Sr.Nos.75 to 79 above.

SR.NO.65 THE BOMBAY HABITUAL OFFENDERS ACT, 1959
(BOM. ACT NO. LXI OF 1959)

This Act has been passed to make provisions for the treatment and training of habitual offenders and for certain other matters. The provisions of this Act are useful even today and therefore, the Act may be retained.

SR.NO.66 THE BOMBAY REPEALING AND AMENDING ACT, 1959
(BOM. ACT NO. LXIII OF 1959)

This Act may be retained for the same reasons given for the Act at Sr.No.1 above.

SR.NO.67 THE BOMBAY EXECUTION OF DECREES (TEMPORARY POSTPONEMENT) ACT, 1959
(BOM. ACT NO. LXX OF 1959)

The provisions of this Act are necessary whenever there is scarcity or famine condition in any part of the State of Maharashtra and therefore, the Act may be retained.

SR.NO.68 THE BOMBAY STATUTORY FUNDS ACT, 1959
(BOM. ACT NO. LXXI OF 1959)

This Act has been passed to provide for the establishment and maintenance of certain statutory funds, and for matters connected therewith. The provisions of this Act are necessary and therefore, the Act will have to be retained.

MAHARASHTRA LAW COMMISSIONANNEXURE -V

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

- 1 THE BOMBAY BHIL NAIK INAMS ABOLITION ACT, 1955
(BOM. ACT NO. XXI OF 1955)
- 2 THE BOMBAY MERGED TERRITORIES MISCELLANEOUS
ALIENATIONS ABOLITION ACT, 1955 (BOM. ACT NO. XXII OF 1955)
- 3 THE BOMBAY SHILOTRI RIGHTS (KOLABA) ABOLITION ACT, 1955
(BOM. ACT NO. XLVII OF 1955)
- 4 THE BOMBAY LAND TENURES ABOLITION (AMENDMENT) ACT, 1956
(BOM. ACT NO. XL OF 1956)
- 5 THE BOMBAY SHETGI WATAN RIGHTS (RATNAGIRI) ABOLITION
ACT, 1956 (BOM. ACT NO. II OF 1957)
- 6 THE BOMBAY LAND TENURE ABOLITION LAWS (AMENDMENT)
ACT, 1958 (BOM. ACT NO. LVII OF 1958)
- 7 THE BOMBAY INFERIOR VILLAGE WATANS ABOLITION ACT, 1958
(BOM. ACT NO. I OF 1959)
- 8 THE BOMBAY BANDHIJAMA, UDHAD AND UGADIA TENURES
ABOLITION ACT, 1959 (BOM. ACT NO. XXXV OF 1959)
- 9 THE HYDERABAD ABOLITION OF INAMS (AMENDMENT) ACT, 1959
(BOM. ACT NO. LXIV OF 1959)