

विधायी विभाग
Legislative Department

विधि और न्याय मंत्रालय
Ministry of Law and Justice

**REPORT OF THE COMMITTEE TO
IDENTIFY THE CENTRAL ACTS WHICH
ARE NOT RELEVANT OR NO LONGER
NEEDED OR REQUIRE REPEAL/
RE-ENACTMENT IN THE PRESENT
SOCIO-ECONOMIC CONTEXT**

**VOLUME III
(PART-I)**

**[COPIES OF REPLIES RECEIVED FROM
THE MINISTRIES/DEPARTMENTS OF
CENTRAL GOVERNMENT IN PURSUANCE
OF I.D. NO. CRA/1/2014 DATED
02.09.2014 OF THE COMMITTEE]**

PART-I

S. No.	Subject	Communication date	Page No.
	ID No. CRA/1/2014 from Secretary to PM to all Ministries /Departments soliciting information in the Annexure I & Annexure II appended thereto on laws to be repealed wholly or partially and to be revisited in the present socio-economic context	2.9.2014	I-IV
	Copies of replies received from the Ministries/Departments-		--
1.	D/o Administrative Reforms & PG (OM No. G-21/1/2014-Gen)	17.9.2014	1
2.	Department of Agriculture and Cooperation (OM No. 35-13/2014-O&M/PG)	15.9.2014	2-7
3.	Department of Agriculture Research and Education (ID No.30-19/2014-Estt)	11.9.2014	8-10
4.	Department of Animal Husbandry, Dairying and Fisheries (OM No.25-I(79)/2014-ADF/AR)	17.9.2014	11-15
5.	Department of Atomic Energy (ID No. 50/1/2014/2894)	8.10.2014	16-19
6.	D/o AYUSH (D.O. No Z.28015/119/2014-P&C)	12.9.2014	20-39
7.	D/o Chemical and Petrochemicals (OM No. C.I.43012/8/2014-CHEM.I)	8.10.2014	40-44
8.	Department of Commerce (ID Note No.9/49/2014-FI(Coord))	12.9.2014 & 18.9.2014	45-65
9.	D/o Consumer Affairs (ID No.R-11018/13/2012-P&C)	8.9.2014	66-76
10.	M/o Corporate Affairs (UO No.8/3/2014-CL.I)	15.9.2014	77-90
11.	M/o Culture (ID No.21-115/2014-CDN.)	29.9.2014	91-94
12.	M/o Dev. of North Eastern Rgion (OM No. 12/8/2012-Est.)	8.9.2014	95-97
13.	D/o Disability Affairs (ID No.14-106/2014-DD-IV)	16.9.2014	98
14.	D/o Disinvestment (DM No.7/4/2011-Policy(Vol.III)	8.9.2014	99-101
15.	M/o Drinking Water & Sanitation (I.D No. A. 11012/18/2012-DWS (Coordn.)	11.9.2014	102
16.	M/o Earth Sciences (OM No. MoES/20/61/2013-ICC)	17.9.2014	103-105

17.	D/o Economic Affairs (OM No.11/47/2012-Ad.V)	15.9.2014	106-111
18.	D/o Expenditure (OM No. 156071/E.Coord./2014)	9.9.2014	112-127
19.	M/o External Affairs (D.O.No.4312/SS(AMS,AD&CPV)/2014)	22.9.2014	128-133
20.	D/o Financial Services D.O. No.9/15/2014-Coord)	12.9.2014	134-145
21.	M/o Food processing Industries (OM No.1-138/2013-PC)	9.9.2014	146-148
22.	D/o Food and Public Distribution (OM No.39-91/2012-AC)	19.9.2014	149-151
23.	D/o Health and Family Welfare (ID No H. 11018/02/2014-parlt.)	12.9.2014	152-171
24.	D/o Heavy Industry to Committee (OM No.16 (43)/2014-Coord.)	10.9.2014	172
25.	D/o Higher Education (OM No.7-3/2014-AR)	16.9.2014	173-174
26.	M/o Home Affairs (OM No.I-34020/122/2014-Coord.I)	19.9.2014 & 22.9.2014	175-182
27.	M/o Housing & Urban Poverty Alleviation (OM No.46020/5/2014-Coord)	23.9.2014	183-184
28.	Department of Industrial Policy and Promotion (D.O No.34011/13/2014-O&M)	23.9.2014	185-188
29.	Inter State Council Secretariat (OM No.A-50011/25/2014-ISC(Adm.)	12.9.2014	189
30.	D/o Justice (ID.No. L-19017/12/2014-Jus)	10.9.2014	190-200
31.	M/o Labour & Employment (OM No.Z-20025/55/2014-Coord.)	15.9.2014	201-222
32.	D/o Land Resources (OM No. 13011/6/2013-LRD)	23.9.2014	223-227
33.	D/o Legal Affairs (ID. No.28/28/2014-Admn.I(LA)	15.9.2014	228-230
34.	Legislative Department (D.O. No. 11(29)/2014-LI	12.9.2014	231-247
35.	D/o Official Languages (OM No.11034/36/2014-O.L(P)	12.9.2014	248-250
36.	M/o Panchayati Raj (No.11012/7/2014-PESA)	12.9.2014	251-253
37.	M/o Parliamentary Affairs (OM No.15(26)/2014-R	16.9.2014	254-256
38.	D/o Pension & Pension Welfare (No.38/83/2014-P&PW(A)	11.9.2014	257-266
39.	D/o Personnel & Training (OM I-28011/60/2014-Coord)	15.9.2014	267-270

40.	D/o Pharmaceuticals (OM No.5/2/2005-PI-I/PI-II(Pt)	11.9.2014	271-272
41.	Planning Commission (I.D. No. 25/04/2014-OM&C)	9.9.2014	273-274
42.	D/o Post (No.1-1/2014-PO)	24.9.2014	275-277
43.	M/o Power (OM No 30/06/2014-R&R	8.10.2014	278-280
44.	D/o Public Enterprises (OM No.1(16)/2014-Coord)	11.9.2014	281-283
45.	D/o Rural Development (ID No.7-17012/05/2014-GC)	11.9.2014	284-286
46.	D/o School Education & Literacy (OM No.17-33/2014-EE.J	11.9.2014	287-288
47.	D/o Social Justice & Empowerment (U.O.No.22-1/2012-Cdn	11.9.2014	289-294
48.	D/o Space (D.O.No. E.11017/3/2014)	09.2014	295
49.	D/o Sports (OM No.14-28/2014-SP-IV)	11.9/2014	296-298
50.	M/o Statistics & Prog. Implementation (D.O.No. Y.18020/16/2014-CAP)	12.9.2014	299-301
51.	M/o Steel (ID No. 17(18)/2014-Coord.)	15.9.2014	302-304
52.	M/o Urban Development (OM No. A. 49020/12/2014- Coord.)	17.9.2014	305-308
53.	M/o Water Resources (No.L-56011/9/2014-PP(PLU)	16.9.2014	309-311
54.	M/o Women & Child Development (OM. No.43011/39(3)/2014-Coord)	23.9.2014	312-316

Note-1: Communications sent and received upto 17.10.2014 have been placed in the volume-III of the report, being the date for sending for binding.

Note-2: Communications received from other Ministries/Departments after 17.10.2014 (though not included in the volume) have been considered by the Committee.

Prime Minister's Office

South Block,
New Delhi, 110001

The Commission on Review of Administrative Laws, 2nd Administrative Reforms Commission, the National Commission to Review the Working of the Constitution, the Financial Sector Legislative Reforms Commission and various Law Commissions had recommended repeal of certain Acts mentioned in their Reports. Copies of the aforesaid Reports are available on the website of Department of Administrative Reforms and Public Grievances, Ministry of Law and Justice and Ministry of Finance for reference. The progress of implementation of the recommendations of the Commissions has, however been slow.

2. In view of the above, a Committee has been constituted in the PMO to—
 - (i) further process the act of repealing the Central Acts which are not relevant or no longer needed as on date and can be repealed whole or in part immediately based on recommendations of various reports, Departmental/Ministry, the Law Commission and other Commissions and Committees;
 - (ii) identify the Acts amending the Central Acts which can be wholly or partially repealed in view of section 6A of the General Clauses Act, 1897;
 - (iii) identify the Central Acts which would require revision in the present socio-economic context through appropriate amendments thereto or re-enactment thereof.

The Committee has been required to submit its recommendations well in time on the obsolete and irrelevant laws to be repealed during the Winter Session of Parliament.

3. With a view to enabling the Committee to commence its work, it is requested that each Ministry/Department may kindly examine all the Acts falling under their purview under the Government of India (Allocation of Business) Rules, 1961, to see if such Act or Acts need to continue or be repealed keeping in view the recommendations of any Commission or Committee. The justification for continuation or non-repeal, including the legal opinion, if any, the recommendations of any other committee or authority or judgement of court in support thereof may clearly be indicated.

4. The Ministry/Department is also requested to revisit all the existing Acts falling under the purview of the Ministry/Department under the Government of India (Allocation of Business) Rules, 1961, whether enacted before or after the Report of the aforesaid Commission and Committees, if any, and intimate whether such Act or Acts require amendment/re-enactment/repeal thereof in the light of changing socio-economic environment and, if so, state broadly the grounds for such amendment/re-enactment/repeal thereof.

5. Information in respect of paragraphs 3 and 4 above may be provided in the proforma attached as Annexure I to this Note.

6. The Ministry/Department may also intimate the provision or provisions of the existing Act or Acts, under the purview of the Ministry/Department under the Government of India (Allocation of Business) Rules, 1961, which has not come into force till date and the reasons there for and the requisite information may be furnished in the proforma at Annexure-II appended to this Note.

7. The requisite information in Annexure-I and Annexure-II referred to in paragraphs 3, 4 and 6 above may be furnished alongwith the softcopy latest by the 15th October, 2014.

Sd/-
(R. Ramanujam)
Secretary to Prime Minister
Tel.No. 23010838

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PMO I.D.No.CRA/1/2014

Dated: 02.09.2014

Annexure-I

Name of the Ministry/Department:

Title of all the Acts (including Appropriation Acts/Finance Acts/Amendment Acts) falling under the jurisdictions of the administrative Ministry and in force as on date.	Whether the Acts mentioned under column (1) has been recommended by the Commission on Review of Administrative Laws in September, 1998, to be repealed (Indicate Yes or No).	If the Acts mentioned under column (2) have not been repealed (as recommended by the Commission on Review of Administrative Laws in September, 1998), the reasons therefor (including the legal opinion, if any. Please enclose legal opinion obtained therefor/the recommendations of any committee or authority or judgement of court in support therefor)	Whether Acts mentioned under column (1) and in force as on date require revisiting the provisions thereof re-enactment/repeal thereof in the light of changing socio-economic environment and if so state broadly the reasons for amendments/re-enactments/repeal therefor.
(1)	(2)	(3)	(4)

Annexure-II

Name of the Ministry/Department:

Title of all the Acts (including Amendment Acts) or sections thereof or schedule thereto falling under the jurisdictions of the administrative Ministry and which has not come into force.	Reasons for not bringing into force the Acts or sections thereof or schedule thereto mentioned under column (1)	Indicate whether the Act or the provisions thereof or schedule thereto mentioned under column (2) requires to be repealed.
(1)	(2)	(3)

No. G-21/1/2014-Gen.

Government of India

Ministry of Personnel, Public Grievances and Pensions
Department of Administrative Reforms and Public Grievances
(General Administration Section)

5th Floor, Sardar Patel Bhawan,
Sansad Marg, New Delhi-110001
Dated the 17th September, 2014

OFFICE MEMORANDUM

Subject: Existing Act or Acts, under the purview of DARPG

The undersigned is directed to refer to Secretary to Prime Minister, Prime Minister Office's PMO letter No. CRA/1/2014 dated 3rd September, 2014 on the above subject and to say that in so far as this Department is concerned, the information may be treated as **Nil**.

V. Chavda

(V.A. Chavda)
Director

Tele: 011-23401408

Prime Minister Office,
(Shri R. Ramanujam, Secretary to Prime Minister),
South Block, New Delhi.



Most Immediate
OUT TODAY

F.No. 35-13/2014-O&M/PG
Government of India
Ministry of Agriculture
Department of Agriculture & Co-operation
(O&M/PG Section)

Krishi Bhawan, New Delhi
Dated 15th September, 2014

OFFICE MEMORANDUM

Subject: Review of prevailing Laws -reg.

The undersigned is directed to refer PMO I.D. No. CRA/1/2014 dated 03.09.2014 on the subject cited above and to enclose herewith the requisite information in the prescribed proforma. This has also been e-mailed at: oo.ramanujam@gov.in

This has the approval of Secretary (A & C).

(N. K. Gupta)
Director (O&M/PG)
☎ 23384752

Secretary to Prime Minister
South Block,
New Delhi-01

Department of Agriculture and Co-operation

Annexure-I

Title of all Acts (including Appropriation Acts/Finance Acts/ Amendment Acts) under the purview of the administrative Ministry/ Department under the Government of India (Allocation of Business) Rules, 1961 which are in force as on date.	Whether the Act mentioned under column (1) has been recommended to be repealed by any Commission or Committee. (Indicate Yes or No and if Yes, the name of the Commission/ Committee that made the recommendation)	If the Acts mentioned under column (2) have not been repealed (as recommended by any of the Commissions or Committees, the reasons therefor including legal opinion obtained, if any, please enclose the legal opinion obtained therefor/ the recommendations of any committee or authority or judgement of court in support thereof and the justification, if any, to continue them.	Whether Acts mentioned under column (1) and in force as on date require revisiting in whole or part, and, if so, the provisions that require amendments thereto. Give details of Acts that require re-enactment or repeal as well as those which need amendments in the light of changing socio-economic environment alongwith the reasons for proposed amendments/ re-enactment or repeal.
(1)	(2)	(3)	(4)
Agriculture Produce (Grading and Marketing) Act, 1937 as Amendment in 1986	No	NA	The Agriculture Produce (Grading & Marketing) Act, 1937 requires revisiting. Accordingly, a committee, under the Chairmanship of Jt. Agriculture Marketing Adviser, Directorate of Marketing & Inspection, Ministry of Agriculture is being constituted which will revisit the Act and the General Grading & Marking Rules, 1988 (as amended upto 2009) framed thereunder and give its recommendations within one month.

<p>The National Cooperative Development Corporation Act, 1962 (26 of 1962)</p>	<p>No</p>	<p>NA</p>	<p>Amendment of NCDC Act, 1962 is under consideration. The amendment is mainly to include Producer Companies in the definition of Cooperative Societies under NCDC Act. Cabinet Note has been circulated for the purpose.</p>
<p>Multi State Cooperative Societies Act, 2002</p>	<p>No</p>	<p>N.A.</p>	<p>The Multi State Cooperative Societies Amendment Bill, 2010 was introduced in Lok Sabha on 15.11.2010. Due to dissolution of the House the bill has lapsed. The process to put up the amendment bill before Cabinet is already on.</p>
<p>Coconut Development Board Act, 1979 (Act 5 of 1979)</p>	<p>No</p>	<p>NA</p>	<p>It is proposed to amend provisions relating to following so as to align with the changed situation:</p> <ul style="list-style-type: none"> i) Definitions; ii) Representation of different authorities on Coconut Officers of the Board and other staffs; and iv) Functions of the Board.
<p>Dangerous Machines (Regulation) Act, 1983 (Came into force w.e.f. 14th December, 1983)</p>	<p>No However, the State Governments have been consulted and most of the States have recommended it's repeal.</p>	<p>No legal opinion obtained so far.</p>	<p>The implementing authorities i.e. State Governments have recommended repeal of this Act as none of the States are implementing it.</p>

Destructive Insects and Pests Act, 1914	No	N.A.	<p>The Act had been revisited and a comprehensive Bill, namely, The Agricultural Bio Security Bill, 2013 was introduced in Lok Sabha on 11.03.2014, one of the provisions of which was repeal of the Oestructive Insects and Pests Act, 1914. The Bill lapsed with the dissolution of the 15th Lok Sabha.</p> <p>However, a fresh Bill, namely, The Agrficultural Bio Security Bill, 2014 is proposed to be introduced in this regard.</p>
Destructive Insects and Pests (Amendment and validation) Act, 1992	P.C. Jain Commission Report (Appendix A-1)	<p>The amendment in 1992 authorises the Government to levy and collect fees at such rates and in such manner as may be specified therein for making an application for a permit to import or for making inspection, fumigation, disinfection, disinfestations or supervision of any article or class of articles or any insect or class of insects. On the basis of this said amendment fee structure for the above mentioned purpose has been notified and published under the Schedule IX of the Plant Quarantine (Regulation of Import into India) Order, 2003.</p>	<p>There is no need to repeal this Amendment Act till a comprehensive Act is passed by the Parliament.</p>

h.

15.

The Insecticides Act, 1968	No	NA	The Insecticides Act, 1968 has been revisited in whole and a comprehensive Bill namely, "The Pesticides Management Bill, 2008" is pending in Rajya Sabha for consideration and passing. Once enacted, the Insecticides Act, 1968 will be automatically repealed.
The Seed Act, 1966	Expert group on seeds under the chairmanship of Dr. M.V. Rao had recommended to replace the Seeds Act with new Seeds Bill	The Seeds Bill 2004 has introduced in the Rajya Sabha on 09.12.2004 and the same is still pending	The Seeds Act, 1966 is currently in force.
Protection of Plant Varieties and Farmers' Right Act, 2001	No	NA	No amendment is required
National Oilseeds and Vegetables oils Development Board (NOVOD Board) Act, 1983	No	Proposal to abolish the Board is under consideration to seek opinion of Law Ministry/ Seeking Cabinet approval	It is proposed to repeal the Act in due course.
Fertilizer (Control) Order, 1985 a Subordinate legislation issued under Essential Commodities Act, 1955	No	NA	No

Annexure-II

Department of Agriculture and Co-operation

Title of all Acts (including Amendment Acts) under the purview of the administrative Ministry/ Department under the Government of India (Allocation of Business) Rules, 1961 or sections thereof or Schedule thereto which have not come into force as on date.	Reasons for not bringing into force the Acts or sections thereof or Schedule thereto mentioned under column (1)	Indicate whether the Acts or the provisions thereof or Schedules thereto mentioned under column (2), in the opinion of the Ministry/ Department require to be continued or repealed or amended alongwith justification.
(1)	(2)	(3)
Nil	Nil	Nil

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Government of India
Ministry of Agriculture
Department of Agricultural Research and Education
Krishi Bhawan, New Delhi

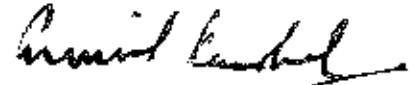
Subject: Information on repealing obsolete and irrelevant laws.

Reference: PMO ID No.CRA/1/2014 dated 3.9.2014.

It is intimated that the Department of Agricultural Research and Education (DARE) has no Act falling under the Government of India (Allocation of Business) Rules, 1961 which could be repealed in view of the recommendations of any Commission or Committee.

2. Further, there is no Act in this Department enacted before or after the report of various Commissions and Committees (the Commission on Review of Administrative Laws, 2nd Administrative Reforms Commission, National Commission to Review the Working of the Constitution, Financial Sector Legislative Reforms Commission and various Law Commissions) requiring any amendment/re-enactment/repeal in the light of the changing socio-economic environment.

3. This Department does not, in fact, administer any Act. Hence, information desired as per Annexure-I and Annexure-II of the above cited communication is 'Nil'. However, the Indian Council of Agricultural Research (an autonomous organization under DARE) has undertaken updation of a number of executive instructions followed on various administrative and financial matters. The status of the same was communicated to the Cabinet Secretary, Government of India by the Secretary, DARE vide his D.O. letter No.Secy(DARE) & DG (ICAR)/2014/1441 dated 14.8.2014, a copy of which is enclosed.



(Arvind Kaushal)
Additional Secretary (DARE) &
Secretary, ICAR
Tel. No.23384450

Shri R. Ramanujam, Secretary to the Prime Minister, PMO, South Block, New Delhi - 110001

ID No.30-19/2014-Estt.

Dated -11.09.2014



डा. एस. अय्यप्पन
सचिव एवं महानिदेशक
Dr. S. AYYAPPAN
SECRETARY & DIRECTOR GENERAL

-9-

भारत सरकार
कृषि अनुसंधान और शिक्षा विभाग एवं
भारतीय कृषि अनुसंधान परिषद
कृषि मंत्रालय, कृषि भवन, नई दिल्ली 110 001

GOVERNMENT OF INDIA
DEPARTMENT OF AGRICULTURAL RESEARCH & EDUCATION
AND
INDIAN COUNCIL OF AGRICULTURAL RESEARCH
MINISTRY OF AGRICULTURE, KRISHI BHAVAN, NEW DELHI 110 001
Tel.: 23382629; 23386711 Fax: 91-11-23384773
E-mail: dg.icar@nic.in

D.O. No. Secy.(DARE) & DG (ICAR)/2014/441
Dated the 14th August, 2014

Dear Sir,

Kindly refer to your DO letter No.1/19/2/2014-Cab. dated 12th August, 2014 regarding repealing old Acts/Rules that have become irrelevant and outdated as also regulations and executive instructions of this nature. As suggested by you, we have gone through the PC Jain Committee Report and recommendations made by the Second Administrative Reforms Commission

2. The Department of Agricultural Research & Education (DARE) has undertaken a comprehensive exercise in the light of your instructions. As you are aware, DARE is a small Department with a manpower strength of 35 and the Department does not administer any Act. However, the review undertaken has revealed that a number of executive instructions in vogue in the Indian Council of Agricultural Research (ICAR) require updation. This work has now been taken up and position in this regard is enclosed, for your kind perusal.

With regards,

Encls : As above.

Yours sincerely,


(S. Ayyappan)

Shri Ajit Kumar Seth
Cabinet Secretary
Cabinet Secretariat
Rashtrapati Bhavan
New Delhi - 110 004

ISSUED

1. **Delegation of Administrative and Financial Powers in the ICAR:**

The existing administrative and financial powers to various functionaries in the ICAR were notified in 1995. The Institutes have been highlighting considerable problems in meeting their mandated objectives due to inadequacy of the delegated powers. A review of these powers has been taken up, which is expected to be completed by September-end. The revised delegations of Administrative and Financial Powers will be notified in October, 2014.

2. **Hand Book on Agricultural Service:**

The present Hand Book was prepared in October, 1985, and reprinted in September, 2005. Since then a number of changes have taken place in the Agricultural Research Service. Hence, there is a need to bring out an updated version of the Hand Book. This has been taken in hand and would be completed by September, 2014. A revised Hand Book on Agricultural Service will be published in October, 2014.

3. **Hand Book of Technical Services:**

The last edition of the Hand Book of Technical Services was published in August, 200. Since then a number of changes have taken place. Accordingly, an updated revised edition has been taken up, which would be published in the month of October, 2014.

4. **Rules and Guidelines for Professional Service Functions (Training, Consultancy, Contract Research and Contract Service):**

The Rules and Guidelines on Training, Consultancy, Contract Research and Contract Service in ICAR system were implemented in the ICAR in April 1997. Some need based amendments were carried out from time to time. Comprehensive revised ICAR Rules and Guidelines have now been prepared and will be published within a month.

5. **Release of funds to the ICAR Institutes:**

The ICAR had issued instructions making it mandatory for the Institutes to route their requisition of funds through their concerned Subject Matter Divisions. Earlier the releases were made by the Budget Section on the basis of requisitions received by them directly from the Institutes. Revised instructions have resulted in avoidable delay in releases, adversely affecting research. On the basis of feedback received and reviewed, revised instructions will be issued soon so that the Institutes receive their budgetary allocations in a timely manner.

11/9/14

F.No.25-I(79)/2014-ADF/AR
Government of India
Ministry of Agriculture
Department of Animal Husbandry, Dairying and Fisheries

Krishi Bhawan, New Delhi
Dated the 17th September, 2014


OFFICE MEMORANDUM

Subject: Repeal of Redundant Laws & Rules.

The undersigned is directed to refer to PMO I.D. No.CRA/1/2014 dated 03.09.2014 on the subject cited above and to say that the requisite information in respect of Department of Animal Husbandry, Dairying and Fisheries is enclosed.

2. This issues with the approval of competent authority.

Encl: As above.



(P.S.Chakraborty)
Deputy Secretary to the Govt. of India
011-23384030

The Secretary to Prime Minister,
(Shri R.Ramanujam)
Prime Minister's Office,
South Block,
New Delhi-110 001.

Name of the Ministry/Department: Livestock Health Division, DADF

Annexure-I

*Title of all the Acts (including Appropriation Acts/Amendment Acts) under the purview of the administrative Ministry/Department under the Government of India (Allocation of Business) Rules, 1961 which are in force as on date.	* Whether the Act mentioned under column (1) has been recommended to be repealed by any commission or committee (indicate yes or no and if yes, the name of the commission/ committee that made the recommendation)	*If the Acts mentioned under column 2 have not been repealed (as recommended by any of the commissions or committee, the reasons therefore including legal opinion obtained, if any. Please enclose the legal opinion obtained therefore / the recommendations of any committee or authority or judgement of court in support thereof and the justification, if any, to continue them.)	* Whether Acts mentioned under column (1) and in force as on date require revisiting in whole or part, and, if so, the provisions that require amendments thereto. Give details of Acts that require re-enactment or repeal as well as those which need amendments in the light of changing socioeconomic environment along with the reasons for proposed amendments/re-enactment or repeal.
(1) 1. Livestock Importation Act, 1898. The Act is called as Livestock Importation (Amendment) Act, 2001 after its amendment in 2001.	(2) Yes, The Commission on Review of Administrative Laws (1998) set up by the Department of Administrative Reforms and Public Grievances.	(3) Livestock Importation Act is an active /live Act which regulates, restricts or prohibits import of livestock and livestock products to prevent ingress of exotic diseases that may affect human and animal health. It was amended in 2001 to include livestock products within its ambit. The same is called as Livestock Importation (Amendment) Act, 2001. Therefore, for	(4) All provisions of the Act are in force. There is no requirement of amendment of the Act as on date.

<p>2. The Glanders and Farcy Act, 1899.</p>	<p>Yes. The Commission on Review of Administrative Laws (1998) set up by the Department of Administrative Reforms and Public Grievances.</p>	<p>Repealed on enactment of the Prevention and Control of infectious and contagious diseases in animals Act., 2009.</p>	<p>import of livestock and livestock products the continuation of the act is essential.</p>	<p>Not in force</p>
<p>3. The Dourine Act, 1910.</p>	<p>Yes. The Commission on Review of Administrative Laws (1998) set up by the Department of Administrative Reforms and Public Grievances.</p>	<p>Repealed on enactment of The Prevention and Control of infectious and contagious diseases in animals Act, 2009.</p>	<p>Not applicable</p>	<p>Not in force</p>
<p>4. Indian Veterinary Council Act, 1984(52 of 1984)</p>	<p>No</p>	<p>Not applicable</p>	<p>Not applicable</p>	<p>Applicable through out the country except Jammu & Kashmir State. The Act has been recently enacted i.e in 2009, and is in force.</p>
<p>5. Prevention & Control of Infectious and Contagious Diseases in Animals Act, 2009</p>	<p>No</p>	<p>No legal opinion has been obtained. However, the Act is very old, irrelevant and obsolete in coastal waters (near-shore fisheries) after enactment of Marine Fisheries Regulation Acts (MFRAs) of Coastal States & UTs, hence it may be abolished.</p>	<p>Not applicable</p>	<p>The Act is not in use as it is outdated and irrelevant. It was in force in pre-independent period. However, in post-independence period there is clear cut demarcation of jurisdiction between Union and States for regulation and governance of 'Fisheries'. All maritime states/ UTs have</p>
<p>6. The Indian Fisheries Act, 1897</p>	<p>This Department has recommended to repeal the 'The Indian Fisheries Act, 1897' and referred it to Law & Justice to review dysfunctional/redundant laws for appropriate action.</p>	<p>No legal opinion has been obtained. However, the Act is very old, irrelevant and obsolete in coastal waters (near-shore fisheries) after enactment of Marine Fisheries Regulation Acts (MFRAs) of Coastal States & UTs, hence it may be abolished.</p>	<p>Not applicable</p>	<p>The Act is not in use as it is outdated and irrelevant. It was in force in pre-independent period. However, in post-independence period there is clear cut demarcation of jurisdiction between Union and States for regulation and governance of 'Fisheries'. All maritime states/ UTs have</p>

				already enacted their laws for regulation of fisheries.
7. Maritime Zone of India (Regulation of fishing by foreign vessels) Act, 1981	No		Not applicable	Act is in force
8. Coastal Aquaculture Authority Act, 2005	No		Not applicable	Act is in force
9. National Dairy Development Board Act, 1987	No		Not applicable	Act is in force

Name of the Ministry/Department: Livestock Health Division, DADF/ Ministry of Agriculture

Annexure-II

*Title of all the Acts (including Acts/Finance Acts/Amendment Acts) under the purview of the administrative Ministry/Department under the Government of India (Allocation of Business) Rules, 1961 or sections thereof or schedule thereto which have not come into force as on date.	*Reasons for not bringing into force the Acts or sections thereof or schedule thereto mentioned under column (1).	*Indicate whether the Acts or the provisions thereof or Schedules thereto mentioned under column(2), in the opinion of the Ministry/Department require to be continues or repealed or amended alongwith justification.
(1)	(2)	(3)
NIL	NIL	NIL

-16-
Government of India
Department of Atomic Energy
Nuclear Controls and Planning Wing
External Relations Division


Anushakti Bhavan
C.S.M Marg
Mumbai - 400 001

Subject : Repeal of Acts.

This has reference to PMO ID note No.CRA/1/2014 dated 03.09.2014 on the above mentioned subject.

2. In this context, information pertaining to this Department, in the prescribed proforma, is enclosed.

3. This issues with the approval of Secretary, DAE.


7/10/2014
(Dr. B. Purniah)
Head, ICPD

Encl : As above.

Shri S. Ramanujam, Secretary to Prime Minister, PMO, New Delhi

DAE ID No.50/1/2014

28/9/14

8th October 2014.

PS to Sh. Bhalain

1066985
9/14

ANNEXURE - I

Name of the Ministry/Department : Department of Atomic Energy

*Title of all Acts (including Appropriation Acts/Finance Acts/Amendment Acts) under the purview of the administrative Ministry/Department under the Government of India (Allocation of Business) Rules, 1961 which are in force as on date.	*Whether the Act mentioned under column (1) has been recommended to be repealed by any Commission or Committee. (Indicate Yes or No and if Yes, the name of the Commission/Committee that made the recommendation).	* If the Acts mentioned under column (2) have not been repeated (as recommended by any of the Commissions or Committees, the reasons therefor including legal opinion obtained, if any. Please enclose the legal opinion therefor/the recommendation of any committee or authority or judgment of court in support thereof and the justification, if any, to continue them.)	*Whether Acts mentioned under column (1) and in force as on date require revisiting in whole or part and, if so, the provisions that require amendments thereto. Give details of Acts that require re-enactment or repeal as well as those which need amendments in the light of changing socio-economic environment along with the reasons for proposed amendment/re-enactment or repeal.
(1)	(2)	(3)	(4)
1. Atomic Energy Act, 1962	No	Not Applicable	On 25 th November, 1992, the Department introduced a Bill in the Rajya Sabha for amendment of section 20 (Cognizance of Offences) of the AE Act, 1962. While the 1992 Bill was pending consideration in Parliament, the Department felt the need for some more amendments to different sections of the AE Act. It was, therefore, proposed to withdraw the Atomic Energy (Amendment) Bill, 1962 and replace it with a new Bill which would be a comprehensive one. Such a proposal was placed before the Cabinet which directed that the DAE should bring up a comprehensive amendment for consideration of the Cabinet and the proposal for withdrawal of the Atomic

			<p>Energy (Amendment) Bill, 1992 could be considered at that stage. Accordingly, the Department prepared a comprehensive Atomic Energy (Amendment) Bill, 2007, and a proposal for introducing the Atomic Energy (Amendment) Bill, 2007 in the Parliament further to amend the Atomic Energy Act, 1962 was placed before the Cabinet for approval. However, as per the communication dated 10.9.2007 received from the Cabinet Secretariat, the above proposal was withdrawn.</p> <p>The Department is now in the process of bringing a limited amendment to Sections 2, 3, 14 and 22 of the Atomic Energy Act, 1962 (with a view to enable formation of Joint Ventures between NPCIL and other Central Public Sector Enterprises). Later a separate amendment to the Act that will comprehensively cover the remaining important aspects will be introduced.</p>
2. The Civil Liability for Nuclear Damage Act, 2010	No	Not Applicable	No amendment or repeal is anticipated at present.

ANNEXURE -II

Name of the Ministry/Department : Department of Atomic Energy

*Title of all Acts (including Amendment Acts) under the purview of the administrative Ministry/Department under the Government of India (Allocation of Business) Rules, 1961 or sections thereof or Schedule thereto which have not come into force as on date.	*Reasons for not bringing into force the Acts or Sections thereof or Schedule thereto mentioned under column (1)	*Indicate whether the Acts or the provisions thereof or Schedules thereto mentioned under column (2), in the opinion of the Ministry/Department require to be continued or repealed or amended along with justification.
(1) NIL	(2) Not Applicable	(3) --Nil--
NIL	Not Applicable	--Nil--



नीलांजन सान्याल
NILANJAN SANYAL

14

सचिव
भारत सरकार
आयुर्वेद, योग व प्राकृतिक चिकित्सा
यूनानी सिद्ध एवं होम्योपैथी (आयुष) विभाग
स्वास्थ्य एवं परिवार कल्याण मंत्रालय
आयुष भवन, 'बी' ब्लॉक, जी.पी.ओ. कॉम्प्लेक्स,
आई. एन. ए., नई दिल्ली- 110023

SECRETARY
GOVERNMENT OF INDIA
DEPARTMENT OF AYURVEDA, YOGA & NATUROPATHY
UNANI, SIDHA AND HOMOEOPATHY (AYUSH)
MINISTRY OF HEALTH & FAMILY WELFARE
AYUSH BHAWAN, 'B' BLOCK, GPO COMPLEX
INA, NEW DELHI-110023
Tel. : 011-24651950 Telefax : 011-24651937
e-mail secy-ayush@nic.in

D.O. No. Z.28015/119/2014-P&C.

September 12, 2014

Dear Ramanujam,

Please refer to your ID No. CRA/1/2014, dated 3rd September, 2014 regarding furnishing information in the prescribed Annexure-I and Annexure-II on amendment / re-enactment / repeal of Act/s falling under the purview of Government of India (Allocation of Business) Rules, 1961.

2. The requisite information in respect of Department of AYUSH in the prescribed format is annexed.

With warm regards,

Yours sincerely,

Encl : As above

Shri R. Ramanujam,
Secretary,
Prime Minister's Office,
South Block, New Delhi

(Signature)
12.09/14
(N. Sanyal)

Name of the Ministry/Department- Department of AYUSH

Title of all Acts (including Appropriation Acts/ Finance Amendment under the purview of the administrative Ministry/ Department under the Government of India (Allocation of Business) rules, 1961 which are in force as on date.	Whether the Act mentioned under column (1) has been recommended to be repealed by any Commission or Committee. (Indicate Yes or No and if Yes, the name of the Commission/Committee that made the recommendation).	If the Act mentioned under column (2) have not been repealed (as recommended by any of the Commissions or Committee, the reasons therefor including legal opinion obtained, if any. Please enclose the legal opinion obtained there for the recommendations of any committee or authority or judgement of court in support thereof and the justification, if any, to continue them).	Whether Acts mentioned under column (1) and in force as on date require revetting in whole or part, and if so, the provisions that require amendments thereto. Give details of Acts that require re-enactment or repeal as well as those which need amendments in the light of changing socioeconomic environment alongwith the reasons for proposed amendments/re-enactment or repeal.
(1)	(2)	(3)	(4)
1. Chapter-IV-A of the Drugs & Cosmetics Act, 1940 related to provisions for Ayurveda, Siddha, Unani Drugs and the other provisions pertaining to Homeopathy Drugs.	While the Drugs & Cosmetics (Amendment) Bill 2007 was withdrawn due to major changes recommended by the Parliamentary Standing Committee, it was suggested for a fresh amendment Bill exclusively for allopathic drugs and to delink the provisions for AYUSH drugs from the Principal Act i.e. the Drugs & Cosmetics Act, 1940. Accordingly, Ministry decided that the Department of AYUSH would bring a separate Bill at an appropriate time to enact a new Law for AYUSH Drugs and also move a separate Cabinet Note for introducing the Bill to amend the Drugs & Cosmetics Act 1940. Thereafter, Ayurvedic, Siddha and Unani Drugs Technical Advisory Board in its meeting held in September 2013 recommended to set up a Committee for formulating the draft Bill for AYUSH drugs.	Department of AYUSH has set up a Committee of Experts to formulate the draft provisions of the Bill for enactment of regulatory provisions for Ayurveda, Siddha, Unani, Sowa Rigpa and Homeopathic drugs.	The Drugs & Cosmetics Act 1940 requirea revisiting till separate legislation is enacted for AYUSH drugs. Amendment in the existing Act and/or Rules thereunder would be required to provide for inclusion of more authoritative books in Schedule-1, establishment of proposed Central Drugs Controller of AYUSH and requirements for conduct of clinical trials. AYUSH-related provisions will be repealed from the Drugs & Cosmetics Act, 1940 while enacting the new legislation for AYUSH drugs.

2. The Indian
Medicine Central
Council Act, 1970.

No

NA

It is proposed to amend the Indian Medicine Central Council Act, 1970 so as to make provisions for,
a) definitions of President, Vice-President and of the Central Council;
b) fixing the tenure of members as well as the Central Council;
c) to nominate ex-officio members of the Central Council;
d) for granting permission to admit students for a period of five years to those colleges, which meet the minimum standards;
e) for removal of President, Vice President and Members under certain circumstances;
f) for empowering the Central Government to give directions if necessary to the Central Council;
g) for empowering the Central Government to dissolve the Council in the event of irregularities or failure in performing their duties etc;
h) for empowering the

			<p>Central Government to issue directions. The proposed amendment will streamline the functioning of the Central Council and result in effective implementation of Government policies. The Department has proposed the amendment of the Act as described above. The Draft Bill has been concurred by the Ministry of law and justice and shall be subjected for pre-legislative consultation and is placed in the <u>Annexure-A</u>.</p>
<p>3. The Homoeopathy Central Council Act 1973.</p>	<p>No</p>	<p>NA</p>	<p>It is proposed to amend the Homoeopathy Central Council Act, 1973 so as to make provisions- (a) to define Homoeopathic Medical College; (b) to nominate ex-officio members; (c) for seeking permission for certain existing Homoeopathic Medical Colleges; (d) to have fix tenure of elected or nominated members; (e) to remove the President,</p>

<p>Vice-President and members on the grounds of misconduct or incapacity; (f) to dissolve the Executive Committee of the Central Council if it persistently defaults or abuses its powers; and (g) to give directions to the Central Council in public interest.</p>	<p>The proposed amendments will ensure timely election to the Central Council of Homoeopathy and streamline its functioning. The Department has decided to consider the amendment of the Act as described above.</p>	<p>Presently amendment of Section 12 of the Act has been proposed to make such provision that the existing Homoeopathic Medical Colleges shall be required to follow the prescribed minimum standards as stipulated under the Homoeopathy Central Council (Minimum Standards Requirement of</p>

<p>Homeopathic Colleges and attached Hospitals) Regulations, 2013 within a specific time frame, with a purpose to improve the quality of Homeopathy education in India. The Draft Bill after the concurrence of Ministry of Law and Justice has been subjected to pre-legislative consultation before sending it to the Cabinet for consideration. The draft bill is placed in Annexure-B.</p>			
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Annexure-A

Draft Bill

	THE INDIAN MEDICINE CENTRAL COUNCIL (AMENDMENT) BILL, 2014	
	A BILL further to amend the Indian Medicine Central Council Act, 1970.	
	Be it enacted by Parliament in the Sixty-fifth Year of the Republic of India as follows:-	
Short title and commencement.	1. (1) This Act may be called the Indian Medicine Central Council (Amendment) Act, 2014.	
	(2) it shall come into force on such date as the Central Government may, by notification in the Official Gazette, appoint.	
Amendment of section 2.	2. In the Indian Medicine Central Council Act, 1970 (hereinafter referred to as the principal Act), in section 2, in sub-section (1),-	48 of 1970.
	(i) after clause (f), the following clauses shall be inserted, namely:- '(fa) "member" means any member of the Central Council, elected or nominated, as the case may be; (fb) "notification" means notification published in the Official Gazette;';	
	(ii) after clause (g), the following clause shall be inserted, namely:- '(ga) "President" means the President of the Central Council elected under sub-section (2) of section 3;';	
	(iii) after clause (k), the following clause shall be inserted, namely:- '(l) "Vice-President" means Vice-Presidents of the Central Council who are also Chairman of Ayurveda, Unani and	

	Siddha Committee respectively, elected under sub-section (3) of section 3.	
Amendment of section 3.	3. In section 3 of the principal Act, for sub-section (1), the following sub-section shall be substituted, namely:-	
	“(1) The Central Government shall, by notification, constitute for the purposes of this Act, a Central Council for a period of five years and no longer, consisting of the following members, namely :--	
	(a) such number of members not exceeding five as may be determined by the Central Government in accordance with the provisions of the First Schedule for each of the Ayurveda, Siddha, Unani and Sowa-Rigpa systems of medicine from each State in which a State Register of Indian Medicine is maintained, to be elected from amongst themselves by persons enrolled on that Register as practitioners of Ayurveda, Siddha, Unani or Sowa-Rigpa, as the case may be;	
	(b) one member for each of the Ayurveda, Siddha, Unani and Sowa-Rigpa systems of medicine from each University to be elected from amongst themselves by the members of the Faculty or Department (by whatever name called) of the respective system of medicine of that University;	
	(c) such number of members, not exceeding thirty per cent. of the total number of members elected under clauses (a) and (b), as may be nominated by the Central Government, from amongst persons having special knowledge or practical experience in respect of Indian medicine:	

	<p>Provided that out of the members nominated by the Central Government under this clause, three officials shall be nominated by the Central Government from amongst the following, namely:-</p> <ul style="list-style-type: none">(i) one official from any of the Central Research Councils of Ayurveda or Unani or Siddha;(ii) one official from any of the National Institutes of Ayurveda or Unani or Siddha; and(iii) one official from Department of Ayurveda, Yoga and Naturopathy, Unani, Siddha and Homoeopathy (AYUSH)."	
Amendment of section 7.	<p>4. In section 7 of the principal Act, -</p> <ul style="list-style-type: none">(i) for sub-section (1), the following sub-sections shall be substituted, namely:-	
	<p>"(1) The President, a Vice-President or a member of the Central Council shall hold office for a term of five years from the date of the constitution of the Central Council and no longer and the term of all the members including the President and Vice-President shall also be co-terminus with the term of the Central Council:</p>	
	<p>Provided that no member shall hold office of the President or Vice-President for more than two terms, continuously or severally, as the case may be:</p>	
	<p>Provided further that the term of the members elected from the University under clause (b) of sub-section (1) of section 3, shall be for his tenure as per the University statute or till the term of the Central Council, whichever is earlier:</p>	
	<p>Provided also that the term of the members, nominated by the Central Government under clause (c) of sub-section (1) of section 3, shall not exceed beyond the term of the Central Council or until further orders from the Central Government, whichever is earlier.</p>	

	<p>(1A) The Central Government shall take or cause to be taken necessary steps for the re constitution of a new Central Council at least six months before the expiry of the term of the Central Council:</p>	
	<p>Provided that if the Central Government is unable to re constitute the Central Council within the specified time, it shall appoint a Board of Administrators consisting of not more than five members headed by a Chief Administrator, who are otherwise eligible to hold the office of the members of the Central Council, which shall exercise the powers and perform the functions of the Central Council, till the new Central Council is re constituted, in the manner provided under this Act, or the expiry of six months of the constitution of the Board of Administrators, whichever is earlier.</p>	
	<p>(1B) Upon enforcement of the Indian Medicine Central Council (Amendment) Act, 2014, the term of the existing Central Council shall come to an end and all the members of the Central Council including the President and Vice-Presidents, shall cease to be such member or President or Vice-President,;</p>	
	<p>(ii) for sub-section (3), the following sub-section shall be substituted, namely:- “(3) A casual vacancy in the Central Council arising due to death, resignation or removal, or otherwise, of a member, President or Vice-President, shall be filled by election or nomination, as the case may be, in the manner provided under this Act, within a period of three months from the date of occurrence of such vacancy, and the person so elected or nominated, as the case may be, to fill the vacancy, shall hold office only for the remainder of the term of the Central Council or the remainder term of the member or the President or the Vice- President whose place he takes was elected or nominated, whichever is</p>	

	earlier.”;	
	(iii) sub-section (5) shall be omitted.	
Insertion of new sections 7A and 7B.	5. After section 7 of the principal Act, the following sections shall be inserted, namely:-	
Removal of the President.	<p>”7A.(1) Upon receipt of notice by the Central Government from two-thirds of the members of the total membership of the Central Council, excluding the vacancies, on the grounds of misconduct or incapacity of the President of the Central Council, the Central Government shall appoint any one of the Vice-Presidents of the Central Council as Chairman to convene a meeting of the Central Council, excluding the President, on date, time and place as specified, and the Central Council shall, after giving an opportunity of being heard to the President, by the majority, present and voting, recommend to the Central Government for removal of the President of the Central Council.</p>	
	<p>(2) The Central Government, after giving a reasonable opportunity of being heard to the President of the Central Council, may, after being satisfied of the grounds on which such removal is recommended, remove the President, from the Central Council, by a notification.</p>	
Removal of the Vice-President or a member.	<p>7B. (1) The Central Council may, after giving an opportunity of being heard, recommend to the Central Government for removal of any of the Vice-Presidents or any member of the Central Council, as the case may be, on the grounds of misconduct or incapacity, by a resolution passed by two-thirds majority, present and voting, of the total membership of the Central Council, excluding the vacancies.</p>	

	<p>(2) The Central Government, after giving a reasonable opportunity of being heard to the concerned Vice-President or any member of the Central Council, as the case may be, may, after being satisfied of the grounds on which such removal is recommended, remove the Vice-President or the member from the Central Council, by notification."</p>	
Amendment of section 13A.	<p>6. In section 13A of the principal Act, - (i) in sub-section (1), in clause (b),-</p>	
	<p>(A) in sub-clause (ii), for the word "training," occurring in the end, the words "training; or" shall be substituted;</p>	
	<p>(B) after sub-clause (ii) as so amended, the following sub-clause shall be inserted, namely:-</p>	
	<p>"(iii) admit a new batch of students in any course of study or training (including post-graduate course of study or training).";</p>	
	<p>(ii) after sub-section (1), the following proviso shall be inserted, namely:-</p>	
	<p>"Provided that the permission to admit a new batch of students under sub-clause (iii) of clause (b) shall be granted for a period of five years.";</p>	
	<p>(iii) for sub-section (2), the following sub-section shall be substituted, namely:-</p>	
	<p>"(2) Every person or medical college shall, for the purpose of obtaining permission under sub-section (1), submit to the Central Council a scheme in accordance with the provisions of sub-section (3).";</p>	
	<p>(iv) in sub-section (4),-</p>	
	<p>(A) for the words "On receipt of a scheme from the Central Government" occurring in the opening line, the words "On</p>	

	receipt of a scheme" shall be substituted;	
	(B) in clause (b), for the words "reference from the Central Government" occurring in the end, the word "scheme" shall be substituted.;	
	(v) in sub-section (6), for the words "one year from the date of submission of the scheme to the Central Government" occurring in the opening lines, the words "one year from the date of submission of the scheme to the Central Council" shall be substituted;	
	(vi) in sub-section (8), for clauses (a), (b) and (c), the following clauses shall be substituted, namely:- "(a) whether the proposed medical college or the existing medical college seeking to open a new or higher course of study or training (including post graduate course of study or training) or to increase its admission capacity or to admit a new batch of students in any course of study or training (including post graduate course of study or training) would be in a position to offer the minimum standards of medical education as prescribed by the Central Council under section 22;	
	(b) whether the person seeking to establish a medical college or the existing medical college seeking to open a new or higher course of study or training (including post graduate course of study or training) or to increase its admission capacity or to admit a new batch of students in any course of study or training (including post graduate course of study or training) has adequate financial resources;	
	(c) whether necessary facilities in respect of staff, equipment, accommodation, training, hospital or other facilities to ensure proper functioning of the medical	

	college or conducting the new or higher course of study or training (including post graduate course of study or training) or to increase its admission capacity or to new admit a new batch of students in any course of study or training (including post graduate course of study or training) have been provided or would be provided within the time-limit specified in the scheme."	
	7. In section 13B of the Principal Act, after sub-section (3), the following sub-section shall be inserted, namely:- “(4) where any existing medical college provides admission to new batch of students to any existing course of study or training (including existing post graduate course of study or training) without the previous permission of the Central Government in accordance with the provisions of section 13A, the medical qualification granted to any student of such medical college shall not be deemed to be a recognised medical qualification for the purposes of this Act.”	
Amendment of section 21.	8. In section 21 of the Principal Act, in sub-section (3), the following proviso shall be inserted, namely:- “Provided that the State Government shall make its recommendations to the Central Government within a period not exceeding three months.”.	
Insertion of new sections 33A and 33B.	9. After section 33 of the Principal Act, the following sections shall be inserted, namely: -	
Power of Central Government to issue directions.	“33A. (1) The Central Government may, from time to time, give such directions to the Central Council as it may consider necessary, for the purposes of this Act.	
	(2) In the discharge of its functions under this Act, the Central Council shall be guided by such directions, as may be issued, by the Central Government:	

	<p>Provided that if any dispute arises between the Central Government and the Central Council as to whether a question is or is not a question of policy, the decision of the Central Government shall be final.</p>	
<p>Power of the Central Government to dissolve the Central Council.</p>	<p>33B. (1) If the Central Government is of the opinion that the Central Council is unable to perform or has made persistent defaults -</p>	
	<p>in the performance of, the duties imposed on it by or under this Act, or has exceeded or abused its powers; or either willfully or without sufficient cause refuses to comply with any direction issued by the Central Government under section 33A, the Central Government may by a notification, together with a statement of the reasons thereof, dissolve the Central Council:</p>	
	<p>Provided that before issue of such notification, the Central Government shall give a reasonable time to the Central Council to show cause as to why it should not be dissolved and shall consider the explanations and objections, if any, of the Central Council.</p>	
	<p>(2) Upon the publication of a notification under sub-section (1) dissolving the Central Council, -</p>	
	<p>(a) all the members including the President, or Vice-Presidents of the Central Council shall, notwithstanding that their term of office had not expired, as from the date of dissolution of the Central Council, deemed to have vacated their offices as member or President, or Vice-President of the Central Council;</p>	
	<p>(b) the Central Government shall appoint a Board of Administrators, consisting of not more than five members headed by a Chief Administrator, who are otherwise eligible</p>	

	to hold the office of the members of the Central Council, which shall exercise the powers and perform the functions of the Central Council till the new Central Council is reconstituted in the manner provided under this Act or the expiry of six months of the constitution of the Board of Administrators, whichever is earlier;	
	(c) the Central Government shall take or cause to be taken necessary steps for the reconstitution of a new Central Council within a period not more than six months."	
Amendment of section 35.	10. In section 35 of the Principal Act, - (a) in sub-section (1), the brackets and figure "(1)" shall be omitted; (b) sub-section (2) shall be omitted.	
Amendment of section 36.	11. In section 36 of the Principal Act, - (a) in sub-section (1), the brackets and figure "(1)" shall be omitted; (b) sub-section (2) shall be omitted.	
Insertion of new sections 37, 38 and 39.	12. After section 36 of the Principal Act, the following sections shall be inserted, namely: -	
Power of Central Government to issue directions for making or amending regulations.	"37.(1) Where the Central Government considers it expedient so to do, it may, by order in writing, direct the Central Council to make any regulations or to amend or revoke any regulations already made, within such period as it may specify in this behalf.	
	(2) If the Central Council fails or neglects to comply with such order within the specified period, the Central	

	Government may itself make the regulations or amend or revoke the regulations made by the Central Council.	
Laying of rules and regulations.	38. Every rule and every regulations made under this Act shall be laid, as soon as may be after it is made, before each House of Parliament, while it is in session, for a total period of thirty days which may be comprised in one session or in two or more successive sessions, and if, before the expiry of the session immediately following the session or the successive sessions aforesaid, both Houses agree in making any modification in the rule or regulation or both Houses agree that the rule or regulation should not be made, the rule or regulations shall thereafter have effect only in such modified form or be of no effect, as the case may be; so, however, that any such modification or annulment shall be without prejudice to the validity of anything previously done under that rule or regulation."	

DRAFT BILL

THE HOMOEOPATHY CENTRAL COUNCIL (AMENDMENT) BILL, 2014		
A BILL		
	BE it enacted by Parliament in the Sixty-fifth Year of the Republic of India as follows:-	
Short title, extent and commencement.	1. (1) This Act may be called the Homoeopathy Central Council (Amendment) Act, 2014. (2) It shall come into force on such date as the Central Government may, by notification in the Official Gazette, appoint.	
Amendment of Section 12A.	1. In section 12A of the Homoeopathy Central Council Act, 1973 (hereinafter referred to as the principal Act),-	59 of 1973.
	(A) in sub-section (1), in clause (b),- (a) at the end of sub-clause (ii), the word "or" shall be inserted; (b) after sub-clauses (ii), the following sub-clause shall be inserted, namely:- “(iii) admit a new batch of students in any course of study or training (including post graduate course of study or training),” (c) after the words “except with the previous permission of the Central Government obtained in accordance with the provisions of this section”, the following proviso shall be inserted, namely:- “Provided that the previous permission to admit a new batch of students under sub-clause (ii) may be obtained for a period of five years subject to the provisions of this Act.”	
	(B) in sub-section (7), for clauses (a) to (c), the following clauses shall be substituted, namely:- “(a) whether the proposed medical institution or the existing medical institution seeking to open a new or higher course of study or training (including post graduate course of study or training), or to increase its admission capacity or to admit a new batch of students in any course of study or training (including post graduate course of study or training), is in a position to fulfill the minimum standards of medical education under this Act;	

	(b) whether the person seeking to establish a medical institution or the existing medical institution seeking to open a new or higher course of study or training (including post graduate course of study or training), or to increase its admission capacity or to admit a new batch of students in any course of study or training (including post graduate course of study or training) has adequate financial resources under this Act;	
	(c) whether necessary facilities in respect of staff, equipment, accommodation, training, hospital and other facilities to ensure proper functioning of the medical institution or conducting the new or higher course of study or training (including post graduate course of study or training), or increase in admission capacity or to admit a new batch of students in any course of study or training (including post graduate course of study or training) have been provided or would be provided within the time-limit specified in the scheme;".	
Amendment of Section 12B	2. in section 12B of the principal Act, after sub-section (3), the following sub-section shall be inserted, namely:-	
	"(4) Where any medical institution admits a new batch of students in any course of study or training (including post graduate course of study or training) without the previous permission of the Central Government in accordance with the provisions of section 12A, the medical qualification granted to any student of such medical institution shall not be deemed to be a recognised medical qualification for the purposes of this Act."	

Name of the Department/ Ministry- Department of AYUSH

Title of all Acts (including Amendment Acts) under the purview of the administrative Ministry/ Department under the Government of India (Allocation of Business) rules, 1961 or sections thereof or Schedule thereto which have not come into force as on date.	*Reasons for not bringing into force the Acts or sections thereof or Schedule thereto mentioned under Column (1).	*Indicate whether the Acts or the provisions thereof or Schedules thereto mentioned under column (2), in the opinion of the Ministry/Department require to be continued or repealed or amended along with justification.
(1)	(2)	(3)
Not applicable	Not applicable	Not applicable .

No. C.I.43012/8/2014-CHEM.I
Government of India
Ministry of Chemicals and Fertilizers
Department of Chemicals and Petrochemicals

Shastri Bhavan, New Delhi
Dated 8th October, 2014

OFFICE MEMORANDUM

Subject: Commission on Review of Administrative Laws, Second Administrative Reforms Commission- Revisit of all the existing Acts falling under the purview of the Ministry/Department -regarding.

Reference is invited to ID No. CRA/1/2014 dated 03/9/2014 received from PMO, South Block on the subject mentioned above.

2. The requisite information relating to the Department of C&PC is enclosed in the provided prescribed proforma (Annexure -I and Annexure-II) for necessary action.

This issue with the approval of JS (Chemicals).

Encl. Annexure -I &II

LN
3.10.14

Manish
8.10.2014
(Manish Kumar Vimal)
Director (C-II)
23389010

Office of the Prime Minister
(Kind attention: Shri R. Ramanujam, Secretary to Prime Minister)
South Block, New Delhi

Name of the Ministry/Department: Department of Chemicals and Petrochemicals

* Title of all Acts (including Appropriation Acts/Finance Acts/ Amendment Acts) under the purview of the administrative Ministry/ Department of India (Allcation of Business) Rules, 1961 which are in force as on date.	* Whether the Act mentioned under column (1) has been recommended to be repealed by any Commission or Committee. (Indicate Yes or Nnt and if Yes, the name of the Commission/Committee that made the recommendation)	* If the Acts mentioned under column (2) have not been repealed (as recommended by any of the Commissions or Committees, the reasons therefor including legal opinion obtained, if any. Please enclose the legal opinion obtained there for/the recommendations of any committee or authority or judgement of court in support thereof and the justification, if any, to continue them.)	* Whether Acts mentioned under column (1) and in force as on date require revisiting in whole or part, and, if so, the provisions that require amendments that require details of Acts that require re-enactment or repeal as well as those which need amendments in the light of changing socio-economic environment alongwith the reasons for proposed amendments/re-enactment or repeal.
(1)	(2)	(3)	(4)
The Bhopal Gas Leak Disaster (Processing of Claims) Act, 1985	NO	The Bhopal Gas Leak Disaster (Processing of Claims) Act, 1985 and a scheme there under was enacted for ensuring proper legal representation of the Bhopal Gas victims and settlement of their claims arising out of or connected with, the disaster for compensation or damages for any loss of life or personal injury. The actual disbursement of the compensation started from 1992. The office of the Welfare Commissioner, Bhopal Gas Victims, set up under the provisions of the Act, has been adjudicating, and disbursing the compensation to the Gas victims. The Supreme Court in its order dated 26 th October, 2004 had approved further payment of pro-rata compensation to the Bhopal Gas Victims whose	The Bhopal Gas Leak Disaster (Processing of Claims) Act, 1985 does not require any amendment either in whole or part in the light of changing socio-economic environment

	<p>cases had earlier been settled. In compliance, disbursement of pro-rata compensation is being carried out by the Office of the Welfare Commissioner, the process is still continuing. Since the disbursement of compensation is being carried out in accordance with the provisions of the Act, the same is in force and cannot be repealed.</p>	
<p>The Chemical Weapons Convention Act, 2000 does not require any amendment either in whole or part in the light of changing socio-economic environment</p>	<p>The Chemical Weapons Convention Act, 2000</p> <p>The Chemical Weapons Convention (CWC) is an international Treaty which bans the development, production, acquisition, transfer, use and stockpile of all chemical weapons. The Organization for the Prohibition of Chemical Weapons (OPCW) at The Hague, The Netherlands is implementing the provisions of the Convention. It has 190 States as its Members as on 31/3/2014. India is also a party to this treaty. In pursuance of the CWC, the Parliament of India enacted the Chemical Weapons Convention Act, 2000. The Act was notified and came into force on 01/07/2005 except provisions of Section 18 and 39. The Act brought into force the provisions of CWC. The various provisions of the Act cover the respective provisions in the CWC which India is under obligation to fulfil. The compliance of the provisions of the Act such as facilitation of inspection of Indian chemical plant sites by OPCW teams and filing of Annual Declarations invited from Industries to OPCW are laid down in the Act, which are obligatory in nature. As the Act enforces the CWC, it is relevant and cannot be repealed.</p>	<p>NO</p>
<p>The Chemical Weapons Convention Act, 2000</p>		

<p>The CWC (Amendment) Act, 2012</p>	<p>NO</p>	<p>---</p>	<p>In the D.O. No. 1(66)/14.L.I dated 4/9/2014 from Secretary, Legislative Department to all Secretaries, (copy enclosed) it has been stated that amendments made in the parent /principal Acts by an Amendment Act are deemed to have been incorporated in the respective Principal /Parent Act immediately after its coming into force. Hence, it has been decided to repeal the CWC (Amendment) Act, 2012.</p>
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* Please give information under columns (1) to (4) in respect of each Act. Attach a separate sheet in case of lengthy details.

Name of the Ministry/Department: Department of Chemicals and Petrochemicals

* Title of all Acts (including Amendment Acts) under the purview of the administrative Ministry/ Department under the Government of India (Allocation of Business) Rules, 1961 or sections thereof or Schedule thereto which have not come into force as on date.	* Reasons for not bringing into force the Acts or sections thereof or Schedule thereto mentioned under column (1).	* Indicate whether the Acts or the provisions thereof or Schedules thereto mentioned under column (2), in the opinion of the Ministry/Department require to be continued or repealed or amended along with justification.
<p>(1)</p> <p>The Chemical Weapons Convention (CWC) Act, 2000</p>	<p>(2)</p> <p>Sub-section (3) of section 1 of the Act allows different provisions of the Act to be notified to come into force on different dates. In pursuance of this provision, section 18 of the Act (including amendments) and Section 39 have not been notified to come into force so far. Section 18 deals with compulsory registration of persons/companies dealing with chemicals covered under the convention and 39 is the corresponding penal provision for non-registration.</p> <p>Sections 18 and 39, entailing compulsory registration and very heavy penalties for failure to do so, Drining into force Section 18 would cause undue harassment to the Indian chemical industry. This section is not warranted at this point of time, since the CWC has not yet achieved its primary objective of destruction of military stockpiles of chemical weapons globally. Further, section 39 may not be brought into force on account of severe penalties prescribed in that section.</p>	<p>(3)</p> <p>Sections 18 and 39, entailing compulsory registration and very heavy penalties for failure to do so. This could even cause closure of several units. A large number of units in the Indian chemical Industry are in small and medium sector and that such units are particularly vulnerable to harassment and corruption. A sufficient number of declarations are being filed to OPCW and six Help Desks funded by this Department are functioning to assist the Industry to file declarations. Consequently, there is no need to introduce provisions for compulsory registration and corresponding penalties.</p>

* Please give information under columns (1) to (3) in respect of each Act. Attach a separate sheet in case of lengthy details.



MOST IMMEDIATE

Government of India
Ministry of Commerce & Industry
Department of Commerce

Kindly refer to PMO ID No. CRA/1/2014 dated 3.9.2014 regarding amendment/re-enactment/repeal of the existing Acts being dealt by Department of Commerce under Govt. of India (Allocation of Business) Rules 1961.

The required information may kindly be seen in the attached prescribed proforma.

[Handwritten signature]
15/9/14

(J.S. Deepak)
Additional Secretary
Department of Commerce
Tel: 011-23062262

To

✓ Shri R. Ramanujam,
Secretary to Prime Minister,
South Block, New Delhi

Department of Commerce ID Note No. 9/49/2014-FT (Coord) dated 12th September, 2014

Ministry/Department: Department of Commerce

*Title of all Acts (including Appropriation Acts/Finance Acts/Amendment Acts) under the purview of the administrative Ministry/Department under the Government of India (Allocation of Business) Rules, 1961 which are in force as on date.	*Whether the Act mentioned under column (1) has been recommended by any Commission or Committee.	*If the Act mentioned under column (2) has not been repealed (as recommended by any of the commissions or Committees, the reason therefore including legal opinion obtained, if any. Please enclose the legal opinion obtained there for/the recommendations of any committee or authority or judgement of court in support thereof and the justification, if any, to continue them.)	*Whether Acts mentioned under column (1) and in force as on date require revisiting in whole or part and, if so, the provisions that require amendments thereto. Give details of Acts that require re-enactment or repeal as well as those which need amendments in the light of changing socio-economic environment alongwith the reasons for proposed amendments/re-enactment or repeal
(1)	(2)	(3)	(4)
(1) Foreign Trade (Development and Regulation) Act, 1992	No	Not Applicable	No
(2) Foreign Trade (Development and Regulation) Act, 2010	No	Not Applicable	No
(3) The Special Economic Zones Act, 2005	NO	Not Applicable	No
(4) The Tea Act, 1953	NO	Not Applicable	<ol style="list-style-type: none"> i. The main aim for proposed amendments is to change the role of Central Govt. from controller to regulator. ii. It is proposed to delete chapter III (Control over extension of tea cultivation & Govt. in certain circumstances). iii. Imposition of penalty for tea estates who default in securing better working conditions, amenities and incentives for workers. iv. Addition/amendment of certain definition. v. Inclusion of definition of import as the same is not available. vi. Inclusion of official member from D/o Commerce and M/o Expenditure. vii. Inclusion of Dy. Chairman for convenient functioning of Board in absence of Chairman. viii. Dy. Chairman and representation of research institute. ix. Revision in constitution of Board by replacing representation of "Principal Tea Growing States" to "Tea Growing States".

		<p>x. Inclusion of provision related to punishments as a deterrent xi. Inclusion of Clauses related to delegation of certain powers to officers working in Tea Board. xii. Inclusion of provision to give directions for ensuring the reasonable price payable by the registered manufacturers for providing relief to small growers when the prices come below cost of production. xiii. Revision of Clauses related to export quota as the Tea Board is not issuing any export quota. xiv. Revision of clause of export quota to include some penal provisions to act as deterrent.</p>
<p>(5) The Coffee Act (VII) of 1942</p>	<p>Not Applicable</p>	<p>i. Preamble to make Act more effective and contemporary, covering all activities connected with Coffee Industry viz. cultivation and regulation of export & Promotion. ii. Amendment/inclusion of certain definitions. iii. Deletion of all clauses/provisions related to Free Sale Quota as peeling of Coffee in C.B. is now completely stopped. iv. Deletion of clauses related to duty of Customs & Excise, control of sale, export & Re-entrant as these clauses have become redundant. v. Addition of clause on import of Coffee - Presently there is no such provision. vi. Addition of Clause to declare the C.B. employee as Public Servants. vii. Addition of clause related to cancellation of export registration of exporters on certain conditions.</p>
	<p>No</p>	<p>N.A.</p>
<p>(6) Rubber Board Act, 1947</p>	<p>No</p>	<p>N.A.</p>
<p>(7) Spices Board Act, 1986</p>	<p>No</p>	<p>N.A.</p>
<p>(8) Agricultural and Processed Food Products Exports Development Authority (APEDA) Act, 1985</p>		
<p>(9) Export (Quality Control and Inspection) Act, 1963</p>		
<p>(10) The Marine Products Export Development Authority (MPEDA) Act, 1972</p>		
<p>(11) Tobacco Board Act, 1975</p>		

The information regarding these 4 Acts shall be sent on 16.09.2014.

21-1

MOST IMMEDIATE

Government of India
Ministry of Commerce & Industry
Department of Commerce

In continuation of Department of Commerce I.D. Note of even number dated 12th September, 2014 regarding amendment/re-enactment/repeal of the existing Acts being dealt by Department of Commerce under Govt. of India (Allocation of Business) Rules 1961, the complete information is attached in the prescribed proforma.

J.S. Deepak
18/9/14

(J.S. Deepak)
Additional Secretary
Department of Commerce
Tel: 011-23062262

To

Shri R. Ramanujam,
Secretary to Prime Minister,
South Block, New Delhi

Department of Commerce ID Note No. 9/49/2014-FT (Coord) dated 18th September, 2014

Ministry/Department: Department of Commerce

*Title of all Acts (including Appropriation Acts/Finance Acts/Amendment Acts) under the purview of the administrative Ministry/Department under the Government of India (Allocation of Business) Rules, 1961 which are in force as on date.	*Whether the Act mentioned under column (1) has been repealed by any Commission or Committee. (Indicate Yes or No and if Yes, the name of the Commission/Committee that made the recommendation).	*If the Act mentioned under column (2) have not been repealed (as recommended by any of the Commissions or Committees, the reason therefore including legal opinion obtained, if any, please enclose the legal opinion obtained there for the recommendations of any committee or authority or judgement of court in support thereof and the justification, if any, to continue them.)	*Whether Acts mentioned under column (1) and in force as on date require revisiting in whole or per and, if so, the provisions that require amendments thereto. Give details of Acts that require re-enactment or repeal as well as those which need amendments in the light of changing socio-economic environment alongwith the reasons for proposed amendments/re-enactment or repeal
(1)	(2)	(3)	(4)
(1) Foreign Trade (Development and Regulation) Act, 1992	No	Not Applicable	No
(2) Foreign Trade (Development and Regulation) Act, 2010	No	Not Applicable	No
(3) The Special Economic Zones Act, 2005	NO	Not Applicable	No
(4) The Tea Act, 1953	NO	Not Applicable	i. The main aim for proposed amendments is to change the role of Central Govt. from controller to regulator. ii. It is proposed to delete chapter III (Control over extension of tea cultivation & Govt. in certain circumstances). iii. Imposition of penalty for tea estates who default in securing better working conditions, amenities and incentives for workers. iv. Addition/amendment of certain definition. v. Inclusion of definition of import as the same is not available. vi. Inclusion of official member from D/o Commerce and M/o Expenditure.

	No	Not Applicable	<p>vii. Inclusion of Dy. Chairman for convenient functioning of Board in absence of Chairman.</p> <p>viii. Dy. Chairman and representation of research institute.</p> <p>ix. Revision in constitution of Board by replacing representation of "Principal Tea Growing States" to "Tea Growing States".</p> <p>x. Inclusion of provision related to punishments as a deterrent.</p> <p>xi. Inclusion of Clauses related to delegation of certain powers to officers working in Tea Board.</p> <p>xii. Inclusion of provision to give directions for ensuring the reasonable price payable by the registered manufacturers for providing relief to small growers when the prices come below cost of production.</p> <p>xiii. Revision of Clauses related to export quota as the Tea Board in not issuing any export quota.</p> <p>xiv. Revision of clause of export quota to include some penal provisions to act as deterrent.</p>
(5). The Coffee Act (VII) of 1942	No	Not Applicable	<p>i. Preamble to make Act more effective and contemporary, covering all activities connected with Coffee industry viz. cultivation and regulation of export & Promotion.</p> <p>ii. Amendment /inclusion of certain definitions.</p> <p>iii. Deletion of all clauses/provisions related to Free Sale Quota as pooling of Coffae to C.B. is now completely stopped.</p> <p>iv. Deletion of clauses related to duty of Customs & Excise, control of sale, export & Re-import as these clauses have become redundant.</p> <p>v. Addition of clause on import of Coffae - Presently there is no such provision.</p> <p>vi. Addition of Clause to declare the C.B. employee as Public Servants.</p> <p>vii. Addition of clause related to cancellation of export registration of exporters on certain conditions.</p>
(6) Rubber Board Act, 1947	No	N.A.	N.A.
(7) Spices Board Act, 1988	No	N.A.	N.A.
(8) Agricultural and Processed Food Products Exports Development Authority (APEDA) Act, 1985	No	N.A.	As per Annexure-(i)
(9) Export (Quality Control and Inspection) Act, 1963	No	N.A.	As per Annexure-(ii)
(10) The Marine Products Export Development Authority (MPEDA) Act, 1972	No	N.A.	In view of predominance of aquaculture production in the export basket, certain amendments are proposed in the MPEDA Rules, 1972. The amendments / inclusions are already implied in the

MPEDA Act, 1972. The changes now being proposed are to bring more clarity while implementing the Act. The proposed amendments and inclusion of sub-rules with justification is enclosed at Annexure-(iii).			
As per Annexure-(iv)	N.A.	No	(11) Tobacco Board Act, 1975

PROPOSAL FOR AMENDMENTS IN APEDA ACT

Section	Existing Act	Revised	Justification
23.	<p>(b) having control over or custody of any account book or other record fails to produce such book or record when required to do so by or under this Act, shall be punishable with imprisonment for a term which may extend to six months, or with fine which may extend to one thousand rupees, or with both.</p>	<p>(b) having control over or custody of any account book or other record fails to produce such book or record when required to do so by or under this Act, shall be punishable with imprisonment for a term which may extend to six months, or with fine as may be notified from time to time or with both.</p>	<p>To impart flexibility in the implementation above of the Act.</p>
24.	<p>Whoever contravenes or attempts to contravene or abets the contravention of the provisions of this Act or of any rules made thereunder other than the provisions, the punishment for the contravention where of has been provided for in sections 19, 22 and 23 shall be imprisonment for a term which may extend to six months, or with fine which may extend to one thousand rupees, or with both and in the case of a continuing contravention with an additional fine which may extend to fifty rupees for every day during which such contravention continues after conviction for the first such contravention.</p>	<p>Whoever contravenes or attempts to contravene or abets the contravention of the provisions of this Act or of any rules made thereunder other than the provisions, provided for in sections 19, 22 and 23 shall be punishable with imprisonment for a term which may extend to six months, or with fine as may be notified from time to time or with both and in the case of a continuing contravention with an additional fine as may be notified from time to time in terms of rupees per day during which such contravention continues after conviction for the first such contravention.</p>	<p>To impart flexibility in the implementation above of the Act.</p>

APEDA ACT

PROPOSAL FOR AMENDMENTS IN APEDA ACT

Existing APEDA Act	Proposed Amendments	Reason - explanation
<p>Chapter II, Section 12, sub-section 2 of APEDA Act which states that "Registration once made shall continue to be enforced until it is cancelled by the Authority".</p> <p>Chapter II clause 4 sub-clause (4) of APEDA Act, 1985 (2 of 1986), the Authority shall consist of the following members:-</p>	<p><i>Registration shall be renewed after the specified period as may be prescribed by the Authority.</i></p> <p>Chapter II clause 4 sub-clause (4) of APEDA Act, 1985 (2 of 1986), the Authority shall consist of the following members:-</p>	<p>To achieve consistency with MOC's (DGFT) instructions. This is required in order to comply with the validity period of RCMC guidelines of Handbook of Procedure Vol-I 2009-14 mentioned at para 2.64.1. DGFT is pressing the matter across commodity boards.</p> <p>The size of the Authority is very large, unwieldy and giving rise to difficulties in reconstitution. Over the years, it has been experienced that coordination becomes difficult with forty (40) board members and there has never been full attendance in the past. Therefore, in order to have effective coordination and regular presence of members, it has been proposed to prune down the number of members as proposed in amendment column from 40 to 33. Also to bring in flexibility Government nominees on authorities are proposed on ex-officio basis.</p>

<p>a) a Chairman to be appointed by the Central Government.</p> <p>b) the Agricultural Marketing Adviser to the Government of India, <i>ex officio</i>;</p> <p>c) One member to be appointed by the Central Government to represent the Planning Commission;</p> <p>d) three members of Parliament of whom two shall be elected by the House of the People and one by the Council of States;</p> <p>e) Eight members to be appointed by the Central Government to represent, respectively, the Ministries of the Central Government dealing with-</p> <ul style="list-style-type: none"> i) Agricultural and Rural Development; ii) Commerce; iii) Finance; iv) Industry; v) Food; vi) Civil supplies; vii) Civil aviation; viii) Shipping and transport; <p>f) Five members to be appointed by the Central Government by rotation in the alphabetical order to represent the States and the Union territories.</p> <p>g) Seven members to be appointed by the Central Government to represent-</p> <ul style="list-style-type: none"> (i) The Indian Council of Agricultural Research; (ii) The National Horticulture Board; (iii) The National Agri. Co-operative Marketing Federation; 	<p>a) a Chairman to be appointed by the Central Government, <i>ex-officio</i> member.</p> <p>b) <i>No change</i></p> <p>c) <i>No change</i></p> <p>d) <i>No change</i></p> <p>e) Six nominees of the Central Govt. Ministries to be appointed by the Central Government to represent, respectively, the Ministries of the Central Government on <i>ex-officio</i> basis dealing with-</p> <ul style="list-style-type: none"> i) <i>No change</i> ii) <i>No change</i> iii) <i>No change</i> iv) <i>No change</i> v) <i>No change</i> vi) <i>To be deleted</i> vii) <i>To be deleted</i> viii) <i>No change</i> <p>Five members of the State Govt.(s) to be appointed by Central Government in order to represent North, East, West, South & NE regions including Union Territories. One member to represent each region.</p> <p>g) Five members to be appointed by the Central Government to represent-</p> <ul style="list-style-type: none"> i) <i>No change</i> ii) <i>No change</i> iii) <i>To be deleted</i> 	<p>Chairman is appointed by Central Govt. and, therefore, should be made Chairman of the Authority during his tenure. He need not be reappointed to the Authority every two years.</p> <p>Nominees of the respective ministries need to be members of Authority as and when reconstituted by the DOC. No mention of specific post or names is necessary in this manner.</p> <p>Not specifically relevant to the activities of APEDA.</p> <p>Not specifically relevant to the activities of APEDA.</p> <p>To provide regional representation.</p>
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<p>(iv) The Central Food Technological Research Institute; (v) The Indian Institute of Packaging; (vi) The Spices Export Promotion Council; and (vii) The Cashew nut Export Promotion Council;</p> <p>h) Twelve members to be appointed by the Central Government to represent the following categories:</p> <p>(i) fruit and vegetable products industries; (ii) meat, poultry and dairy products industries; (iii) other scheduled products or special products industries; (iv) packaging industry;</p> <p>Provided that the number of members appointed to represent any of the groups of industries specified in sub-clause (i) to (iii) or the industry specified in sub-clause (iv) shall in no case be less than two;</p> <p>(i) Two members to be appointed by the Central Government from amongst specialists and scientists in the field of agriculture economics and marketing of scheduled products.</p> <p>Chapter II, Section 5, "The terms of office of the members, other than the member referred to in clause (b) of sub-section (4) and the manner of filling vacancies among, and the procedure to be followed in the discharge of their function by, the members shall be such as may be prescribed.</p> <p>The First Schedule : Existing Product List</p>	<p>iv) No change v) No change vi) No change vii) To be deleted</p> <p>h) Ten members to be appointed by the Central Government to represent the following categories:</p> <p>i) Horticulture including Floriculture Products industries; two members ii) meat products industries; two members; iii) cereals, cereal products industries; two members; iv) dairy products industries; one member; v) poultry products industries; one member vi) processed food products industries; two members</p> <p>To be deleted</p> <p>(i) One member to be appointed by the Central Government from amongst specialists and scientists in the field of agriculture economics and marketing of scheduled products</p> <p>Chapter II, Section 5, "The terms of office of the members, other than the members referred to in clause (s) and (b) of sub-section (4) and the manner of filling vacancies among, and the procedure to be followed in the discharge of their function by, the members shall be such as may be prescribed.</p> <p>Proposed Product list</p>	<p>Not specifically relevant to the activities of APEDA.</p> <p>Not specifically relevant to the activities of APEDA.</p> <p>To achieve representation for major product groups handled by APEDA.</p> <p>One member is found adequate to represent this category.</p> <p>Chairman APEDA is also proposed to be the ex-officio member.</p> <p>Reason - explanation</p>
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<ol style="list-style-type: none"> 1. Fruits, Vegetables and their products 2. Meat and Meat Products. 3. Poultry and Poultry Products. 4. Dairy Products. 5. Confectionery, Biscuits and Bakery Products. 6. Honey, Jaggery and Sugar Products 7. Cocoa and its products, chocolates of all kinds 	<ol style="list-style-type: none"> 1. Fresh & Dried Fruits, Vegetables and their processed Products (except Cashew nuts) 2. Livestock and Livestock Products, 3. Poultry and Poultry Products 4. Milk and Milk Products 5. Confectionery, Biscuits, Chocolates of all kinds, Bakery Products, Cocoa & Cocoa Products 6. Honey, Jaggery, Sugar and Sugar Products 	<p>The dry fruits and vegetables as well as processed fruits and vegetables have emerged as premium exportable items (currently being looked after by APEDA) including fresh fruits and vegetables and, therefore, 'fresh', 'dry' and 'processed' have been added.</p> <p>Existing livestock exports is not in the purview under any EP Body. Therefore, APEDA's mandate may be extended to livestock export.</p> <p>No change</p> <p>This is compatible with Codex terminology.</p> <p>As the product at sr.no. 5 & 7 are of similar nature, hence merged under one product category</p> <p>Sugar has been added for better clarity as APEDA is already handling sugar as its product since its inception.</p> <p>To be deleted (merged at serial no. 5).</p>
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<p>8. Alcoholic and Non-Alcoholic Beverages. 9. Cereal and Cereal Products.</p> <p>10. Groundnuts, Peanuts and Walnuts</p> <p>11. Pickles, Papads and Chutneys.</p> <p>12. Guar Gum</p> <p>13. Floriculture and Floriculture Products</p> <p>14. Herbal and Medicinal Plants</p> <p>15.</p>	<p>7. Alcoholic and Non-Alcoholic Beverages 8. Cereal and Cereal Products</p> <p>9. Groundnuts and its products</p> <p>10. Guar Gum</p> <p>11. Floriculture and Floriculture Products</p> <p>12. Herbal and Medicinal Plants and their products including culinary herbs and their products</p> <p>13. All Organic Product</p>	<p>No change No change</p> <p>Groundnut products have been added to 'Groundnut' as groundnut products like peanut butter, chikkies and roasted snacks etc. have become exportable items. 'Peanut' is deleted as it is redundant. 'Walnut' is deleted as it is already covered under Serial No. 1 under the 'Dry Fruit' category.</p> <p>Pickles and chutneys deleted as it is processed product and is covered under sr. no. 1. Papad already falls under the category of cereal products.</p> <p>No change</p> <p>No change</p> <p>The products made out of herbal and medicinal plants as well as culinary herbs and their products have become potential exportable items.</p> <p>APEDA, being the Secretariat to the NPOP, has been given the responsibility of monitoring export certification of all organic products including products like tea, coffee, spices, cashew nuts looked after by other</p>
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		<p>commodity boards. Standards for organic aquaculture products and organic textiles have also been finalized and these will also be monitored under the NPOP.</p>
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Act No.	Existing	Proposed	Justification
Section 3	Establishment of a Council known as Export Inspection Council consisting of 5 ex-officio members and fifteen other members nominated by the Central Government three of whom shall be persons representing the agencies referred to in section 7.	To revise the composition of the Council in consultation with EIC and Industry keeping in mind the functions of the Council at present.	The formulation of the Council should align with its functions with representation of the industry and to include experts for guidance.
Section 3 (4)	No act or proceeding of the Council shall be invalidated merely by reason of any vacancy in, or any defect in the constitution of the Council.	No act or proceeding of the Council shall be invalidated merely by reason of -- (a) Any vacancy in, or any defect in the constitution of, the Council; or (b) any defect in the appointment of a person acting as member of the Council; or (c) any irregularity in the procedure adopted by the Authority not affecting the merits of the case.	To bring more clarity.
Section 3 (5)	Subject to such rules as may be made by the Central Government in this behalf, the Council may appoint such officers and other employees as it considers necessary for the purpose of discharging its functions under this Act.	5. (a) For the purposes of discharging its functions, the Council shall appoint such number of officers and other employees as it may consider necessary on such terms and conditions as may be specified by the rules / regulations. (b) The Council may appoint, from time to time, any person as adviser or consultant as it may consider necessary on such terms and conditions as may be specified by the rules / regulations.	To bring more clarity and the Council need the services of experts in the form of adviser or consultant for implementation of the technical works.
New Section below Section 3	Section 3 of the Rules are as under: Term of office. - (1) The Chairman and the members	Addition of a new Section (Section 4) under the Act and delete Section 3 of the Rule: 4. Term of office- (1) The Chairman and the members nominated under clause (f) of	As per Rule 3(1) of The Export (Quality Control and Inspection) Rules, 1964, the term of the Council (Chairman and the members nominated) is 2 years (as per amendment vide S.O.3330 dated

<p>nominated under clause (f) of subsection (1) of section 3 shall hold office for a period of [(Two years)]</p> <p>(2) The membership of any person who becomes a member of the Council by virtue of an office held by him shall terminate when he ceases to hold that office and the vacancy so caused shall be filled by his successor holding that office.</p> <p>(3) The Chairman and the members nominated under clause (f) of sub-section (1) of section 3 shall be eligible for re-appointment or re-nomination, as the case may be, on the expiry of his or their term of office.</p> <p>(4) The Chairman or any member nominated under clause (f) sub-section 3 may resign his office by writing under his own hand addressed to the Central Government and such resignation shall be effective from the date on which it is accepted by the Central Government or on the expiry of one month from the date of its receipt by the Central Government, whichever is earlier.</p>	<p>subsection (1) of section 3 shall hold office for such period not exceeding three years as may be specified in the notification appointing him as such member and shall be eligible for extension / re-appointment.</p> <p>(2) The membership of any person who becomes a member of the Council by virtue of an office held by him shall terminate when he ceases to hold the office by virtue of which he was appointed, or to represent the category from which he was appointed and the vacancy so caused shall be filled by his successor holding that office.</p> <p>(3) a member elected or appointed to fill a casual vacancy shall hold office for so long as the member in whose place he is elected or appointed would have held office if the vacancy had not occurred.</p> <p>(4) The Chairman or any member nominated under clause (f) sub-section 3 may resign his office by writing under his own hand addressed to the Central Government and such resignation shall be effective from the date on which it is accepted by the Central Government or on the expiry of period of one month from the date of its receipt by the Central Government, whichever is earlier.</p> <p>(5) A person shall be disqualified for being appointed as a member if he -</p> <ul style="list-style-type: none"> (i) if he dies, (ii) if he is of unsound mind and stand so declared by a competent court, or (iii) if he is an undischarged insolvent, or (iv) if he is convicted of an offence involving moral turpitude, or (v) if, without the leave of the Chairman, he fails to attend two consecutive meetings of the Council. (vi) has been removed or dismissed from the service of the Government or a Corporation owned or controlled by the Government; or (vii) has, in the opinion of the Central Government, such financial or other interest in the Authority as is likely to affect 	<p>27.09.1986). Further, there are no provisions in the rules regarding extension of the term of the Council. It has been realized that frequent requirement for notification of Council in the Gazette of India delays the process of conducting the meetings of the Council. Therefore, it may be considered to increase the term of the Council to 3 years and provision for further extension may be included.</p> <p>Other suggestions will help the Council in its function.</p>
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<p>New Section below the proposed Section 4 above</p>	<p>such member if he dies, resigns, becomes of unsound mind, is adjudicated as an insolvent or is convicted of a criminal offence involving moral turpitude.</p>	<p>prejudicially the discharge by him of his functions as a member</p>	
<p>Section 17(3)</p>	<p>Every rule made by the Central Government under this section shall be laid as soon as may be after it is made before each House of Parliament while it is in session for a total period of thirty days which may be comprised in one session or in two or more successive sessions, and if, before the expiry of the session [immediately following the session] or the successive sessions aforesaid, both Houses agree in making any modification in the rule or both Houses agree that the rule should not be made, the rule shall thereafter have effect only</p>	<p>Absence from India (1) Before a member is going out of India (a) he shall intimate the Chairman of his depart from, and the date of his expected return to India and (b) If he intends to be absent from India for a period longer than six months, he shall obtain leave of absence in writing from the Chairman. (2) If a member leaves India without fulfilling the conditions specified in sub-rule (1) he shall be deemed to have resigned his office with effect from the date of departure from India.</p>	<p>For better performance of the Council.</p>
	<p>Every rule made by the Central Government under this section shall be laid as soon as may be after it is made before each House of Parliament while it is in session for a total period of thirty days which may be comprised in one session or in two or more successive sessions, and if, before the expiry of the session [immediately following the session] or the successive sessions aforesaid, both Houses agree in making any modification in the rule / regulation or both Houses agree that the rule / regulation should not be made, the rule regulation shall thereafter have effect only in such modified form or be of no effect, as the case may be; so however that any such modification or annulment shall be without prejudice to the validity of anything previously done under that rule / regulation.</p>		<p>To bring regulations also under the ambit</p>

	<p>in such modified form or be of no effect, as the case may be; so however that any such modification or annulment shall be without prejudice to the validity of anything previously done under that rule.</p>		
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MPEDA

Rule No.	Existing	Proposed	Justification
32 (d)	Augment the availability of Raw material for processing	Promote Aquaculture and to augment the availability of Raw material for processing and exports	<i>The Changes proposed are already implied in MPEDA Act 1972 and these proposals are to bring clarity while implementing the provisions of the Act effectively.</i> Due to the stagnant sea catch, the future growth in exports depends on the aquaculture and hence production needs to be promoted.
New clause		Enroll farms, hatcheries and feed mills used for Aquaculture production meant for exports	In view of the predominance of the aquaculture production in the export basket, monitoring of aquaculture production areas, in tune with Section 9 (2) (e) of the Act is essential.
New clause		Regulate production/products to sustain the export of marine products	To sustain the healthy growth of exports during specific occasions like spreading of diseases etc. and to encourage the export of sought after products in the international markets.
32 (f)	Under take such other measures which shall directly or indirectly improve, organise and develop the marine products industry with special reference to exports.	Under take such other measures including disease surveillance and prevention methods which shall directly or indirectly improve, organise and develop the marine products industry with special reference to exports.	To check and control the spread of diseases which has affected the aquaculture production seen in some of the Asian countries. Some of the importing countries restrict imports from countries affected by disease. Disease surveillance will enable India to overcome such restrictions.

AMENDMENTS PROPOSED TO TOBACCO BOARD ACT, 1975

S.No.	Section No. of Tobacco Board Act, 1975	Existing Provisiona	Proposed Amendments	Justification
1	Section 10(4)	Every application for such certificate or registration shall be accompanied by such fees (not exceeding one rupee for 0.4 hectare of the land in relation to which such application has been made) as may be prescribed.	Every application for such certificate or registration shall be accompanied by a fee, as notified from time to time.	The fee was prescribed a long time ago and needs change in view of the rise inflation.
2	Section 10 Registration of growers of Virginia tobacco	New Sub section to Section 10. (Sub section 10(5))	After Sub-Section (4) Inaert Sub Section (5) of Section 10 Any grower of Virginia tobacco to whom a certificate of registration has been granted by the Board on the basis of barna/curing facilities possessed by him shall deem to have been granted licence for operation of a barn.	To impart flexibility in the implementation above of the Act.
3	Section Penalties	Any person who, being required under this Act to furnish any return, fails to furnish such return or furnishes a return containing any particular which is false and which he knows to be false or	Any person who, being required under this Act to furnish any return, fails to furnish such return or furnishes a return containing any particular which is false and which he knows to be false or does not believe to be true, shall be punishable with fine as notified from time to time.	To impart flexibility in the implementation above of the Act.

		does not believe to be true, shall be punishable with fine which may extend to five hundred rupees.		
4	Section 23 Penalties	New Section 23-A	After Section 23 insert new Section 23-A Penalty for growing excess or unauthorized tobacco	To provide for levy of penalties for sale of excess or unauthorized tobacco by Govt. of India in the Act so as to provide statutory support for this measure.
			If the Central Government is satisfied that it is necessary or expedient so to do, it may, by notification in the official Gazette and subject to levy of penalties as may be specified in the notification, allow sale of tobacco grown by registered growers over and above the quantities authorized and tobacco grown by growers without obtaining certificate of registration as grower on auction platforms of Board for each crop season.	

REPEALING OF REDUNDANT SECTIONS OF TOBACCO BOARD ACT, 1975

S.No.	Section No. of Tobacco Board Act, 1975	Existing Provisions	Proposed Repealing	Justification
1	Section 11 Registration of curers of Virginia tobacco	No person other than a registered curer shall cure or undertake the curing of Virginia tobacco unless he registers himself as a curer with the Board in accordance with the rules made under this Act.	Delete entire section	No person is registered with Board as curer so far since 1976. As the grower himself cures tobacco, this provision is redundant and may be removed

Government of India
Ministry of Consumer Affairs, Food & Public Distribution
(Department of Consumer Affairs)

Krishi Bhavan, New Delhi

Subject : Information regarding various Acts being administered by this Department in the context of the need for repeal / amendment of these Acts.

The PMO I.D.No.CRA/1/2014 dated 03.09.2014, may please be referred to. In this regard, it is informed that the Acts being administered by the Department of Consumer Affairs have been examined. Accordingly, the requisite information as desired in the aforesaid I.D.Note is enclosed in the prescribed format of Annexure-I & Annexure-II. Also a detailed note on the present status of these Acts is enclosed as Appendix for perusal in the matter.


(Premraj Kuar)
Deputy Secretary to Govt. of India
Tel : 23382503

Secretary to PM, Prime Minister's Office, New Delhi

D/o Consumer Affairs I.D.No.R-11018/13/2012-P&C Dated : 03.09.2014

Annexure-I

Name of the Ministry / Department

Title of all Acts (including Appropriation Acts / Finance Acts / Amendment Acts) under the purview of the administrative Ministry / Department under the Government of India (Allocation of Business) Rules, 1961 which are in force as on date.	Whether the Act mentioned under column (1) has been recommended to be repealed by any Commission or Committee. (Indicate Yes or No and if Yes, the name of the Commission / Committee that made the recommendation).	If the Acts mentioned under column (2) have not been repealed (as recommended by any of the Commissions or Committees, the reasons therefor including legal opinion obtained, if any. Please enclose the legal opinion obtained therefor / the recommendations of any committee or authority or judgement of court in support thereof and the justification, if any, to continue them.)	Whether Acts mentioned under column (1) are in force as on date require revisiting in whole or part, and, if so, the provisions that require amendments thereto. Give details of Acts that require re-enactment or repeal as well as those which need amendments in the light of changing socio-economic environment alongwith the reasons for proposed amendments / re-enactment or repeal.
(1)	(2)	(3)	(4)
1. The Bureau of Indian Standards Act 1986	No	Not Applicable	Amendment proposals to the BIS Act are under process. The amendments are proposed to enable Governments to declare any product or service for mandatory compliance of standard to ensure quality assurance to the consumers
2. The Consumer Protection Act 1986	No	-do-	Amendments to CP Act are proposed to make the Act more effective and to ensure that the objective of

			effective, inexpensive and simple redressal of grievances of the consumers is realized.
3. The Legal Metrology Act 2009	No	-do-	Amendments to the Legal Metrology Act are proposed to guarantee from the point of view of security and accuracy of the weights and measurements in the changed socio-economic environment.
4. The Essential Commodities Act 1955	No	-do-	The amendments to these Acts are proposed to enable interventions by the Central Government in the matter to ensure effective implementation of the provisions of this Act.
5. The Prevention of Black Marketing & Maintenance of Supply of Essential Commodities Act 1980	No	-do-	-do-
6. The Emblem & Names (Prevention of Improper Use) Act, 1950	No	-do-	The Ministry of Home Affairs is administering an Act, namely, the State Emblem of India (Prohibition of Improper Use) Act, 2005 which is similar to this Act. So, in order to avoid duplication, it is proposed to transfer this Act to MHA. Their response is awaited.

Annexure-II

Name of the Ministry / Department

Title of all Acts (including Amendment Acts) under the purview of the administrative Ministry / Department under the Government of India (Allocation of Business) Rules, 1961 or sections thereof or Schedule thereto which have not come into force as on date.	Reasons for not bringing into force the Acts or sections thereof or Schedules thereto mentioned under column (1).	Indicate whether the Acts or the provisions thereof or Schedules thereto mentioned under column (2), in the opinion of the Ministry / Department require to be continued or repealed or amended alongwith justification.
(1) Nil	(2) Not Applicable	(3) Not Applicable

Laws /Acts with which the Department of Consumer Affairs is administratively concerned

1.	The Bureau of Indian Standards Act, 1986:	<p>The Bureau of Indian Standards Act, 1986:</p> <p>The Bureau of Indian Standards Act, 1986 which came into effect on 23rd December, 1986. The Act contains the legal framework and provisions for the establishment of the Bureau for the harmonious development of the activities of standardization, marking and quality certification of goods and matters concerned therewith or incidental thereto.</p> <p>A Bill for the amendment of the said Act was introduced in Lok Sabha on 3rd May, 2012 which has been lapsed with the dissolution of 15th Lok Sabha.</p> <p>A fresh proposal for amendment of the Act to harmonize it with existing climate of economic liberalization according to the changing scenario of globalization in economic sector is under consideration.</p>
2.	Legal Metrology Act, 2009	<p>1. Standards of Weights and Measures Act, 1976 and the Standards of Weights and Measures (Enforcement) Act, 1985 were repealed by the Legal Metrology Act, 2009 which come into force from 1st April, 2011 to simplify the administration/enforcement of Legal Metrology and to provide a legal framework for future innovations. The following seven Rules are framed under the Act:</p> <ul style="list-style-type: none"> (i) The Legal Metrology (Packaged Commodities) Rules, 2011 (ii) The Legal Metrology (Approval of Models) Rules, 2011 (iii) The Legal Metrology (Numeration) Rules, 2011 (iv) The Legal Metrology (General) Rules, 2011 (v) The Legal Metrology (National Standards) Rules, 2011 (vi) The Indian Institute of Legal Metrology Rules, 2011 (vii) The Legal Metrology (Government Approved Test Centre) Rules, 2013 <p>2. Further, it is to inform that it is decided that following three Rules shall be reviewed/ repealed</p>

	<p>shortly:</p> <ul style="list-style-type: none">(i) The Legal Metrology (Approval of Models) Rules, 2011(ii) The Legal Metrology (Numeration) Rules, 2011(iii) The Indian Institute of Legal Metrology Rules, 2011 <p>3. The objective of the Act is to ensure public guarantee from the point of view of security and accuracy of the weighments and measurements. The Salient features of the Act are:</p> <ul style="list-style-type: none">(i) Establishment of the standards of Weights & Measures, based on the S.I. (International System) units, as adopted by the CGPM (General Conference of weights and measures) and recognized by the OIML (International Organization of Legal Metrology);(ii) establishment of the standards of numeration, based on the international form of Indian numerals;(iii) prohibition of quotation, etc. otherwise than in terms of standard units of weight, measure or numeration;(iv) regulation of trade and commerce in commodities sold, supplied or distributed in packaged form;(v) Indian Institute of Legal Metrology Ranchi is established for imparting training in Legal Metrology;(vi) approval of models of weights and measures instruments intended to be manufactured/ import;(vii) prohibition of manufacture, repair or sale of weight or measure without obtaining licence from State Government;(viii) verification and stamping of weight or measure used in any transaction or for protection;(ix) provision of Government Approved Test Centres for verification of weights and measures used in any transaction or protection;(x) provision for compounding of offences;(xi) provision of appeals against the orders of Legal Metrology officers, Controller and Director;(xii) power of the Central Government to make rules;
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		(xiii) power of the State Government to make rules.
3.	The Consumer Protection Act, 1986:	<p>The Consumer Protection Act, 1986:</p> <p>The Consumer Protection Act, 1986 was amended thrice i.e. in the year 1991, 1993 and 2002. Further amendment in the Consumer Protection Act, 1986 are under process. The Act needs to be continued.</p>
4.	<p>(a) Essential Commodities Act, 1955 (EC Act, 1955)</p> <p>(b) Prevention of Blackmarketing and Maintenance of Supplies of Essential Commodities Act, 1980 (PBM Act, 1980)</p> <p>(c) Essential Commodities (Special Provisions) Act, 1981 (Not extended beyond 1996 & repealed after 1996 as per section 1(3) of the Act)</p>	<p>To ensure availability of essential commodities at fair prices, to the consumers and to protect them from exploitation by unscrupulous traders, the Parliament has enacted;</p> <ul style="list-style-type: none"> (i) Essential Commodities Act, 1955 (EC Act, 1955); (ii) Prevention of Blackmarketing and Maintenance of Supplies of Essential Commodities Act, 1980 (PBM Act, 1980) (iii) Essential Commodities (Special Provisions) Act, 1981 (Not extended beyond 1996 & repealed after 1996 as per section 1(3) of the Act). <p>Details of the above three Acts are as under:</p> <p>(A) Essential Commodities Act, 1955</p> <p>(i) The Essential Commodities Act, 1955 was enacted under Entry 33 of article 369 & the seventh schedule to the Constitution of provide for the control of the production supply and distribution of, and trade and commerce in, certain commodities into interest of general public to ensure the easy availability of all essential commodities to consumers at fair price and to protect them from exploitation by unscrupulous traders. Exercising powers under the Act, various Ministries/Departments of the Central Government and State Governments/UT Administrations have to take all possible measures for regulating production, distribution, trade, pricing etc. and other aspects of trading in respect of the commodities declared as essential. The enforcement/implementation of the orders of Central Government and some provisions of the Essential Commodities Act, 1955 lies with the State Governments and UT Administrations. The State Governments & UTs have to submit the proposed decisions under the EC Act for approval</p>

of the Central Government as internal trade in a state is the State subject.

(ii) The schedule of essential commodities has been reviewed from time to time, in consultation with the concerned Ministries/Departments. The Central Government is consistently following the policy of removing all unnecessary restrictions on movement of goods across the State boundaries as part of the process of globalization simultaneously with the pruning of the list of essential commodities under the said Act. As on date there are 7 classes of commodities scheduled as Essential Commodities.

(iii) In conformity with the economic liberalization, for Essential Commodities, Department of Consumer Affairs is playing a dynamic role committed to the development of agriculture and trade by removing unnecessary controls and restrictions to achieve a single Indian Common Market and to strengthen linkage between agriculture, trade and consumer and poverty alleviation. With this object in view and on the recommendations of the Standing Committee of some Central Ministers and State Chief Ministers, the Essential Commodities Act, 1955 has been amended through the Essential Commodities (Amendment) Act, 2006, enacted on 24th December, 2006, to prune the list of the essential commodities to 7 categories only, removing those commodities which had lost no relevance in the context of improved supply position to facilitate free trade and commerce of such commodities. Following seven commodities have been retained in the schedule to the Essential Commodities Act, 1955 as Essential Commodities;

- (1) Drugs;
- (2) Fertilizer, whether inorganic, organic or mixed;
- (3) Foodstuffs, including edible oilseeds and oils;
- (4) Hank yarn made wholly from cotton;
- (5) Petroleum and petroleum products;
- (6) Raw jute and jute textile;
- (7) (i) seeds of food-crops and seeds of fruits and vegetables;
(ii) seeds of cattle fodder; and
(iii) jute seeds;
* (iv) cotton seed

* Included vide Notification dated 22.12.2009.

(B) The Prevention of Blackmarketing and Maintenance of Supplies of Essential Commodities Act, 1980 (PBMMSEC Act, 1980).

(i) Though the penal provisions in the EC Act, 1955, were made more stringent in accordance with the recommendations of the Law Commission in their 47th report it was found not adequate to deal effectively with malpractices like blackmarketing, hoarding, profiteering and to arrest the unjustified rise in prices of essential commodities. Therefore to provide for effective detention, this Act came into force on the 5th day of October, 1979 (the date of promulgation of The Prevention of Blackmarketing and Maintenance of Supplies of Essential Commodities Ordinance, 1979). The Act replaced the Ordinance. The Act provides for detention in certain cases for prevention of blackmarketing and maintenance of supplies of commodities essential to the community and matters concerned therewith. This Act extends to the whole of India except the State of Jammu and Kashmir.

(ii) The Act recognized preventive detention as a necessary evil and accordingly provides for various safeguards to avoid scope for possible abuse of powers thereunder. An order thereunder can be made only with a view to preventing such person from acting in any manner prejudicial to the maintenance of supplies of commodities essential to the community. The detention is limited to six months.

(iii) In accordance with the provision under Sub Section 4 of the Section 3 of the PBMMSEC Act, 1980, every detention order has to be reported by the State Government concerned to the Central Government, together with ground on which the order has been made and such other particulars as, in the opinion of the State Government, have a bearing on the necessity for the detention order, within 7 days from the date of approval given by the State Government to such detention order. Based on these provisions, the State Governments which are passing detention order are reporting the facts together with the grounds of detention

		<p>as well as other connected particulars to the Central Government (Department of Consumer Affairs) within the stipulated period of 7 days.</p> <p>(iv) ... recommendations of the Working Group on Consumer Affairs recommended certain amendments in the Act. A national Conference of Consumer Ministers of States held on 04.07.2014 also recommended amendments in the Act. Accordingly, amendment has been drafted and circulated to all Stake holders for comments. Any change in the schedule is considered after consultation of the States & UTs and other Stake holders.</p>
5.	<p>Amendment to the Emblem & Names (Prevention of Improper Use) Act, 1950</p>	<p>The Emblems and Names (PIU) Act was enacted during the year, 1950 to prevent the improper use of certain emblems and names for professional or commercial purposes without the permission of the Central Government. The name or emblem which cannot be so used are enumerated in the Schedule of the Act. The registration of certain companies etc. bearing any emblem or name mentioned in the Schedule is prohibited.</p> <p>2. The complaints received for the offence under the Act are forwarded to the State/UT Governments for launching prosecution which causes delays. The Act does not provides for power of the Central Government to hold preliminary inquiry into the complaint or to order person or company etc. responsible for offence under the Act to stop use of such name or emblem and also to order the registering authority to cancel the registration of such company etc.</p> <p>3. For contravening the provisions of the Act a penalty of Rs. 500/- has been stipulated. Previous sanction of the Central Government is required for launching any prosecution for offence punishable under the Act.</p> <p>In order to make the compliance of the Act more effective it has become necessary to amend some of the provisions of the Emblems & Names (Prevention of Improper Use) Act, 1950.</p> <p>4. Apart from the power of the State/UT Governments to investigate and launch prosecution against the person or company etc. responsible for offence under the Act, there is a need to give powers to the Central Government to</p>

hold preliminary inquiry or order the person or company etc. responsible for offence under the Act to stop use of such name or emblem and also to order the registering authority to cancel the registration of such company etc., to have an effective compliance of the provisions of the Act.

5. The existing punishment is too mild to ensure effective compliance of the provisions of the Act. The fine of Rs. 500/- was prescribed at the time of enactment of the Act in 1950. There seems to be need for increasing the quantum of fine and also to prescribe some degree of imprisonment so as to have some deterrent effect.

6. A proposal for amendment to the Act is under consideration of the Department. It will

(i) empower the Central Government to hold a preliminary inquiry or order the person or company etc. responsible for offence under the Act to stop use of such name or emblem, provided that such an order will be issued only after giving an opportunity being heard to such person. On receipt of such an order from the Central Government, the registering authority shall cancel the registration forthwith."

(ii) enhance the penalty of Rs 500/- for contravening the provisions of Section 3 of the Act for the first offence to simple imprisonment which may extend to one month or fine which may extend to Rs.3000/- or both, (2) for the second and subsequent offences, simple imprisonment or fine which may extend to Rs. 5000/- or both. The offences may also be made cognizable.

(iii) delegate the power to sanction prosecution to the state Governments/Union Territory Administration.

However,
The Emblems & Name (Prevention of Improper Use) Act, 1950 being administered in the Department of Consumer Affairs has been proposed to be transferred to the Ministry of Home Affairs and if the same is agreed to by the Ministry of Home Affairs, the Department will take up the matter with Cabinet Secretariat for change in Allocation of Business Rules.

Government of India
Ministry of Corporate Affairs


5th Floor, 'A' Wing,
Shastri Bhawan, New Delhi 110001

Subject: Information with respect to Acts under the purview of Ministry of Corporate Affairs as per Government of India (Allocation of Business) Rules, 1961 – regarding.

PMO may refer to their ID No.CRA/1/2014 dated 03.09.2014 regarding the information with regard to provisions of existing Acts under the purview of Ministry of Corporate Affairs as per Government of India (Allocation of Business) Rules, 1961 and to enclose herewith necessary information with respect to this Ministry at Annexure-I and Annexure-II.

2. As mentioned in the Annexures, the Companies (Donations to National Funds) Act, 1951 has become redundant as the provisions of this Act have been included in the Companies Act, 2013. The said Act can be repealed in the Winter Session of the Parliament. A draft Cabinet Note proposing repeal of the said Act, which has already been circulated, is enclosed.

This issues with the approval of competent authority.


15/09/14
(Amardeep S Bhatia)
Joint Secretary to the Govt. of India
Tel: 91-11-23389088

Encl: As above.

Prime Minister's Office (Shri R. Ramannjam, Secretary to Prime Minister)
Ministry of Corporate Affairs UO No.8/3/2014-CL.I dated 15.09.2014

Annexure I

Name of the Ministry/Department: Ministry of Corporate Affairs

*Title of all Acts (including Appropriation Acts/ Finance Acts/ Amendment Acts) under the purview of the administrative Ministry/ Department under the Government of India (Allocation of Business) Rules, 1961 which are in force as on date.	*Whether the Act mentioned under column (1) has been recommended to be repealed by any Commission or Committee. (Indicate Yes or No and if Yes, the name of the Commission/ committee that made the recommendation).	*If the Acts mentioned under column (2) have not been repealed (as recommended by any of the Commissions or Committees, the reasons therefor including legal opinion obtained, if any. Please enclose the legal opinion obtained there for/ the recommendations of any committee or authority or judgment of court in support thereof and the justification, if any, to continue them.)	*Whether Acts mentioned under column (1) and in force as on date require revisiting in whole or part, and, if so, the provisions that require amendments thereto. Give details of Acts that require enactment or repeal as well as those which need amendments in the light of changing socioeconomic environment alongwith the reasons for proposed amendments/re-enactment or repeal.
(1)	(2)	(3)	(4)
The Companies Act, 1956	No. [Shall be repealed once the Companies Act, 2013 is brought into force completely]	N.A.	This Act shall be repealed once the Companies Act, 2013 is brought into force completely.
The Companies Act, 2013	No.	N.A.	Out of total 470 sections, 266 sections in full and 17 sections in part have been commenced. 187 sections in full and 17 sections in part are yet to be brought into force. The provisions of the Act which have not been brought into force substantially relate to functioning of National Company Law Tribunal

<p>(NCLT) and its Appellate Body i.e. National Company Law Appellate Tribunal (NCLAT). The constitution of these bodies has been legally challenged and the matter is pending with the Supreme Court.</p>			
<p>The other provisions relate to establishment of National Financial Reporting Authority, Investor Education and Protection Fund and creation/designation of Special Courts. Since these require consultation with other regulators/bodies, creation of relevant infrastructure as well as appointment of eligible persons, these are at various stages of consideration.</p>			
<p>Further, in view of comments received from stakeholders after the implementation of the Act, some of the provisions of this Act may require amendment. The relevant suggestions are at present under examination.</p>			
<p>Nil</p>	<p>N.A.</p>	<p>No.</p>	<p>The Competition Act, 2002.</p>
<p>In view of suggestions received from stakeholders to review some of the provisions of this Act, it is</p>	<p>N.A.</p>	<p>No.</p>	<p>The Limited Liability Partnership Act, 2008</p>

			proposed to initiate action for review of such provisions and to bring suitable amendments thereafter.
The Chartered Accountants Act, 1949	No.		N.A.
The Cost and Works Accountants Act, 1959	No.		N.A.
The Company Secretaries Act, 1980	No.		N.A.
Companies (Donations of National Funds) Act, 1951	Yes. [The Ministry had placed the need for its repeal before the Law Commission]		--- This Act needs to be repealed and action has already been initiated in this regard. The provisions of this Act have been included in the Companies Act, 2013. This Act can be repealed in the Winter Session. Draft Cabinet Note containing the proposal to repeal this Act is enclosed for reference.
Indian Partnership Act, 1932	No.		N.A.
Societies Registration Act, 1860	No.		N.A.
			Administration of Act is with State Governments. Administration of Act is with State Governments.

*Please give information under columns (1) to (4) in respect of each Act. Attach a separate sheet in case of lengthy details.

COPY NUMBER _____

New Delhi, the 6th August, 2014

DRAFT NOTE FOR THE CABINET

Subject: Repeal of the Companies (Donations to National Funds) Act, 1951.

1. Introduction

The Companies (Donations to National Funds) Act, 1951 (Act) was enacted in 1951 to enable companies to make donations to the Gandhi National Memorial Fund or the Sardar Vallabhabhai Memorial Fund, or to any other Fund established for a charitable purpose which, by reason of its national importance, had been approved by the Central Government. The Act further prescribed that companies could make such donations by passing an extraordinary resolution in accordance with the relevant provisions of the Companies Act, 1913. A copy of the Act is at Annexure I.

2. Need to repeal the Act

2.1 The Companies Act, 2013 incorporates various provisions allowing companies to contribute to charitable funds. Section 181 of the Act allows companies to contribute to bona fide charitable and other funds in accordance with requirements specified therein. Section 183 thereof also empowers

File No. 15/1/2014-CLV
Government of India
Ministry of Corporate Affairs

companies to make contributions to national defence fund etc. Extracts of the relevant provisions of the Companies Act 2013 is at Annexure II.

2.2 Since the provisions for allowing companies to contribute to charitable and other bona fide funds have been incorporated in the principal legislation for the corporate sector itself, it has been decided to repeal the Companies (Donations to National Funds) Act, 1951. Reference to this effect has also been made by the Law Commission of India in its 159th report. The proposal to repeal the Companies (Donations to National Funds) Act, 1951 by incorporating provisions of such Act in the Companies Act, 1956 was examined earlier, in consultation with M/o Law and Justice and since the proposal to comprehensively revise the Companies Act, 1956 was under consideration, it was decided to incorporate such provisions in the proposed new Companies Bill. Since corresponding provisions have now been included in the Companies Act, 2013, it is proposed to repeal the Companies (Donations to National Funds) Act, 1951.

2.3 The draft official Companies (Donations to National Funds) Repeal Bill, 2014 is attached as Annexure III.

3. Consultation with other Ministries/Departments

3.1 The draft note for the Cabinet was circulated to _____ on _____. The comments have been received from _____ and have been indicated in

File No. 15/1/2014-CL.V
Government of India
Ministry of Corporate Affairs

Annexure-V to this Note. (Comments of M/o Law and Justice to be added on receipt).

Proposal

4. Approval of the Cabinet is sought for repeal of the Companies (Donations to National Fund) Act, 1951 and for introducing the Companies (Donations to National Funds) Repeal Bill, 2014 (Annexure III) in the Parliament subject to changes of drafting or consequential nature, if any, in consultation with the Legislative Department.

5. The Statement of Implementation Schedule in respect of the above proposals has been given in Appendix I to this Note. The Statement on Equity,

File No. 15/1/2014-CL.V
Government of India
Ministry of Corporate Affairs

Annexure-V to this Note. (Comments of M/o Law and Justice to be added on receipt).

Proposal

4. Approval of the Cabinet is sought for repeal of the Companies (Donations to National Fund) Act, 1951 and for introducing the Companies (Donations to National Funds) Repeal Bill, 2014 (Annexure III) in the Parliament subject to changes of drafting or consequential nature, if any, in consultation with the Legislative Department.
5. The Statement of Implementation Schedule in respect of the above proposals has been given in Appendix I to this Note. The Statement on Equity, Innovation and Public Accountability has been given in Appendix II to this Note.
6. This Note has been approved by the Minister of Corporate Affairs.

(Amardeep S Bhatia)
Joint Secretary to the Government of India
Ph: 2338 9088

Annexure-I

(Para 1)

THE COMPANIES (DONATIONS TO NATIONAL FUNDS) ACT, 1951

1. Act to enable companies to make donations to national funds.

2. It enacted by Parliament as follows:-

1. Short title and extent.- This Act may be called The Companies (Donations to National Funds) Act, 1951.

2. It extends to the whole of India except the State of Jammu and Kashmir.

3. Definitions.- In this Act,-

(a) "company" means a company as defined in Section 2 of the Companies Act, and includes a company deemed to be incorporated and registered under that Act by virtue of Section 2B thereof;

(b) "the Companies Act" means the Indian Companies Act, 1913 (7 of 1913).

3. Power of companies to make donations to certain National Funds.- Any company may, notwithstanding anything contained in the Companies Act or in any other law for the time being in force regulating the affairs thereof, and notwithstanding that the memorandum or articles of association of the company do not enable it so to do, by an extraordinary resolution passed in accordance with the provisions contained in Section 81 of the Companies Act, authorize the making of donations to the Gandhi National Memorial Fund, the Sardar Vallabhabhai Memorial Fund, or to any other Fund established for a charitable purpose which by reason of its national importance has been approved by the Central Government for the purposes of this section.

4. Repeal of Act XXXV of 1948.- Repealed by the Repeating and Amending Act, 1957 (36 of 1957), s. 2 and Sch. 1 (17-9-1957).

Annexure II

Extract from Companies Act, 2013

Para 2.1

The Board of Directors of a company may contribute to bona fide charitable and other funds:

Provided that prior permission of the company in general meeting shall be required for such contribution in case any amount the aggregate of which, in any financial year, exceed five per cent of its average net profits for the three immediately preceding financial years.

(1) The Board of Directors of any company or any person or authority exercising the powers of the Board of Directors of a company, or of the company in general meeting, may, notwithstanding anything contained in sections 180, 181 and section 182 or any other provision of this Act or in the memorandum, articles or any other instrument relating to the company, contribute such amount as it thinks fit to the National Defence Fund or any other fund approved by the Central Government for the purpose of national defence. (2) Every company shall disclose in its profits and loss account the total amount or amounts contributed by it to the Fund referred to in sub-section (1) during the financial year to which the amount relates.

Annexure III

(Para 2.3)

The Companies (Donations of National Funds) Repeal Bill,
2014

A Bill to repeal the Companies (Donations to National Funds) Act, 1951.

BE it enacted by Parliament in the -----Year of the Republic of India as follows:-

1. Short title and commencement.- (1) This Act may be called the Companies (Donations to National Funds) Repeal Act, 2014.

(2) It shall come into force on such date as the Central Government may, by notification in the Official Gazette, appoint.

2. Repeal of Act 54 of 1951.— The Companies (Donations of National Funds) Act, 1951 (54 of 1951), (hereinafter referred to as the repealed enactment) is hereby repealed.

3. Saving.—

(1) The repeal by this Act of the repealed enactment shall not—

(a) affect any other enactment in which the repealed enactment has been applied, incorporated or referred to;"

(b) affect the previous operation of the repealed enactment or anything duly done or suffered thereunder;"

(c) affect any right, privilege, obligation or liability acquired, accrued or incurred under the repealed enactment;"

(2) Save as otherwise provided in sub-section (1) of this section, the mention of particular matters in the said sub-section shall not be held to prejudice or affect the general application of section 6 of the General Clauses Act, 1897 (10 of 1897), with regard to the effect of repeal.

File No. 15/1/2014-CL.V
Government of India
Ministry of Corporate Affairs

APPENDIX-I

STATEMENT OF IMPLEMENTATION SCHEDULE

Subject: Repeal of the Companies (Donations to National Funds) Act, 1951.

Gist of decisions	Projected benefits/results	Time schedule for implementation/ reporting to the Cabinet Secretariat
Approval to introduce the Companies (Donations to National Funds) Repeal Bill, 2014 to repeal the Companies (Donations to National Funds) Act, 1951 in the Parliament.	The Companies (Donations to National Funds) Act, 1951 has been rendered obsolete due to inclusion of the provisions of the said Act in Companies Act, 2013. The repeal of the said Act will implement the policy of the Government to repeal obsolete and redundant laws.	After approval by Cabinet, the Companies (Donations to National Funds) Repeal Bill, 2014 will be introduced in the Parliament.

(Amardeep S Bhatia)
Joint Secretary to the Government of India
Ph: 2338 9088

File No. 15/1/2014-CL.V
Government of India
Ministry of Corporate Affairs

APPENDIX-II

STATEMENT ON EQUITY, INNOVATION AND PUBLIC ACCOUNTABILITY

Subject: Repeal of the Companies (Donations to National Funds) Act, 1951.

SN	The required goal	How does the proposal advance this goal?
1.	Equity or inclusiveness	The proposal is to repeal an obsolete and redundant legislation. It would implement the Government Policy to repeal such obsolete and redundant laws.
2.	Innovation	
3.	Public Accountability	

(Amardeep S Bhatia)
Joint Secretary to the Government of India
Ph: 2338 9088

Name of the Ministry/Department: Ministry of Corporate Affairs

*Title of all Acts (including Amendment Acts) under the purview of the administrative Ministry/ Department under the Government of India (Allocation of Business) Rules, 1961 or sections thereof or Schedule thereto which have not come into force as on date.	*Reasons for not bringing into force the Acts or sections thereof or Schedule thereto mentioned under column (1).	*Indicate whether the Acts or the provisions thereof or Schedule thereto mentioned under column (2), in the opinion of the Ministry / Department require to be continued or repealed or amended alongwith justification.
(1)	(2)	(3)
The Companies Act, 2013	Out of total 470 sections, 266 sections in full and 17 sections in part have been commenced. 187 sections in full and 17 sections in part are yet to be brought into force. The provisions of the Act which have not been brought into force substantially relate to functioning of National Company Law Tribunal (NCLT) and its Appellate Body i.e National Company Law Appellate Tribunal (NCLAT). The constitution of these bodies has been legally challenged and the matter is pending with the Supreme Court.	The provisions referred to in column (2) which are yet to be brought into force are required to be continued.
	The other provisions relate to establishment of National Financial Reporting Authority, Investor Education and Protection Fund and creation/designation of Special Courts. Since these require consultation with other regulators/bodies, creation of relevant	

<p>The Limited Liability Partnership Act, 2008</p>	<p>infrastructure as well as appointment of eligible persons, these are at various stages of consideration.</p>	<p>The provisions referred to in column (2) are required to be continued.</p>
<p>Provisions of section 2(1)(c) and 2(1)(u) and sections 72 and 73 and certain other part provisions of this Act which refer to NCLT/NCLAT under the Companies Act 1956/2013 have not been brought into force since NCLT/NCLAT is yet to be constituted.</p>		

*Please give information under columns (1) to (3) in respect of each Act. Attach a separate sheet in case of lengthy details.

Government of India
Ministry of Culture

Subject: - Repealing, Amending and re-enacting of the Acts under the purview of the Ministry of Culture as per the Government of India (Allocation of Business rules), 1961-information thereof.

Please refer to the PMO ID No. CRA/1/2014 dated 03.09.2014 on the above mentioned subject. Information pertaining to the Ministry of Culture in Annexure I and Annexure II is enclosed herewith.


29/9
(Bandana Sharma)
Director

Shri R. Ramanujam, Secretary to the Prime Minister, PMO, South Block, New Delhi
Ministry of Culture I.D. No. 21-115/2014-CDN, dated 29.09.2014

Sl.No.	Title of all Acts (including Appropriation Acts/ Finance Acts/ Amendment Acts) under the purview of the administrative Ministry/ Department under the Government of India (Allocation of Business) Rules, 1961 which are in force as on date.	Whether the Act mentioned under Column (1) has been recommended to be repealed by any Commission or Committee (if yes or No and if Yes, the name of the Commission/ Committee that made the recommendation)	If the Acts mentioned under Column (2) have not been repealed (as recommended by any of the Commissions or Committees, the reasons therefore including legal opinion obtained, if any. Please enclose the legal opinion obtained here for / the recommendations of any committee or authority or judgment of court in support thereof and the justification, if any, to continue them.)	Whether Acts mentioned under column (1) and in force as on date require revisiting in whole or part, and, if so, the provisions that require amendments thereto. Give details of Acts that require re-enactment or repeal as well as those which need amendments in the light of changing socio economic environment along with the reasons for proposed amendments/ re-enactment or repeal.
1	2	3	4	5
1	The Indian Treasure Trove Act, 1878 (6 of 1878)	The Act is still in force and not recommended to be repealed	Act is still in force	Amendment in the Act is under active consideration
2	The Antiquities and Art Treasures Act, 1972 (52 of 1972)			Amendment in the Acts is under active consideration
3	The Ancient Monuments and Archaeological Sites and Remains Act, 1958 (24 of 1958)			
4	The Delivery of Books and Newspapers (Public Libraries) Act, 1954 (27 of 1954)	After a meeting with the publishers, Ministry has decided to replace the existing Act by enacting a new Act.		The existing Act has not been found effective. It provides very small amount of penalty on non-compliance which hardly worked as a deterrent. The implementation of the Act has not been to its intended purpose of creating National Repositories of Books and Newspapers published in the country. Hence, the entire Act is being considered to be replaced.

Sl. No.	Title of all Acts (including Appropriation Acts/ Finance Acts/ Amendment Acts) under the purview of the administrative Ministry/ Department under the Government of India (Allocation of Business) Rules, 1961 which are in force as on date.	Whether the Act mentioned under Column (1) has been recommended to be repealed by any Commission or Committee (if yes or No and if Yes, the name of the Commission / Committee that made the recommendation)	If the Acts mentioned under Column (2) have not been repealed (as recommended by any of the Commissions or Committees, the reasons therefore including legal opinion obtained, if any. Please enclose the legal opinion obtained there for / the recommendations of any committee or authority or judgment of court in support thereof and the justification, if any, to continue them.)	Whether Acts mentioned under column (1) and in force as on date require revisiting in whole or part, and, if so, the provisions that require amendments thereto. Give details of Acts that require re-enactment or repeal as well as those which need amendments in the light of changing socio economic environment along with the reasons for proposed amendments/ re-enactment or repeal.
1	2	3	4	5
5	The Public Record Act, 1993 (69 of 1993)	No		The work related to amendment of the Act is under process.
6	Jallianwala Bagh National Memorial Act, 1951. Amended in 2006	No.		No amendments are under consideration

In Addition

The National Commission for Heritage Sites Bill, 2009- After the approval of the Cabinet, the Bill was introduced in Rajya Sabha on 2.6.2009. It was referred to Parliamentary Committee on IT&C for comments. The Committee submitted its report on 23.11.2009 and made several recommendations. The recommendations are being examined in consultation with stakeholders, and the Bill is being reviewed in the light of recent developments such as setting up of the National Monument Authority.

S.No.	Title of all Acts (including Appropriation Acts/ Finance Acts/ Amendment Acts) under the purview of the administrative Ministry/ Department under the Government of India (Allocation of Business) Rules, 1961 or sections thereof or Schedule thereto which have not come into force as on date.	Reasons for not bringing into force the Acts or sections thereof or Schedule thereto mentioned under column (1)	Indicate whether the Acts or the provisions thereof or Schedules thereto mentioned under column (2), in the opinion of the Ministry/ Department require to be continued or repealed or amended along with justification.
	1	2	3
1.	National Library of India Act, 1976	<p>The Joint Committee of the Parliament felt that the diffusion of authority as proposed in the Act will not be conducive to the efficient functioning of the library. Keeping this in view and the position to the Act from various quarters when the Act was formulated, the National Library of India Act, 1976 may not be brought into force and the library may continue to function as a subordinate office under the Department of Culture. Dr. Pratap Chandra, the Minister of Education mentioned that this Act was to come into force from the date it was notified in the gazette. The Government has not so far brought this Act into force and the National Library continues to be a subordinate office of the Department of Culture.</p>	<p>May be allowed as pre-existing status.</p>

-95-

No.12/8/2012-Est.
Government of India
Ministry of Development of North Eastern Region

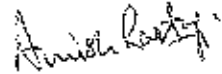
Vigyan Bhawan Annexe, Maulana Azad Road
New Delhi, Dated 8th September, 2014

OFFICE MEMORANDUM

Subject:-Repeal of laws/regulations/executive instructions pertaining to this Ministry-
Reg

The undersigned is directed to refer to the PMO's ID No. CRA/1/2014 dated 3.9.2014 on the subject mentioned above.

The requisite information in the prescribed proforma as Annexure-I and Annexure-II, duly approved by the competent authority, is enclosed herewith, as desired.



(Avnish Rastogi)

Under Secretary to the Government of India
Tel No 011-23794685

Shri R. Ramanujam,
Secretary to the Prime Minister,
Prime Minister's Office,
South Block,
New Delhi-110001.

ANNEXURE-1

Ministry of Development of North Eastern Region

Name of the Ministry/Department:

Title of all Acts (including Appropriation Acts/ Finance Acts/ Amendment Acts) under the purview of the administrative Ministry/ Department under the Government of India (Allocation of Business) Rules 1961 which are in force as on date	Whether the Act mentioned under column (1) has been recommended to be repealed by any Commission or Committee. (Indicate Yes or No and if Yes, the name of the Commission/ Committee that made the recommendation)	If the Acts mentioned under column (2) have not been repealed (as recommended by any of the Commissions or Committees, the reasons therefor including legal opinion obtained, if any. Please enclose the legal opinion obtained there for the recommendations of any Committee or authority or judgement of court in support thereof and the justification, if any, to continue them)	Whether Acts mentioned under column (1) and in force as on date require revising in whole or part, and, if so, the provisions that require amendments thereto. Give details of the Acts that require re-enactment or repeal as well as those which need amendment along with the reasons for proposed amendments/re-enactment or repeal
(1)	(2)	(3)	(4)
North Eastern Council Act, 1971	No	NA	No*
North Eastern Council (Amendment) Act, 2002			

*: North Eastern Council (Amendment) Bill 2013 proposed based on 7th Report of the Second Administrative Reforms Commission stands deferred on the direction of present Minister, DoNER as the Ministry is examining the North Eastern Council in a comprehensive manner.

Annexure-II

Name of the Ministry/Department:

*Title of all Acts (including Amendment Acts) under the purview of the administrative Ministry/Department under the Government of India (Allocation of Business) Rules, 1961 or sections thereof or Schedule thereto which have not come into force as on date.	*Reasons for not bringing into force the Acts or sections thereof or Schedule thereto mentioned under column (1).	*Indicate whether the Acts or the provisions thereof or Schedules thereto mentioned under column (2), in the opinion of the Ministry/Department require to be continued or repealed or amended alongwith justification.
(1)	(2)	(3)
	NIL	

*Please give information under columns (1) to (3) in respect of each Act. Attach a separate sheet in case of lengthy details.

Most Immediate

Government of India
Ministry of Social Justice & Empowerment
Department of Disability Affairs
Shastri Bhawan, New Delhi,

Please refer to PMO's Note No. CRA/1/2014 dated 03.09.2014 regarding repeal of certain Acts mentioned in 2nd Administrative Reforms Commission.

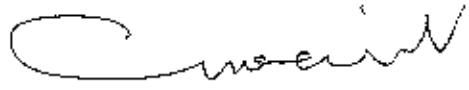
2. As per the Administrative of Business Rules, this Department is administering following three Acts relating to disability sector:-

- (i) The Persons with Disabilities (Equal Opportunities, Protection of Rights and Full Participation) Act, 1995.
- (ii) The Rehabilitation Council of India Act, 1992
- (iii) National Trust for welfare of Persons with Autism, Cerebral Palsy, Mental Retardation and Multiple Disability Act, 1999

3. These three Acts are considered to be fully relevant and cannot be repealed. However, exercise has been initiated to update their provisions by their amendment or replacement by a comprehensive legislation.

4. It is stated that the "Rights of Persons with Disabilities Bill, 2014" to replace the existing Persons with Disabilities (Equal Opportunities Protection of Right and Full Participation) Act, 1995 has been introduced in the Rajya Sabha and has been referred to Standing Committee of the Rajya Sabha.

This issues with the approval of Secretary(DA).


(Awanish Awasthi)
Joint Secretary

PMO (Shri R. Ramanujam, Secretary to Prime Minister), South Block, New Delhi
Department of Disability Affairs ID No. 14-106/2014-DD-IV dated 16th September,
2014

F.No.7/4/2011-Policy (Vol.III)
Government of India
Ministry of Finance
Department of Disinvestment

Block No. 14, CGO Complex,
Lodhi Road, New Delhi

Dated the 8th September, 2014

OFFICE MEMORANDUM

Subject: Repealing of old Acts - reg.

The undersigned is directed to refer to PMO I. D. no. CRA/1/2014 dated 03.09.2014 on the subject cited above and to state that no Act falls under the purview of Department of Disinvestment under the Government of India (Allocation of Business) Rules, 1961.

2. Hence, the information in this regard may be treated as 'Nil'. The information in the prescribed proforma is enclosed.

3. This issues with the approval of Secretary, Department of Disinvestment.


(Ragesh Kant)

Under Secretary to the Government of India
Tele No. 24368532

Encl.: As above

Secretary to Prime Minister,
(Sbri R. Ramanujam),
Prime Minister's Office,
South Block, New Delhi-110001.

Name of the Ministry/Department:

*Title of all Acts (including Appropriation Acts/Finance Acts/Amendment Acts) under the purview of the administrative Ministry/ Department under the Government of India (Allocation of Business) Rules, 1961 which are in force as on date.	*Whether the Act mentioned under column (1) has been recommended to be repealed by any Commission or Committee. (Indicate Yes or No and if Yes, the name of the Commission /Committee that made the recommendation).	*If the Acts mentioned under column (2) have not been repealed (as recommended by any of the Commissions or Committees, the reasons therefor including legal opinion obtained, if any. Please enclose the legal opinion obtained there for/the recommendations of any committee or authority or judgement of court in support thereof and the justification, if any, to continue them.)	*Whether Acts mentioned under column (1) and in force as on date require revisiting in whole or part, and, if so, the provisions that require amendments thereto. Give details of Acts that require re-enactment or repeal as well as those which need amendments in the light of changing socio-economic environment alongwith the reasons for proposed amendments/re-enactment or repeal.
(1)	(2)	(3)	(4)

*Please give information under columns (1) to (4) in respect of each Act. Attach a separate sheet in case of lengthy details.

Annexure-II

Name of the Ministry/Department:

*Title of all Acts (including Amendment Acts) under the purview of the administrative Ministry/Department under the Government of India (Allocation of Business) Rules, 1961 or sections thereof or Schedule thereto which have not come into force as on date.	(1)	*Reasons for not bringing into force the Acts or sections thereof or Schedule thereto mentioned under column (1).	*Indicate whether the Acts or the provisions thereof or Schedules thereto mentioned under column (2), in the opinion of the Ministry/Department require to be continued or repealed or amended along with justification.
(1)	(2)	(3)	(3)
Nil			


*Please give information under columns (1) to (3) in respect of each Act. Attach a separate sheet in case of lengthy details.

Government of India
Ministry of Drinking Water & Sanitation
(Coordination Branch)

Subject Repeal of obsolete and irrelevant Acts recommendations to be submitted during the Winter Session of Parliament.

Kind attention is invited to P.M.O I.D. No. CRA/1/2014, dated 03.09.2014 on the subject mentioned above.

In this context it is to inform that this Ministry has neither administered any Act nor is administering any Act at present, which may require review/ repeal. As such, information from this Ministry may kindly be treated as 'Nil'.


(M.M. Singh)
Director (Coordn.)
Tel. No. 24364518

✓ Prime Minister's Office (Shri R. Ramanujam, Secretary), South Block, New Delhi.
MDW&S I.D. No. A. 11012/18/2012-DWS (Coordn.) dated 11.09.2014

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File No. MoES/20/61/2013-ICC
Government of India
Ministry of Earth Sciences



Prithvi Bhawan, IMD Campus,
Lodhi Road, New Delhi

Dated: 11th September, 2014

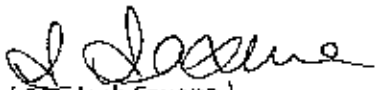
17

OFFICE MEMORANDUM

Subject:- The Commission on Review of Administrative Laws, 2nd Administrative Reforms Commission.

The undersigned is directed to refer to PMO I.D.No.CRA/1/2014 dated 03rd September, 2014 on the above mentioned subject and to say that the information for this Ministry may please be treated as 'NIL'.

Encls : (As above)


(Sandesh Saxena)
Under Secretary (ICC)
Tel. No. 24669528.

To,

Shri R. Ramanujam,
Secretary to Prime Minister,
Prime Minister's Office, South Block,
New Delhi-110 001

Copy for information to:-

- (i) Director (ICC), MoES, New Delhi.
- (ii) PPS to JS, MoES, New Delhi.

Name of the Ministry/Department:

*Title of all Acts (including Appropriation Acts/Finance Acts/Amendment Acts) under the purview of the Ministry/ Department under the Government of India (Allocation of Business) Rules, 1961 which are in force as on date.	*Whether the Act mentioned under column (1) has been recommended to be repealed by any Commission or Committee.	(Indicate Yes or No and if Yes, the name of the Commission /Committee that made the recommendation).	*If the Acts mentioned under column (2) have not been repealed (as recommended by any of the Commissions or Committees, the reasons therefor including legal opinion obtained, if any. Please enclose the legal opinion obtained there for/the recommendations of any committee or authority or judgement of court in support thereof and the justification, if any, to continue them.)	*Whether Acts mentioned under column (1) and in force as on date require revisiting in whole or part, and, if so, the provisions that require amendments thereto. Give details of Acts that require re-enactment or repeal as well as those which need amendments in the light of changing socio-economic environment alongwith the reasons for proposed amendments/re-enactment or repeal.
(1)	(2)	(3)	(4)	
Milk	N.A	N.A	N.A	N.A

*Please give information under columns (1) to (4) in respect of each Act. Attach a separate sheet in case of lengthy details.

Annexure-II

Name of the Ministry/Department:

*Title of all Acts (including Amendment Acts) under the purview of the administrative Ministry/Department under the Government of India (Allocation of Business) Rules, 1961 or sections thereof or Schedule thereto which have not come into force as on date.	*Reasons for not bringing into force the Acts or sections thereof or Schedule thereto mentioned under column (1).	*Indicate whether the Acts or the provisions thereof or Schedules thereto mentioned under column (2), in the opinion of the Ministry/Department require to be continued or repealed or amended alongwith justification.
(1)	(2)	(3)
N.A	N.A	N.A

*Please give information under columns (1) to (3) in respect of each Act. Attach a separate sheet in case of lengthy details.

MOST URGENT

F.No.11/47/2012-Ad.V
Government of India
Ministry of Finance
Department of Economic Affairs

New Delhi, the 15th September, 2014

OFFICE MEMORANDUM

Subject : Repeal of old Acts/Rules which have lost relevance – Reference received from Prime Minister Office.

The undersigned is directed to refer to PMO's I.D.No.No.CRA/1/2014, dated 3rd September, 2014 on the above mentioned subject and to enclose herewith the requisite details of the Acts being administered by this Department as Annexure-I & II.

2. This issues with the approval of Finance Secretary.

Encl : As above.

Swarn Dass

(Swarn Dass)
Director (Coordination)
Tel : 2309 5052

Secretary to Prime Minister
(Shri R. Ramanujam)
Prime Minister Office,
South Block,
NEW DELHI.

Annexure-I

Title of all Acts (Including Appropriation Acts/Finance Acts/Amendment Acts) under the purview of the administrative Ministry/Department under the Government of India (Allocation of Business) Rules, 1961 which are in force as on date.	Whether the Act mentioned under column (1) has been recommended to be repealed by any Commission or Committee. (Indicate Yes or No and if Yes, the name of the Commission /Committee that made the recommendation).	If the Acts mentioned under column (2) have not been repealed (as recommended by any of the Commission, Committee the reasons therefore including legal opinion obtained here far/the recommendations of any committee or authority or Judgement of court in support thereof and the justification, if any, to confine them)	Whether Acts mentioned under column (1) and in force as on date require revisiting in whole or part and, if so, the provisions that require amendments thereto. Give details of Acts that require repeal or amendment as well as those which need amendments in the light of changing socio-economic environment alongwith the reasons for proposed amendments/re-enactment or repeal.
(1)	(2)	(3)	(4)
1. The Contingency Fund of India Act, 1950	No	Not applicable	Na
2. The Charitable Endorsement Act, 1890	Na	Not applicable	Na
3. The Public Debt Act, 1944 (18 of 1944)	Yes (Commission on Review of Administrative Laws)	Government Securities Act, 2006 has been enacted on 31 st August, 2006 to replace the Public Debt Act, 1944. However, PD Act has not been repealed due same deposits under the Act with the RBI. Certificates under National Small Savings Funds are also being issued under the Act.	Yes
4. The Indian Security Act, 1920	Yes. (Commission on Review of Administrative Laws)	The Act has been repealed with the enactment of Government Securities Act, 2006 notified on 31 st August, 2006.	Not applicable
5. The Government Securities Act, 2006	No	Not Applicable	No

	No	Not Applicable	
6.	The Fiscal Responsibility and Budget Management Act, 2003 and Rules (2004)	No	Not Applicable
7.	The Comptroller & Auditor General of India (Duties, Power & Conditions of Service) Act, 1971	Na	Not applicable
8.	The Finance Commission (Miscellaneous Provisions) Act, 1951(33 of 1951)	Yes (P.C. Jain Committee)	No specific reason for repeal of the said Act has been cited in the Report. It is felt that the Act is still in harmony with extant provisions under Article 280(2) of the Constitution. It may not be prudent to repeal it.
9.	The Government Savings Bank Act, 1873 (5 of 1873)	Yes (Law Commission)	Law Commission (159 th Report) has recommended to amalgamate these Acts into a single Act. The proposal is under process for submission to Cabinet Secretariat.
10.	The Government Savings Certificates Act, 1959 (46 of 1959)	Yes (Law Commission)	No
11.	The Public Provident Fund Act 1968(23 of 1968)	Yes (Law Commission)	
12.	The Compulsory Deposit Scheme Act 1963(21 of 1963)	Yes (1) Law Commission (159 th Report) (2) PC Jain Committee	The proposal to repeal these Acts is under process for submission to Cabinet Secretariat.
13.	The Additional Emoluments (Compulsory Deposit) Act, 1974 (37 of 1974)	Yes (1) Law Commission (159 th Report) (2) PC Jain Committee	No
14.	The Forward Contracts (Regulation) Act, 1952 (74 of 1952)	Yes, Financial Sector Legislative Reforms Commission (FSLRC).	As a first step towards convergence, the FCRA Act is being amended so that the structure of the new commodities regulator, its framework and processes are broadly in line with SEBI

15.	Securities Contracts (Regulations) Act, 1956 (42 of 1956)	Yes, (FSLRC).	Can be repealed only when the Indian Financial Code as proposed by FSLRC is enacted. The consultation process for IFC is in early stage.	No
16.	The Securities and Exchange Board of India Act, 1992 (15 of 1992)	Yes, (FSLRC).	Can be repealed only when the Indian Financial Code as proposed by FSLRC is enacted. The consultation process for IFC is in early stage.	No
17.	The Depositories Act, 1996 (22 of 1996)	Yes, (FSLRC).	Can be repealed only when the Indian Financial Code as proposed by FSLRC is enacted. The consultation process for IFC is in early stage.	No
18.	The Foreign Exchange Management Act, 1999 (42 of 1999) except the enforcement work of Department of Revenue and investigation and compounding done by the RBI	Yes, (FSLRC).	Can be repealed only when the Indian Financial Code as proposed by FSLRC is enacted. The consultation process for IFC is in early stage.	No
19.	Security Laws Amendment Act, 2014	Yes, (FSLRC).	Can be repealed only when the Indian Financial Code as proposed by FSLRC is enacted. The consultation process for IFC is in early stage.	No
20.	Indian Trusts Act, 1882	No	NA	Amendments to Sections 20 and 20A have been proposed in Indian Trusts (Amendment) Bill, 2014. The Cabinet note has been circulated to concerned Ministries after approval of the Hon'ble Finance Minister.
21.	The International Monetary Fund and Bank Act, 1945 (47 of 1945)	No	Not Applicable	No
22.	The International Finance Corporation (Status, Immunities and Privileges) Act, 1958 (42 of 1958)	No	Not Applicable	No
23.	The Unit Trust of India Act, 1963(21 of 1963)	No	Not Applicable	No

24.	The Legal Tender (Inscribed Notes) Act, 1966 (18 of 1966)	No	Not Applicable	No
25.	The Asian Development Bank Act, 1968 (23 of 1968)	No	Not Applicable	No
26.	The African Development Fund Act, 1982 (1 of 1982)	No	Not Applicable	No
27.	The African Development Bank Act, 1983 (13 of 1983)	No	Not Applicable	No
28.	The Unit Trust of India (Transfer of Undertaking & Repeal) Act, 2002 (58 of 2002)	No	Not Applicable	No
29.	The Coinage Act, 2011 (11 of 2011)	No	Not Applicable	No

Annexure-II

S.No.	Title of all Acts (Including Amendment Acts) under the purview of the administrative Ministry/Department under the Government of India (Allocation of Business) Rules, 1961 or sections thereof or Schedule thereto which have not come into force as on date.	Reasons for not bringing into force the Acts or sections thereof or Schedule thereto mentioned under column (1).	Indicate whether Acts or the provisions thereof or Schedules thereto mentioned under column (2), in the opinion of the Ministry /Department require to be continued or repealed or amended alongwith justification.
	(1) NIL	(2) NIL	(3) NIL

11/12

FTS No.156071/E.Coord./2014
Government of India
Ministry of Finance
Department of Expenditure
E. Coord.

North Block, New Delhi
Dated: - 9th September, 2014

OFFICE MEMORANDUM

Subject: - Review/Repeal of Acts administered by Ministries/Departments of Government of India.

The undersigned is directed to forward herewith a copy of Prime Minister's Office ID No. CRA/1/2014 dated 03.09.2014 on the above subject and to request that the addressees may kindly have the requisitioned information sent directly to the Prime Minister's Office under intimation to Department of Expenditure.


(N. Radhakrishnan)
Director (E.Coord)
Tel. 23092769

1. Secretary, Department of Economic Affairs
2. Secretary, Department of Revenue
3. Secretary, Department of Disinvestment
4. Secretary, Department of Financial Services

Copy to:-

✓ Prime Minister's Office
{Kind Attn.:- Shri R. Ramanujam, Secretary} {o f M }
South Block
Rai Sena Hill
New Delhi - 110 001.

FTS No.156071/E.Coord./2014
Government of India
Ministry of Finance
Department of Expenditure
E. Coord.

North Block, New Delhi
Dated: - 9th September, 2014

OFFICE MEMORANDUM

Subject: - Repeal of old Acts/Rules which have lost relevance.

The undersigned is directed to refer to this Department's of O.M. of even no. dated 5th September, 2014 on the above subject (copy enclosed) and to forward herewith the requisite information as received from Department of Disinvestment and Department of Financial Services respectively.


(N. Radhakrishnan)
Director (E.Coord)
Tel. 23092769

Encl. as-above.

✓ Prime Minister's Office
{Kind Attn.: - Office of the Principal Secretary to PM}
South Block
New Delhi.

Copy for information to:-

1. Secretary, Department of Economic Affairs
2. Secretary, Department of Disinvestment .
3. Secretary, Department of Financial Services
4. Secretary, Department of Revenue:- (with the request to kindly have the requisitioned information send directly to PMO at the earliest, under intimation to this Department.)

11/4

Out Today

No.156071/E-Coord/21014
Department of Expenditure
(E-Coord Section)

North Block, New Delhi
Dated the 5th September, 2014

OFFICE MEMORANDUM

Subject: Repeal of old Acts/Rules which have lost relevance

The undersigned is directed to refer to D.O. No. 4036278-PMO/2014 dated 16.08.2014 forwarded to this Department by D/o Economic Affairs vide DO No. 11/47/2012-Ad. V dated 26.08.2014 on the subject mentioned above and to say that Department of Expenditure is not administering any Act/Laws. Only some rules {e.g. GFR, OFPR etc.} are being administered in this Department. The information in respect of Department of Expenditure may please be treated as 'NIL'.

2. information in respect of Department of Economic Affairs is contained in their Note No. 11/47/2012-Ad.V dated 28.08.2014, which is enclosed.

3. We have not received any information in respect of Department of Revenue, Department of Financial Services and Department of Disinvestment so far. A copy of this OM is being endorsed to these Departments for furnishing necessary information direct to Prime Minister Officer under intimation to this Department and DEA.


(N. Radhakrishnan)
Director (E-Coord)

Encl.: As above.

Prime Minister Office,
(O/o Principal Secretary to PM)
South Block, New Delhi.

Copy for necessary action to:
(i) Secretary, Disinvestment
(ii) Secretary, Revenue
(iii) Secretary, DFS

Copy also for information to:
JS (ABC), DEA

1. Copy faxed to all concerned }
2. Copy sent to Jn (EA) } 5/9/14
3. Copy deposited to JS (ABC) }

F.No.7/4/2011-Policy (Vol.III)
Government of India
Ministry of Finance
Department of Disinvestment

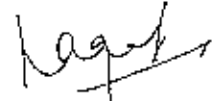
Block No. 14, CGO Complex,
Lodhi Road, New Delhi

Dated the 9th September, 2014

OFFICE MEMORANDUM

Subject: Repealing of old Acts/Rules which have lost relevance- reg.

The undersigned is directed to refer to Department of Economic Affairs (E-Coord Section) O.M no. 156071/ E-Coord/21014 dated 05.09.2014 and their DO No. 11/47/2012- Ad.V dated 26.08.2014 on the subject cited above and to state that the requisite information has already been sent vide this Department's OM of even no. dated 27.08.2014. A copy of the same is enclosed for information.



(Ragesh Kant)

Under Secretary to the Government of India
Tele No. 24368532

Encl: as above

Director (E-Coord),
(Shri N.Radhakrishnan),
Department of Economic Affairs,
Ministry of Finance,
North Block, New Delhi - 110001.

Copy for kind information to: PMO (O/o Principal Secretary to PM), South Block,
New Delhi (alongwith a copy of this Department's OM of even no. dated 27/08/2014).

F.No.7/4/2011-Policy (Vol.III)
Government of India
Ministry of Finance
Department of Disinvestment


Block No. 14, CGO Complex,
Lodhi Road, New Delhi
Dated the 27th August, 2014

OFFICE MEMORANDUM

Subject: Repealing of old Acts/Rules - reg.

The undersigned is directed to refer to Department of Economic Affairs D. D. letter no. 11/47/2012-Ad.V dated 26.08.2014 on the subject cited above and to state that no Acts/Rules or Regulations dealt with by the Department of Disinvestment needs to be repealed.

2. Hence, the information in this regard may be treated as "Nil".
3. This issues with the approval of Secretary, Department of Disinvestment.


(Ragesh Kant)

Under Secretary to the Government of India
Tele No. 24368532

Department of Economic Affairs,
(Kind Attn. Shri Rajesh Khullar, Joint Secretary),
Ministry of Finance, North Block,
New Delhi - 110001.



o/c

-117-

F. No.9/15/2014-Coord.
Government of India
Ministry of Finance
Department of Financial Services
(Coordination Section)

3rd Floor, Jeevan Deep Building,
10, Parliament Street, New Delhi,
10th September, 2014

OFFICE MEMORANDUM

Sub:- Repealing of old Acts/Rules which have lost relevant – regarding

The undersigned is directed to refer to the Department of Expenditure's D.M. No. 156071/E-Coord/21014 dated 16.08.2014 on the subject cited above and to inform that the requisite information has already been sent to the Department of Economic Affairs vide this Department's O.M. of even number dated 03.09.2014. A copy of the same is enclosed herewith for ready reference..


RK Gupta
10/09/14

(Rakesh Kumar Gupta)
Under Secretary to the Govt. of India
Tel. No. 23348993

✓
The Department of Expenditure
[Kind attn.: Sh. N. Radhakrishnan, Director(E-Coord)]
Ministry of Finance
North Block, New Delhi

F. No.9/15/2014-Coord.
Government of India
Ministry of Finance
Department of Financial Services
(Coordination Section)

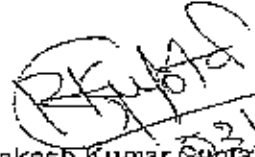
3rd Floor, Jeevan Deep Building,
10, Parliament Street, New Delhi,
3rd September, 2014

OFFICE MEMORANDUM

Sub:- Repealing of irrelevant and outdated old Acts/Rules.

The undersigned is directed to refer D.O. letter No. 11/47/2012-Ad. V dated 26.08.2014 on the subject cited above; and to inform that matter was examined by this Department in a reference from the Cabinet Secretary on similar issue. The Department of Financial Services has already provided its comments/views vide letter dated 20.08.2014. A copy of same is enclosed for ready reference as Annexure-I.

The comments/views on Acts/Laws being administered by the Department of Financial Services is at Annexure-II.


(Rakesh Kumar Gupta)
Under Secretary to the Govt. of India
Tel. No. 23348993

The Department of Economic Affairs
(Kind attn.: Dr. Rajesh Khullar, Joint Secretary)
North Block, New Delhi

डा. गुरदयाल सिंह संधु, भा.प्र.सं.
Dr. Gurdial Singh Sandhu, IAS
Secretary



भारत सरकार
वित्त मंत्रालय
वित्तीय सेवाएं विभाग
नई दिल्ली

Government of India
Ministry of Finance
Department of Financial Services
New Delhi

F. No. 9/15/2014-Coord.

20th August, 2014

Dear Shri *Seth*,

I would like to refer your D.O. letter No. 1/19/2/2014-Cab dated 12.08.2014 regarding repealing of irrelevant and outdated old Acts/Rules. The comments of the Department of Financial Services in this matter are as under:-

- 1) Amendments have been made in 2013 in the Securitisation and Reconstruction of Financial Assets and Enforcement of Security Interests (SARFAESI) Act, 2002 and Recovery of Debts Due to Banks and Financial Institutions (RDDBFI) Act, 1993. A Committee was constituted to suggest further changes in these laws. The draft amendments are under consideration.
- 2) The Insurance Laws (Amendment) Bill, 2008 with a view to amend the Insurance Act, 1938, the General Insurance Business (Nationalization) Act, 1972 and the Insurance Regulatory and Development Authority Act, 1999 was introduced in Rajya Sabha on the 22nd December, 2008. The Cabinet has approved amendments to the Insurance Laws (Amendment), Bill 2008 which is pending in Rajya Sabha, on 24.07.2014. Accordingly, this Department has issued notice on 25.7.2014 to the Rajya Sabha Secretariat to move for consideration and passing the Insurance Laws (Amendment) Bill 2008 in the Rajya Sabha.
- 3) Bill to repeal SICA has been passed by Parliament and Presidential assent thereto has been received. The notification to give effect to SICA Repeal Act, 2004 and consequent abolition of AAIFR/BIFR mechanism is held up due to delay in constitution of the alternate mechanism i.e. setting up of National Company Law Tribunal (NCLT) /National Company Law Appellate Tribunal (NCLAT) by the Department of Company Affairs. Abolition of AAIFR & BIFR and constitution of NCLT is to take place simultaneously. However, no notification has since been issued by Ministry of Corporate Affairs (MoCA) in this regard.
- 4) This Department has made certain changes in Terms and Conditions of Whole Time Directors of Public Sector Banks and Financial Institutions which are executive orders in nature.
- 5) One page account opening form is being designed under the aegis of Indian Banks' Association. This will replace cumbersome account opening form.

Further necessary steps in this regard are being expeditiously examined.

With profound regards,

Yours sincerely

(Gurdial Singh Sandhu)

Shri Ajit Seth
Cabinet Secretary
Rashtrapati Bhavan
New Delhi.

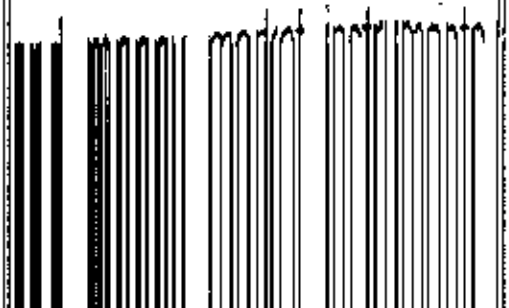
**COMMENTS ON ACTS/LAWS BEING ADMINISTERED
BY DEPARTMENT OF FINANCIAL SERVICES**

Banking Sector

Acts/Laws	Comments of the DFS
1. Negotiable Instrument Act, 1881	Not considered to be repealed.
2. The Bankers' Books Evidence Act, 1891	Not considered to be repealed.
3. The Reserve Bank of India Act, 1934	Not considered to be repealed.
4. The Industrial Finance Corporation of India Act, 1948	Not considered to be repealed.
5. The Banking Companies (Legal Practitioner Clients' Accounts) Act, 1949	Not considered to be repealed.
6. The Industrial Disputes (Banking and Insurance Companies) Act, 1949	Not considered to be repealed.
7. The Banking Regulation Act, 1949	Not considered to be repealed.
8. The State Financial Corporations Act, 1951	Not considered to be repealed.
9. The Reserve Bank of India (Amendment and Misc. Provisions) Act, 1953	Not considered to be repealed.
10. The Industrial Disputes (Banking Companies) Decision Act, 1955	Not considered to be repealed.
11. The State Bank of India Act, 1955	Not considered to be repealed.
12. The State Bank of India Act, 1955	Not considered to be repealed.
13. The State Bank of India (Subsidiary Banks) Act, 1959	Not considered to be repealed.
14. The Subsidiary Banks General Regulation, 1959	Not considered to be repealed.
15. The Deposit Insurance and Credit Guarantee Corporation Act, 1961	Not considered to be repealed.
16. The Banking Companies (Acquisition and Transfer of Undertakings) Act, 1970	Not considered to be repealed.
17. The Regional Rural Banks Act, 1976	Not considered to be repealed.
18. The Banking Companies (Acquisition and Transfer of Undertakings) Act, 1980	Not considered to be repealed.
19. The Export-Import Bank of India Act, 1981	Not considered to be repealed.

20. The National Bank for Agriculture and Rural Development Act, 1981	Not considered to be repealed.
21. Chit Fund Act 1982	Not considered to be repealed.
22. Shipping Development Fund Committee (Abolition) Act, 1985	Under examination, if it is required to be retained.
23. Sick Industrial Companies (Special Provisions) Act, 1985	Bill to repeal SICA has been passed by Parliament and Presidential assent thereto has been received. The notification to give effect to SICA Repeal Act, 2003 and consequent abolition of AAIFR/BIFR mechanism is held up due to delay in constitution of the alternate mechanism i.e. setting up of National Company Law Tribunal (NCLT)/National Company Law Appellate Tribunal (NCLAT) by the Department of Company Affairs. Abolition of AAIFR & BIFR and constitution of NCLT is to take place simultaneously. However, no notification has since been issued by Ministry of Corporate Affairs (MoCA) in this regard.
24. The National Housing Bank Act, 1987	Not considered to be repealed.
25. SIDBI Act, 1989	Not considered to be repealed.
26. The Special Court (trial of Offences relating to Transactions in Securities) Act, 1992	Not considered to be repealed.
27. The Industrial Finance Corporation (Transfer of Undertakings and Repeal) Act, 1993	After repeal of Act 1993, IFCI Ltd. Was registered under Act, 1956 on 31.3.2993. Following Cabinet approval, Govt. of India holding in equity capital IFCI Ltd. was raised to 55.53% in 2012. Further, to make IFCI Ltd. into a full-fledged Government of India Company, a Cabinet Note for infusion of Rs.60 crore is under circulation for Inter-Ministerial consultations.

<p>28. Recovery of Debts Due to Banks and Financial Institutions Act, 1993</p>	<p>Amendment has been made recently in 2013. Recovery Committee was constituted to suggest further changes in the Law. The draft amendments are under consideration.</p>
<p>29. Industrial Reconstruction Bank (Transfer of Undertaking & Appeal) Act, 1997</p>	<p>The Industrial Reconstruction Corporation of India Ltd., set up in 1971 for rehabilitation of sick industrial companies, was reconstituted as Industrial Reconstruction Bank of India in 1985 under the IRBI Act, 1984. With a view to converting the institution into a full-fledged development financial institutions, IRBI was incorporated under the Companies Act 1956, as Industrial Investment Bank of India Ltd. (IIBI) in March 1997. IIBI offered a wide range of products and services, including term loan assistance for project finance, short duration non-project asset-backed financing, working capital/other short-term loans to companies, equity subscription, asset credit, equipment finance and investments in capital market</p>



<p>28. Recovery of Debts Due to Banks and Financial Institutions Act, 1993</p>	<p>Amendment has been made recently in 2013. Recovery Committee was constituted to suggest further changes in the Law. The draft amendments are under consideration.</p>
<p>29. Industrial Reconstruction Bank (Transfer of Undertaking & Appeal) Act, 1997</p>	<p>The Industrial Reconstruction Corporation of India Ltd., set up in 1971 for rehabilitation of sick industrial companies, was reconstituted as Industrial Reconstruction Bank of India in 1985 under the IRBI Act, 1984. With a view to converting the institution into a full-fledged development financial institutions, IRBI was incorporated under the Companies Act 1956, as Industrial Investment Bank of India Ltd. (IIBI) in March 1997. IIBI offered a wide range of products and services, including term loan assistance for project finance, short duration non-project asset-backed financing, working capital/other short-term loans to companies, equity subscription, asset credit, equipment finance and investments in capital market and money market instruments. Presently IIBI is under liquidation.</p>
<p>30. The Securitisation and Reconstruction of Financial Assets and Enforcement of Security Interest Act, 2002</p>	<p>Amendment has been made recently in 2013. Recovery Committee was constituted to suggest further changes in the Law. The draft amendments are under consideration.</p>
<p>31. Industrial Development Bank (Transfer of Undertaking & Repeal) Act, 2003</p>	<p>Not considered to be repealed.</p>
<p>32. The Enforcement of Security Interest and Recovery of DEBTS Laws (Amendment) Act, 2012</p>	<p>Not considered to be repealed.</p>
<p>33. The Factoring Regulation Act, 2011</p>	<p>Not considered to be repealed.</p>
<p>34. Banking Laws Amendment Act 2012</p>	<p>Not considered to be repealed.</p>

35. Banking Law Amendment Act to come into force, 2013	Not considered to be repealed.
36. SICA Repeal Act, 2004	Bill to repeal SICA has been passed by Parliament and Presidential assent thereto has been received. The notification to give effect to SICA Repeal Act, 2004 and consequent abolition of AAIFR/BIFR mechanism is held up due to delay in constitution of the alternate mechanism i.e. setting up of National Company Law Tribunal (NCLT) /National Company Law Appellate Tribunal (NCLAT) by the Department of Company Affairs. Abolition of AAIFR & BIFR and constitution of NCLT is to take place simultaneously. However, no notification has since been issued by Ministry of Corporate Affairs (MoCA) in this regard.
37. State Agricultural Credit Corporation Act, 1968	Under examination, if it is required to be retained.

Rules	Comments of the DFS
1. Banking Regulation (Companies) Rules 1949	Not considered to be repealed.
2. The Banking Regulation(Companies) Rules, 1949	Not considered to be repealed.
3. The Nationalised Banks (Management and Misc. Provisions)Scheme,1970	Not considered to be repealed.
4. NABARD General Regulations 1982	Not considered to be repealed.
5. Banking Companies (Period of Preservation of Records) Rules, 1985	Not considered to be repealed.
6. Banking Companies (Regulation)Rules ,1985	Not considered to be repealed.
7. NABARD Bonds Regulations 1988	Not considered to be repealed.
8. SIDBI General Regulations, 1990	Not considered to be repealed.

9. Debts Recovery Tribunal (Procedure) Rules, 1993	Not considered to be repealed.
10. Debts Recovery Appellate Tribunals (Salaries, Allowances and other terms and conditions of service of the Chairperson) Rules, 1993	Not considered to be repealed.
11. Debts Recovery Tribunals (Salaries, Allowances and other terms and conditions of service of the Presiding Officer) Rules 1993	Not considered to be repealed.
12. Debts Recovery Tribunals (Salaries, Allowances and other conditions of service of the Recovery Officer and other officer and employees) Rules, 1993	Not considered to be repealed.
13. Debts Recovery Appellate Tribunals(Salaries, allowances and other conditions of Service of the officers and employees Rules), 1993	Not considered to be repealed.
14. Debts Recovery Tribunals (Procedure) Amendment Rules, 1994	Not considered to be repealed.
15. Debts Recovery Tribunal (Financial and Administrative Power) Rules, 1997	Not considered to be repealed.
16. Debts Recovery Tribunal (Procedure) Amendment Rules, 1997	Not considered to be repealed.
17. Debts Recovery Tribunal (Procedure for the appointment of Presiding Officer of the Tribunal) Rules,1998	Not considered to be repealed.
18. Debts Recovery Appellate Tribunals (Procedure for appointment as Chairperson of the Appellate Tribunal Rules), 1998	Not considered to be repealed.
19. Debts Recovery Appellate Tribunals (Procedure for appointment as Chairperson of the Appellate Tribunal Amendment Rules), 2000	Not considered to be repealed.
20. Debts Recovery Tribunals (Procedure for appointment as PO of the Tribunal Amendment Rules), 2000	Not considered to be repealed.
21. Security Interest (Enforcement) Rules,2002	Not considered to be repealed.
22. Debts Recovery Appellate Tribunal (Procedure for the appointment of Chairperson of the Appellate Tribunal) Amendment Rules ,2005	Not considered to be repealed.

23. Credit Information Companies (Rules & Regulation) , 2005	Not considered to be repealed.
24. The Banking Ombudsman Scheme, 2006	Not considered to be repealed.
25. Debts Recovery Tribunals (Salaries allowances and other terms and conditions of service of Presiding Officer Amendment Rules), 2008	Not considered to be repealed.
26. Debts Recovery Tribunals (Procedure for Appointment as PO of the Tribunal Amendment Rules), 2010	Not considered to be repealed.
27. RRB's Appointment and Promotion of Officers and Employees, Rules 2010	Not considered to be repealed.
28. Debts Recovery Tribunals (Procedure for Investigation of Misbehaviour or incapacity of Presiding Officer) Rules, 2010	Not considered to be repealed.
29. Debts Recovery Appellate Tribunal (Procedure for appointment as Chairperson of the Appellate Tribunal Amendment Rules), 2011	Not considered to be repealed.
30. SARFAESI (Central registry) Rules,2011	Not considered to be repealed.
31. Factoring Act Rules, 2011	Not considered to be repealed.
32. RRB's Appointment and Promotion of Officers and Employees, Amendment Rules 2011	Not considered to be repealed.
33. Debts Recovery Tribunals (Procedure for Investigation of Misbehavior or Incapacity of PD) Rules, 2012	Not considered to be repealed.
34. Debts Recovery Tribunals Recruitment Rules for Group A & B Posts	Not considered to be repealed.
35. Debts Recovery Tribunals Recruitment Rules for Group C & D Posts	Not considered to be repealed.
36. Debts Recovery Appellate Tribunal Recruitment Rules for Group A & B Posts	Not considered to be repealed.
37. Debts Recovery Appellate Tribunal Recruitment Rules for Group C & D Posts	Not considered to be repealed.

38. Registration of Assignment of Receivables Rules 2012 under Factoring Regulation Act, 2011	Not considered to be repealed.
39. The SARFAESI (Central Registry) Amendment Rules, 2013	Not considered to be repealed.

Insurance Sector

Acts/Laws	Comments of the DFS
1. Insurance Act, 1938	The Insurance Law (Amendment) Bill, 2008 was introduced in Rajya Sabha on 22.12.2008. The Cabinet has approved amendments to the Insurance Law (Amendment) Bill, 2008, which is pending in Rajya Sabha on 24.07.2014. Accordingly, this Department has issued notice on 25.7.2014 to the Rajya Sabha Secretariat to move for consideration and passing the Insurance Laws (Amendment) Bill 2008 in the Rajya Sabha.
2. Life Insurance Act, 1956	Not considered to be repealed.
3. General Insurance Business (Nationalization) Act, 1972	Not considered to be repealed.
4. Insurance Regulatory and Development Authority Act, 1999	The Insurance Law (Amendment) Bill, 2008 was introduced in Rajya Sabha on 22.12.2008. The Cabinet has approved amendments to the Insurance Law (Amendment) Bill, 2008, which is pending in Rajya Sabha on 24.07.2014. Accordingly, this Department has issued notice on 25.7.2014 to the Rajya Sabha Secretariat to move for consideration and passing the

	Insurance Laws (Amendment) Bill 2008 in the Rajya Sabha.
5. General Insurance Business (Nationalisation) Amendment Act, 2002	Not considered to be repealed.
6. Actuaries Act, 2006	Not considered to be repealed.
7. The Securities and Insurance Laws (Amendment and Validation) Act, 2012	Not considered to be repealed.

Rules	Comments of the DFS
1. Insurance Rules, 1939	Not considered to be repealed.
2. LIC rules 1956	Not considered to be repealed.
3. IRDA Rules-Chairperson Salary, 2000	Not considered to be repealed.
4. IRDA Rules-Chairperson Salary-Amendment, 2000	Not considered to be repealed.
5. Actuaries Nomination of Member to the council rules 2008 other rules	Not considered to be repealed.
6. Actuaries(Procedure for Enquiry of Professional and Other Misconduct) Rules, 2008	Not considered to be repealed.
7. Actuaries-Election to the council rules, 2008	Not considered to be repealed.
8. IRDA Salary and Allowances payable to and other Terms and Conditions of Services of Chairperson and other Members Amendment Rules ,2012	Not considered to be repealed.

Pension Sector

Acts	Comments of the DFS
1. The Pension Fund Regulatory and Development Authority Act, 2013	Not considered to be repealed.



विदेश मंत्रालय, नई दिल्ली
MINISTRY OF EXTERNAL AFFAIRS
NEW DELHI

R. Swaminathan
Special Secretary (AMS, AD&CPV) सत्यमेव जयते

No. 4312/SS (AMS, AD&CPV)/2014.

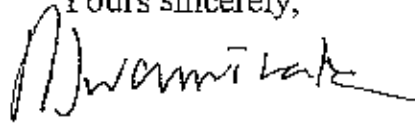
22 September, 2014.

Dear Shri Ramanujam

Reference PMO L.D. No. CRA/1/2014 dated 03.09.2014 addressed to the Foreign Secretary regarding repeal of Central Acts and Identification of Central Acts which would require a revision in the present socio-economic context through appropriate amendments thereto or re-enactment thereof.

2. This Ministry has examined all the Acts falling under its purview under the Government of India Allocation of Business Rules, 1961 and its inputs on the same are provided in the prescribed proforma in Annexure I and Annexure II.

Yours sincerely,

Yours sincerely,

(R. Swaminathan)

Shri R. Ramanujam
Secretary
Prime Minister's Office
South Block,
New Delhi.

Ministry of External Affairs

Sl No.	Title of all Acts (including Appropriation Acts/ Finance Acts/ Amendment Acts) under the purview of the Ministry of External Affairs, Government of India	Whether The Act mentioned under column (1) has been recommended to be repealed by any Commission or Committee. (Indicate Yes or No and if Yes, the name of the Commission/ Committee that made the recommendation)	If the Acts mentioned under column (2) have not been repealed (as recommended by any of the Commissions or Committees, the reasons therefore including legal opinion obtained, if any).	Whether Acts mentioned under column (1) and in force as on the date require revisiting in whole or part, and, if so, the provisions that require amendments thereto. Give details of Acts that require re-enactment or repeal as well as those which need amendments in the light of changing socio-economic environment along with reasons for proposed amendments/ re-enactment or repeal
1	2	3	4	
1.	The Passport Act, 1967	No	---	In view of Hon'ble Delhi High Court's order dated 12.4.2013 in which it had directed the Ministry to amend the relevant provision of the Passports Act with regard to offences and penalties enumerated u/s 12 of the above Act, the matter is being considered in the Ministry in consultation with the Ministry of Law and Justice to amend Section 12 of the Act.
2.	Indian Council of World Affairs	No	---	No review/repeal/amendment is being

ACT, 2001				considered at this stage.
3. The United Nations (Privileges and Immunities) Act, 1947	No			No review/repeal/amendment is being considered at this stage.
4. The Haj Committee Act, 2002	No			No review/repeal/amendment is being considered at this stage.
5. Weapons of Mass Destruction and their Delivery Systems (Prohibition of Unlawful Activities) Act, 2005	No			No review/repeal/amendment is being considered at this stage.
6. The Diplomatic Relations (Vienna Convention) Act, 1972	No			No review/repeal/amendment is being considered at this stage.
7. The Extradition Act, 1982	No			No review/repeal/amendment is being considered at this stage.
8. The Diplomatic and Consular Officers (Oaths and Fees) Act, 1948	No			No review/repeal/amendment is being considered at this stage.
9. The Diplomatic and Consular Officers (Oaths and Fees) (Extension to Jammu and Kashmir) Act, 1973	Yes, PC Commission Report	Yes, PC Jain	Not repealed.	Issue is referred to Ministry of Law and Justice for repeal.
10. The Foreign Jurisdiction Act, 1947	The Repealing and Amendment Bill, 2014, 95 of 2014.			No objection.
11. The Foreign Recruitment Act, 1874	Yes, PC Commission Report	Yes, PC Jain		This is a very old pre independence Act of 1874. The purpose of this Act is to control recruiting in India for service in foreign states. We have no objection for the repeal of this Act. The issue is referred to

			Ministry of Law and Justice for their views/ concurrence.
12.	The United Nations (Security Council) Act, 1947	No	No review/ repeal/ amendment is being considered at this stage.
13.	South Asia University Act, 2008	No	No review/ repeal/ amendment is being considered at this stage.
14.	Nalanda University Act, 2010	No	Yes. The Nalanda University (Amendment) Bill, 2013 was introduced in Rajya Sabha on 25.8.2013. The Parliamentary Standing Committee on External Affairs scrutinized the proposed amendments and presented its report to both the Houses of Parliament on 17.12.2013. The Standing Committee's recommendations were examined and a detailed note seeking approval to move official amendments to the Bill was approved by the then Cabinet on 28 th February 2014. The Bill to move official amendments could not be introduced as both the Houses were prorogued before general elections in April-May 2014. It was not moved even during the first session of the newly elected Parliament, pending its review by the new government.
15.	Territorial Waters, Continental Shelf, Exclusive Economic Zone and Other Maritime Zones Act,	No	In response to National Security Council Secretariat (NSCS) letter No.C-229/S/(6)/2010-NSCS (BGO), the issue

1976	whether the provisions of this Act are in line with United Nations Convention on the Law of the Sea, 1982 has been initiated and a note in this regard has been sent to NSCS and concerned Ministries/Departments.
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Ministry of External Affairs

Annexure-II

Title of all Acts (including Amendment Acts) under the purview of the administrative Ministry/Department under the Government of India (Allocation of business) Rules, 1961 or Sections thereof or schedule thereto which have not come into force as on date	*Reasons for not bringing into force the Acts or Sections thereof or Schedule thereto mentioned under column (1)	*Indicate whether the Acts or the provisions thereof or Schedules thereto mentioned under column (2), in the opinion of the Ministry/Department require to be continued or repealed or amended along with justification.
1 All Acts of which the Ministry of External Affairs is the administrative Ministry are in force.	2	3



स्नेहलता श्रीवास्तव, भा.प्र.से.
अपर सचिव
S hata Shrivastava, IAS
Additional Secretary

भारत सरकार
वित्त मंत्रालय
वित्तीय सेवाएँ विभाग
जीवन दीप भवन, तीसरी मंजिल
१०, पार्लियामेन्ट स्ट्रीट,
नई दिल्ली-११०००१

Government of India
Ministry of Finance
Department of Financial Services
Jeevan Deep Building, 3rd Floor,
10, Parliament Street,
New Delhi-110 001
Tel.: +91-11-23748773 Fax: +91-11-23748774
E-mail: as-dfs@nic.in

D.O. NO. 9/15/2014-Coord

12th September 2014

Dear Sir,

I would like to refer your I.D NO. CRA/1/2014 dated 3rd September 2014 regarding comments of the Department of Financial Services on various Acts falling under its purview.

The requisite information in relation to the Department of Financial Services is at Annexure-I and Annexure-II.

With kind regards,

Yours sincerely,

S. Shrivastava
12.9.14
(Snehlata Shrivastava)

Shri R. Ramanujam,
Secretary to the Prime Minister
South Block
New Delhi

-135-

As per e-2

COMMENTS ON ACTS BEING ADMINISTERED BY DEPARTMENT OF FINANCIAL SERVICES

Name of the Ministry/ Department: Ministry of Finance, Department of Financial Services

S.No.	*Title of all Acts (including Appropriation Acts/Finance Acts/Amendment Acts) under the purview of the administrative Ministry/Department under the Government of India (Allocation of Business) Rules, 1961 which are in force as on date.	*Whether the Act mentioned under column (1) has been recommended by any Commission or Committee.	*If the Acts mentioned under column (2) have not been repealed (as recommended by any of the Commissions or Committees, the reasons therefor including legal opinion obtained, if any. Please enclose the legal opinion obtained therefor/ recommendations of any committee or authority or judgement of court in support thereof and the justification, if any, to continue them.)	*Whether Acts mentioned under column (1) and in force as on date require revisiting in whole or part, and, if so, the provisions that require amendments thereto. Give details of Acts that require re-enactment or repeal as well as those which need amendments in the light of changing socio-economic environments/repeal alongwith the reasons for proposed amendments/re-enactment or repeal.
	(1)	(2)	(3)	(4)
1.	Negotiable Instrument Act, 1881	No	NA	Certain amendments are being proposed to amend the Negotiable Instruments Act, 1881 and the Legal Services Authorities Act, 1987 to reduce the huge pendency of the cheque bouncing cases under section 13 of the negotiable instrument act 1881.
2.	The Bankers' Books Evidence Act, 1891	No	NA	All in vogue and amendments in the light of changing socio-economic environment have been/are being carried out. Further, there is always scope for amendments/modifications.

3.	The Reserve Bank of India Act, 1934	No	NA	All in vogue and amendments in the light of changing socio-economic environment have been/are being carried out. Further, there is always scope for amendments/modifications.
4.	The Industrial Finance Corporation of India Act, 1948	No	Already repealed. IFCI was setup in 1948 as a statutory corporation under the industrial Finance Corporation Act, 1948. The Act has since been repealed by the Industrial Finance Corporation (Transfer of Undertaking and Repeat) Companies Act, 1993.	No
5.	The Banking Companies (Legal Practitioner Clients' Accounts) Act, 1949	No	NA	All in vogue and amendments in the light of changing socio-economic environment have been/are being carried out. Further, there is always scope for amendments/modifications.
6.	The Industrial Disputes (Banking and Insurance Companies) Act, 1949	No	NA	Not considered to be repealed.
7.	The Banking Regulation Act, 1949	No	NA	All in vogue and amendments in the light of changing socio-economic environment have been/are being carried out. Further, there is always scope for amendments/modifications.
8.	The State Financial Corporations Act, 1951	No	NA	NA
9.	The Reserve Bank of India (Amendment and Misc. Provisions) Act, 1953	RBI has been asked to submit its comments and material on this would be sent after RBI's comments are received.	NA	All in vogue and amendments in the light of changing socio-economic environment have been/are being carried out. Further, there is always scope for amendments/modifications.
10.	The Industrial Disputes (Banking Companies) Decision Act, 1955	No	NA	Not considered to be repealed.

11.	The State Bank of India Act, 1955	No	NA	All in vogue and amendments in the light of changing socio-economic environment have been/are being carried out. Further, there is always scope for amendments/modifications.
12.	The State Bank of India (Subsidiary Banks) Act, 1959	No	NA	All in vogue and amendments in the light of changing socio-economic environment have been/are being carried out. Further, there is always scope for amendments/modifications.
13.	The Subsidiary Banks General Regulation, 1959	No	NA	All in vogue and amendments in the light of changing socio-economic environment have been/are being carried out. Further, there is always scope for amendments/modifications.
14.	The Deposit Insurance and Credit Guarantee Corporation Act, 1961	No	NA	All in vogue and amendments in the light of changing socio-economic environment have been/are being carried out. Further, there is always scope for amendments/modifications.
15.	The Banking Companies (Acquisition and Transfer of Undertakings) Act, 1970	No	NA	All in vogue and amendments in the light of changing socio-economic environment have been/are being carried out. Further, there is always scope for amendments/modifications.
16.	The Regional Rural Banks Act, 1976	NA	NA	In view of the developments that have taken place in the past and to meet the challenges ahead, some amendments to the RRBs Act, 1976 have been proposed. Amendments have been proposed, inter-alia, to provide for provision to empower Central Government to change shareholding pattern of RRBs, enabling provision for allowing RRBs to raise private capital, continuation of managerial and financial support from sponsor banks beyond the existing provision of 5 years, enhancement in authorized capital from Rs.5 crore to Rs.500 crore, providing for provision for issued capital not less than Rs.1 crore instead of not exceeding Rs.1 crore, limiting tenure of Non-Officer Directors to two terms of 2 years each, etc.
The Regional Rural banks (Amendment) Bill, 2013 incorporating the above amendments have been introduced in the Lok Sabha on 22 nd April, 2013 and the Bill has been referred to the Standing Committee of Finance Branch, Lok Sabha for examination. Brief background Notes on the proposed amendments in the Regional Rural Banks (Amendment) Bill, 2013 have been submitted to the Lok				

				<p>Sabha Secretariat vide letter dated 31st Ma, 2013. The amendment bill has lapsed with dissolution of the 15th Lok Sabha. The process for the introduction of the Amendment Bill is under process.</p> <p>Further modifications proposed are to enhance authorized capital to Rs.2000 crores, to limit the tenure of Non-Official Directors to two terms of 3 years each and that an officer of the Central Government could be appointed on the Board of RRBs.</p>
17.	The Banking Companies (Acquisition and Transfer of Undertakings) Act, 1980	No	NA	<p>All in vogue and amendments in the light of changing socio-economic environment have been/are being carried out. Further, there is always scope for amendments/modifications. Act amended in 2012.</p>
18.	The Export-Import Bank of India, 1981	No	Not applicable	
19.	The National Bank of Agriculture and Rural Development Act, 1981	No	NA	<p>The National Bank for Agriculture and Rural Development (Amendment) Bill, 2013 was approved by the Union Cabinet on 7.2.2013 and introduced in Lok Sabha on 6th May, 2013. The Bill was referred to the Standing Committee on Finance on 9.5.2013. The Bill proposed 17 clauses for amendment which, inter alia, relate to increasing authorized for short-term lending purposes, capital restructuring and transfer of RBI's share in NABARD to Central Government etc. The Standing Committee of Finance did not submit its report. With the dissolution of 15th Lok Sabha, the Bill stands lapsed and will have to be re-introduced in 16th Lok Sabha following the due procedure. The draft Bill along with draft Cabinet Note is under preparation in consultation with RBI & NABARD</p>
20.	Chit Fund Act, 1982	No	NA	<p>All in vogue and amendments in the light of changing socio-economic environment have been/are being carried out. Further, there is always scope for amendments/modifications.</p>

21.	Shipping Development Fund Committee (Abolition) Act, 1985	Yes, by Law Commission (159 th Report)	NA	The Act can be repealed only after closure of SDFC portfolio. A High Power Committee under the chairmanship of Finance Secretary is in place to look into the matter.
22.	Sick Industrial Companies (Special Provisions) Act, 1985	Yes, by Law Commission (159 th Report)	NA	<p>The Bill to repeal SICA envisaging, inter-alia, abolition of BIFR/AAIFR was passed by both House of Parliament and Presidential assent thereto was received. However, notification u/s 1(2) of the Repeal enactment to give effect to the SICA Repeal Act and abolish BIFR/AAIFR could not be issued due to the delay in constitution of National Company Law Tribunal (NCLT) and National Company Law Appellate Tribunal (NCLAT). Abolition of BIFR/AAIFR has to take place simultaneously with the constitution of NCLT/NCLAT.</p> <p>As per Ministry of Corporate Affairs, Companies (Second Amendment) Act, 2002 providing for the establishment of the National Company Law Tribunal (NCLT) and National Company Law Appellate Tribunal (NCLAT) to deal exclusive with the company cases for their speedy disposal has been passed in the Parliament. The necessary notification of abolition of AAIFR/BIFR will be issued after issue of notification for constitution of NCLT/NCLAT.</p>
23.	The National Housing Bank Act, 1987	No	NA	<p>The National Housing Bank (Amendment) Bill, 2012 was introduced in the Lok Sabha on 30th April, 2012 and referred to the Standing Committee on Finance on 16th May, 2012. The Standing Committee gave its report on 16th February, 2013. However, in spite of best efforts, the Bill could not be included in the Business of the House. Meantime, due to dissolution of the Lok Sabha, the Bill lapsed and now to be introduced afresh by following the due procedure. NHB has proposed some more changes and have sent the draft Bill to RBI for comments/concurrence which are awaited.</p>

24.	SIDBI Act, 1989	No	NA	<p>The Small Industries Development Bank of India (Amendment) Bill, 2012 was introduced in Lok Sabha on 22nd May, 2012 and referred to the Standing Committee on Finance on 28th May, 2012. The Committee furnished its Report (66th) on the Bill providing various suggestions/observations on its provisions and scope. The report was examined in this Department and it has been decided with the approval of the then FM to enact the Bill without any modification.</p> <p>However, in spite of best efforts, the Bill could not be included in the Business of the House. Meantime, due to dissolution of the Lok Sabha, the Bill lapsed and now to be introduced afresh by following the due procedure.</p> <p>Accordingly, the draft Cabinet Note with the approval of FM has been circulated to the concerned Ministries/Departments for inter-ministerial consultation.</p>
25.	The Special Court (Trial of Offences relating to Transactions in Securities) Act, 1992	No	NA	Not considered to be repealed.
26.	The Industrial Finance Corporation (Transfer of Undertakings and Repeal) Act, 1993	No	Already repealed. After repeal of Act 1993, IFCI Ltd. Was registered under Act, 1956 on 31.03.1993.	No
27.	Recovery of Debts Due to Banks and Financial Institutions Act, 1993	No	NA	To strengthen the Act, some amendments are under deliberation.
28.	Industrial Reconstruction Bank (Transfer of Undertaking & Appeal) Act, 1997	No	Already repealed. The Industrial Reconstruction Corporation of India Ltd., set up in 1971 for rehabilitation of sick	The Bank (IIBI) is currently under liquidation.

			<p>industrial companies, was reconstituted as Industrial Reconstruction Bank of India in 1985 under the IRBI Act, 1984. IRBI was incorporated under the Companies Act 1956, as Industrial Investment Bank of India Ltd. (IIBI) in March 1997.</p>	
29.	The Securitisation and Reconstruction of Financial Assets and Enforcement of Security Interest Act, 2002	No	NA	To strengthen the Act, some amendments are under deliberation.
30.	Industrial Development Bank (Transfer of Undertaking & Repeal) Act, 2003	No	NA	Not considered to be repealed.
31.	The Enforcement of Security Interest and Recovery of Debts Laws (Amendment) Act, 2012	No	NA	This Act was enacted to amend some sections in RDDBFI Act and SARFAESI Act. No further amendments is required in the Act.
32.	The Factoring Regulation Act, 2011	No	NA	All in vogue and amendments in the light of changing socio-economic environment have been/are being carried out. Further, there is always scope for amendments/modifications.
33.	Banking Laws Amendment Act, 2012	No	NA	All in vogue and amendments in the light of changing socio-economic environment have been/are being carried out. Further, there is always scope for amendments/modifications.
34.	Pre Credit Information Companies (Regulation) Act			All in vogue and amendments in the light of changing socio-economic environment have been/are being carried out. Further, there is always scope for amendments/modifications.
35.	SICA Repeal Act, 2004	No	NA	The Bill to repeal SICA envisaging, inter-alia, abolition of BIFR/AIFR was passed by both House of Parliament and Presidential assent thereto was received. However, notification u/s 1(2) of the Repeal enactment to give effect to

				<p>the SICA Repeal Act and abolish BIFR/AAIFR could not be issued due to the delay in constitution of National Company Law Tribunal (NCLT) and National Company Law Appellate Tribunal (NCLAT). Abolition of BIFR/AAIFR has to take place simultaneously with the constitution of NCLT/NCLAT.</p> <p>As per Ministry of Corporate Affairs, Companies (Second Amendment) Act, 2002 providing for the establishment of the National Company Law Tribunal (NCLT) and National Company Law Appellate Tribunal (NCLAT) to deal exclusive with the company cases for their speedy disposal has been passed in the Parliament. The necessary notification of abolition of AAIFR/BIFR will be issued after issue of notification for constitution of NCLT/NCLAT.</p>
36.	State Agricultural Credit Corporation Act, 1968	Yes. The RBI and NABARD have since recommended repealing the said Act on the grounds that it has lost its relevance and no State Agricultural Credit Corporation has been established by any of the States since the enactment of the said Act.	Yes	<p>As per the opinion of RBI and NABARD, in terms of section 19 of the State Agricultural Credit Corporations Act, 1968, the mandate of the said Act was to provide loans and advances for a period not more than five years to agriculturists, cooperatives banks and PACS. However, following its enactment in 1968, nationalization of banks took place in 1969 and commercial banks became major purveyors of agriculture credit. With the advent of technological innovations in banking, mandatory opening of rural branches by Commercial banks and special efforts taken by Government of India and banks for Financial Inclusion, and as a spin-off, majority of the agricultural population can approach institutional banking services and avail of banking facilities therefrom. In such a scenario, the State Agricultural Credit Corporations functioning, if any would duplicate the efforts taken by Governments and other institutions in the public and private sector.</p> <p>Besides, the authorized capital is only Rs.5.00 crore and in the current context will be inadequate for the Sector. In terms of section 19 of the State Agricultural Credit Corporations Act,</p>

				<p>1968, the mandate is to provide loans and advances for a period not more than five years to agriculturists, cooperatives banks and PACS.</p> <p>It has also been ascertained from RBI and NABARD that no Corporation has been established by any of the States since the enactment of the said Act.</p>
37.	Administration of the Public Financial Institutions (Obligation as to Fidelity and Secrecy) Act, 1983	No	NA	<p>Therefore, the Act can be repealed. Not considered to be repealed.</p>
38.	Insurance Act, 1938	No	NA	<p>The Insurance Laws (Amendment) Bill, 2008 was introduced in Rajya Sabha on 22.12.2008 to amend the Insurance Act, 1938, the General Insurance Business (Nationalization) Act, 1972 and the IRDA Act, 1999. The Cabinet has approved amendments to the Insurance Law (Amendment) Bill, 2008, which is pending in Rajya Sabha on 24.07.2014. Accordingly, this Department has issued notice on 25.7.2014 to the Rajya Sabha Secretariat to move for consideration and passing the Insurance Laws (Amendment) Bill 2008 in the Rajya Sabha. Thus, the exercise envisaged is already underway.</p>
39.	Life Insurance Corporation Act, 1956	No	NA	Amended recently in 2011.
40.	General Insurance Business (Nationalization) Act, 1972	No	NA	<p>The Insurance Laws (Amendment) Bill, 2008 was introduced in Rajya Sabha on 22.12.2008 to amend the Insurance Act, 1938, the General Insurance Business (Nationalization) Act, 1972 and the IRDA Act, 1999. The Cabinet has approved amendments to the Insurance Law (Amendment) Bill, 2008, which is pending in Rajya Sabha on 24.07.2014. Accordingly, this Department has issued notice on 25.7.2014 to the Rajya Sabha Secretariat to move for consideration and passing the</p>

41.	Insurance Regulatory and Development Authority Act, 1999	No	NA	Insurance Laws (Amendment) Bill 2008 in the Rajya Sabha. Thus, the exercise envisaged is already underway. The Insurance Laws (Amendment) Bill, 2008 was introduced in Rajya Sabha on 22.12.2008 to amend the Insurance Act, 1938, the General Insurance Business (Nationalization) Act, 1972 and the IRDA Act, 1999. The Cabinet has approved amendments to the Insurance Law (Amendment) Bill, 2008, which is pending in Rajya Sabha on 24.07.2014. Accordingly, this Department has issued notice on 25.7.2014 to the Rajya Sabha Secretariat to move for consideration and passing the Insurance Laws (Amendment) Bill 2008 in the Rajya Sabha. Thus, the exercise envisaged is already underway. Not considered to be repeated.
42.	General Insurance Business (Nationalization) Amendment Act, 2002	No	NA	
43.	Actuaries Act, 2006	No	NA	
44.	The Securities and Insurance Laws (Amendment and Validation) Act, 2012	No	NA	Not considered to be repeated.
45.	The Pension Fund Regulatory and Development Authority Act, 2013	No	NA	Not considered to be repeated.
46.	The Payment and Settlement Systems Act, 2007	No	NA	PFDA Act, 2013, passed by the Parliament in September, 2013, has recently been brought into force w.e.f. 1 st February, 2014 and thus requires no amendment/re-enactment/ repeal as of now. The Payment and Settlement Act, 2007 is proposed to be amended. The amendments have been necessitated in view of international initiatives flowing from the mandate of the Group of 20, of which India is a member, to introduce reforms to increase transparency of the Over the Counter (OTC) Derivatives market and to strengthen the payment and settlement system to bring it on par with international norms, so as to ensure that Indian financial sector ensure do not face any disruption while dealing with international financial sector entities, which are compliant with those norms.

Ministry of Finance (Department of Financial Services)

Name of the Ministry/Department:

*Title of all Acts (including Amendment Acts) under the purview of the administrative Ministry/Department under the Government of India (Allocation of Business) Rules, 1961 or sections thereof or Schedule thereto which have not come into force as on date.	*Reasons for not bringing into force the Acts or sections thereof or Schedule thereto mentioned under column (1).	*Indicate whether the Acts or the provisions thereof or Schedules thereto mentioned under column (2), in the opinion of the Ministry/Department require to be continued or repealed or amended along with justification.
(1)	(2)	(3)

*Please give information under columns (1) to (3) in respect of each Act. Attach a separate sheet in case of lengthy details.



No. 1 - 138 / 2013- PC
Government of India
Ministry of Food Processing Industries
Panchsheel Bhawan, August Kranti Marg,
New Delhi - 110049

Dated : 09.09. 2014

OFFICE MEMORANDUM

Subject: The Commission on review of Administrative Laws implementation.

The undersigned is directed to refer to Prime Minister's Office ID Note No. CRA/1/2014 dated 03.09.2014 on the subject mentioned above and to say that in so far as this Ministry is concerned, there is no Act or Law being administered by the Ministry of Food Processing Industries. The Nil information in Annexure I & II is enclosed.

Encl : As above.

(S.L. Barodia)

Under Secretary to the Govt. of India

Prime Minister's Office,
[Shri R. Ramanujam, Secretary to the Prime Minister]
South Block, New Delhi.

Name of the Ministry/Department:

Annexure-I

*Title of all Acts (including Appropriation Acts/Finance Acts/Amendment Acts) under the purview of the administrative Ministry/Department under the Government of India (Allocation of Business) Rules, 1961 which are in force as on date.	*Whether the Act mentioned under column (1) has been recommended to be repealed by any Commission or Committee. (Indicate Yes or No and if Yes, the name of the Commission /Committee that made the recommendation).	*If the Acts mentioned under column (2) have not been repealed (as recommended by any of the Commissions or Committees, the reasons therefor including legal opinion obtained, if any. Please enclose the legal opinion obtained there for the recommendations of any committee or authority or judgement of court in support thereof and the justification, if any, to continue them.)	*Whether Acts mentioned under column (1) and in force as on date require revisiting in whole or part, and, if so, the provisions that require amendments thereto. Give details of Acts that require re-enactment or repeal as well as those which need amendments in the light of changing " socio-economic environment alongwith the reasons for proposed amendments/re-enactment or repeal.
(1)	(2)	(3)	(4)

*Please give information under columns (1) to (4) in respect of each Act. Attach a separate sheet in case of lengthy details.

Annexure-II

Name of the Ministry/Department:

*Title of all Acts (including Amendment Acts) under the purview of the administrative Ministry/Department under the Government of India (Allocation of Business) Rules, 1961 or sections thereof or Schedule thereto which have not come into force as on date.	*Reasons for not bringing into force the Acts or sections thereof or Schedule thereto mentioned under column (1).	*Indicate whether the Acts or the provisions thereof or Schedules thereto mentioned under column (2), in the opinion of the Ministry/Department require to be continued or repealed or amended alongwith justification.
(1)	(2)	(3)
	Nil	

*Please give information under columns (1) to (3) in respect of each Act. Attach a separate sheet in case of lengthy details.

IMMEDIATE
BY SPECIAL MESSENGER

No. 39-91/2012-AC
Government of India
Ministry of Consumer Affairs, Food & Public Distribution
Department of Food & Public Distribution

Krishi Bhawan, New Delhi
The 19th September, 2014

OFFICE MEMORANDUM

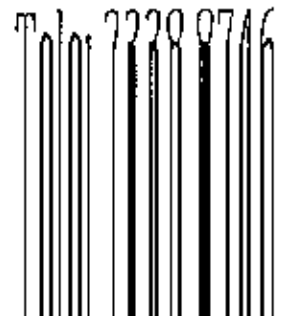
Sub: Review of Central Acts requiring revision, repeal or re-enactment.

The undersigned is directed to refer to Prime Minister Office's I. D. Note No. CRA/1/2014 dated 3rd September, 2014 on the above-mentioned subject and to forward herewith requisite information in respect of the Department of Food and Public Distribution.

2. This issue with the approval of Secretary (F & PD).



(J. P. Saini)
Director (AC)



IMMEDIATE
BY SPECIAL MESSENGER

No. 39-91/2012-AC
Government of India
Ministry of Consumer Affairs, Food & Public Distribution
Department of Food & Public Distribution

Krishi Bhawan, New Delhi
The 19th September, 2014

OFFICE MEMORANDUM

Sub: Review of Central Acts requiring revision, repeal or re-enactment.

The undersigned is directed to refer to Prime Minister Office's I. D. Note No. CRA/1/2014 dated 3rd September, 2014 on the above-mentioned subject and to forward herewith requisite information in respect of the Department of Food and Public Distribution.

2. This issue with the approval of Secretary (F & PD).



(J. P. Saini)

Director (AC)

Tele: 233B 8746

To

Prime Minister Office,
(Kind attn: Shri R. Ramanujam, Secretary to PM),
South Block, New Delhi- 110011.

Name of the Ministry/Department:

*Title of all Acts (including Appropriation Acts/Finance Acts/Amendment Acts) under the purview of the administrative Ministry/Department under the Government of India (Allocation of Business) Rules, 1961 which are in force as on date.	*Whether the Act mentioned in column (1) has been repealed by any Commission or Committee. (Indicate Yes or No and if Yes, the name of the Commission / Committee that made the recommendation).	*If the Acts mentioned under column (2) have not been repealed (as recommended by any of the Commission or Committees, the reasons therefore including legal opinion obtained, if any Please enclose the legal opinion obtained therefore/the recommendations of any committee or authority or judgment of court in support thereof and the justification, if any, to continue them.)	*Whether Acts mentioned under column (1) and in force as on date require revisiting in whole or part, and, if so, the provisions that require amendments thereto. Give details of Acts that require re-enactment or repeal as well as those which need amendments in the light of changing socioeconomic environment alongwith the reasons for proposed amendments/re-enactment or repeal.
(1)	(2)	(3)	(4)
The Sugar Undertakings (Taking over of Management) Act, 1978	Yes, Commission on Review of Administrative Laws (1998)	The Commission on Review of Administrative Laws (1998) had recommended repeal of SUTOM Act, 1978. Subsequently, a decision was taken by the Govt. regarding repeal of the Act. However, recovery of loans extended to six sugar mills taken over under the SUTOM Act is still pending. The position is as under: i) Loans under SUTOM Act were extended to 3 sugar mills which were subsequently taken over by UP State Corporation. The issue of recovery of loan is under examination. ii) In respect of another sugar mill of UP the issue of recovery of loan is subjudice. iii) A mill located in Maharashtra is in liquidation process under SARFESI Act. iv) Repayment claims of a sugar mill in Rajasthan are being reconciled. Since, repayment of loans extended to sugar mills under SUTOM Act, is pending, the Act is not proposed to be repealed at present as it may affect the recovery adversely.	As indicated in column-(3).

Name of the Ministry/Department:

*Title of all Acts (including Amendment Acts) under the purview of the administrative Ministry/Department under the Government of India (Allocation of Business) Rules, 1961 or sections thereof or Schedules thereto which have not come into force as on date.	*Reasons for not bringing into force the Acts or sections thereof or Schedule thereto mentioned under column (1)	*Indicate whether the Acts or the provisions thereof or Schedule thereto mentioned under column (2), in the opinion of the Ministry/Department require to be continued or repealed or amended alongwith justification.
NIL	Does not arise.	Does not arise.

*Please give information under columns (1) to (4) in respect of each Act. Attach a separate sheet in case of lengthy details.

Ministry of Health and Family Welfare
(Department of Health and Family Welfare)

Subject- Review of Central Acts

Reference PMO's I.D No. CRA/1/2014 dated 03.09.2014 on the subject mentioned above.

The requisite information in respect of the Acts administered by the Department of Health and Family Welfare is enclosed as per Annexure I & II.


(Arun Kumar Panda)

Additional Secretary (Health),
Tel No. 23063155

Shri R. Ramanujam, Secretary to Prime Minister

Deptt. of Health & FW ID No H. 11018/02/2014-Parlt. dated 12.09.2014

Ministry of Health & Family Welfare (Deptt. of Health & Family Welfare)

Annexure-I

S.No.	Title of all Acts (including Appropriation Acts/Finance Acts/ Amendment Acts) under the purview of the administrative Ministry/ Department under the Government of India (Allocation of Business) Rules, 1961 which are in force as on date.	Whether the Act mentioned under column (1) has been recommended to be repealed by any Commission or Committee. (Indicate Yes or No and if Yes, the name of the Commission/Committee that made the recommendation).	If the Acts mentioned under column (2) have not been repealed (as recommended by any of the Commissions or committees, the reasons therefore including legal opinion obtained, if any. Please enclose the legal opinion obtained there for/the recommendations of any committee or authority or judgement of court in support thereof and the justification, if any, to continue them.)	Whether Acts mentioned under column (1) and in force as on date require revisiting in whole or part, and, if so, the provisions that require amendments thereto. Give details of Acts that require re-enactment or repeal as well as those which need amendments in the light of changing socio-economic environment alongwith the reasons for proposed amendments/ re-enactment or repeal.
	(1)	(2)	(3)	(4)
1	Drugs and Cosmetics Act, 1940	No	NA	<p>The Ministry has already moved a Bill to amend the Act vide Drugs and Cosmetics (Amendment) Bill, 2013.</p> <p>The Bill was introduced in the Rajya Sabha on 29.08.2013 and the Department related Parliamentary Standing Committee on Health & Family Welfare finalised its report on 18.12.2013 (79th Report).</p> <p>Various stakeholders, the Department of Commerce and Department of Industrial Policy and Promotion have raised issues regarding provisions relating to medical devices. The provisions relating to medical devices are being examined and it is proposed to introduce the Bill in the Winter Session of Parliament.</p>

(1)	(2)	(3)	(4)
2 Drugs and Magic Remedies (Objectionable Advertisment) Act, 1954	No	NA	The Ministry proposes to identify the provisions of the Act to be amended/repealed through wider consultations with all stakeholders including State Governments.
3 Food Safety and Standards Act, 2006 (Act No. 34 of 2006)	No	NA	This is a new Act and is presently in the process of operationalization. There are teething problems and these are sought to be addressed.
4 The Clinical Establishment (Registration & Regulation) Act, 2010	No	NA	The Act has been enacted recently in 2010 and the Rules have been framed in 2012. The Act is not required to be repealed.
5 Transplantation of Human Organs Act, 1994	No	NA	The revised Rules have been recently notified on 27 th March, 2014 based on Transplantation of Human Organs(Amendment)Act, 2011. The Act is not required to be repealed.
6 The Indian Red Cross Society Act, 1920	No	NA	Indian Red Cross Society(IRCS) is functioning in accordance with the Indian Red Cross Society Act, 1920. There is no proposal for repeal/revise the Act.

2

	(1)	(2)	(3)	(4)
7	The Indian Medical Council Act, 1956	No	NA	The Indian Medical Council (IMC) Act, 1956 requires amendments in light of changing socio-economic environment. Accordingly, as per directions of Hon'ble Minister of Health & FW (Annexure - A), a Group of Experts under the Chairmanship of Dr. Ranjit Roy Choudhary has been constituted to study the existing IMC Act, 1956 governing the Medical Council of India (MCI), look at the proposed amendments to the Act and make recommendations to the Government to make MCI modern and suited to the prevailing conditions. The Committee has already held three meetings in this regard. The recommendations of the Committee are still awaited.
8	The Indian Nursing Council Act, 1947	No	NA	The proposed amendments in the Act are given at Annexure-B.
9	The Pharmacy Act, 1948	No	NA	The proposed amendments in the Act are given at Annexure-C.
10	The Dentist Act, 1948	NO	NA	The Dentist ACT, 1948 has been amended through The Dentist (Amended) Act. 1993 to make it at par with that MCI Act. The Dentist Act, 1948 requires amendment in light of changing socio-economic environment. A Committee of Experts has been constituted to review various aspects of Dentistry Education including review of the Dentist ACT, 1948, restructuring of Dental Council of India under the Chairmanship of Dr. Prof. Ashok Utreja. The Committee has already held 7 meetings in this regard. The recommendation of the Committee are awaited.
11	Mental Health Act, 1987	Yes	-	The Mental Health Care Bill, 2013, has been introduced in Rajya Sabha and with its enactment, the Mental Health Act, 1987, will stand repealed

	(1)	(2)	(3)	(4)
12	Epidemic Disease Act, 1897	Yes. Commission on review of administrative Laws	The Act is to be replaced by Public Health (Prevention, Control & Management of Bioterrorism & Disaster) Act. concurrence of Govt. of J&K is awaited on the Bill	NA
13	National Institute of Mental Health and Neuro Sciences Act, 2012	No	NA	It is a new Act, came into force w.e.f. 29th November, 2013.
14	The Lepers Act, 1894	The need for its repeal or otherwise is being examined.	-	-
15	JIPMER Act, 2008	NO	NA	NO
16	AIIMS Act, 1956	NO	NA	NO
17	The Post Graduate Institute of Medical Education & Research, Chandigarh Act, 1966	NO	NA	NO

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18	(1) Cigarettes and other Tobacco Products Act, (COTPA) 2003	(2) No	(3) There have been several judgments/orders from the Courts for continuations/implementation of provisions of the Act.	(4) Following Section of the Act i.e. COTPA 2003 have been proposed for amendments:- Section 4 - No provision for Smoking Zones/Area at Hotels/Restaurants/Airport. Also penalty limit for smoking/use of tobacco products at public places has been proposed to be raised. Section 5 - Provision for deletion of advertisement of tobacco products at point of sale has been proposed. Section 6 - Provision for enhancing age limit from 18 to 25 years for sale and purchase of tobacco products. Also prohibition of sale of loose tobacco products has been proposed. Section 7 - Deletion of mandatory provision of specifying maximum permissible limit of tar and nicotine contents on tobacco product packages. It is also proposed that tobacco manufacturers will disclose to the Govt the constituents and emission of a tobacco product. The fine for violation of provisions of Section 4,5,6 and 7 have been proposed to be raised.
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	(1)	(2)	(3)	(4)
19	Lady Harding Medical College & Hospital Acquisition and Miscellaneous Provision Act, 1977	NO	The Act has not been repealed as this act, passed by the Parliament forms the very basis, on which Lady Harding Medical College and Associated Hospitals were acquired by the Central Government.	The Act does not require revisit.
20	Pre-conception and pre-natal Diagnostic Techniques (Prohibition of Sex Selection) Act, 1994(PC & PNDT Act, 1994).	NO	N. A.	The PC & PNDT Act is in full force. As per recommendations proposed by the Expert Committee, some provisions of the Act are required to be amended. These proposed amendments will be placed before the Central Supervisory Board (apex policy making body under the Act) under the Chairmanship of Hon'ble Minister of Health & FW. Details of proposed amendments are enclosed at Annexure - D.
21	The MTP Act, 1971	NO	NA	A set of proposed amendments to this Act are currently under the consideration of the Ministry of Law and Justice. A synopsis of the draft amendment proposal is enclosed as Annexure-E.

b

MINISTRY OF HEALTH & FAMILY WELFARE (DEPTT. OF HEALTH & FAMILY WELFARE)

Sr. No	Title of all Acts (including Amendment Acts) under the purview of the administrative Ministry/Department under the Government of India (Allocation of Business) Rules, 1961 or sections thereof or Schedule thereto which have not come into force as on date	Reasons for not bringing into force the Acts or sections thereof or Schedule thereto mentioned under column (1).	Indicate whether the Acts or the Provisions thereof or Schedules thereto mentioned under column (2), in the opinion of the Ministry/Department require to be continued or repealed or amended alongwith justification.
1	(1) Section 22 of the Food Safety & Standards Act was enforced vide Notification no. S.O. 2038 (E), dated 18 th August, 2010, w.e.f. 18.08.2010, except in respect of matters relating to the genetically engineered or modified food covered by clause (2) of section 22 of the Act.	(2) FSSAI has not developed regulations for GM foods as the issue will be addressed through Biotechnology Regulatory Authority of India (BRAI) Bill after its enactment.	(3) The provisions need to be aligned after a decision is taken on BRAI.
2	Cigarettes and other Tobacco Products Act, (COTPA) 2003	Entire Act has come into force except Section 11 i.e testing of tar and nicotine contents in the tobacco products as the tobacco testing labs have not been made operationalized so far.	Yes, the Act needs to be continued and strengthened by amending its various provisions to ensure its proper implementation as well as to deter people from violating it.

Most Immediate

Ministry of Health & Family Welfare

I understand that the Indian Medical Council (2nd Amendment) Bill, 2013 which was to replace the Indian Medical Council (Amendment) Ordinance had been examined by the Parliamentary Standing Committee on Health & Family Welfare and was ripe for introduction in Parliament after incorporating the suggestions made by the Parliamentary Standing Committee. However, there are certain provisions of the Amendment Bill which need to be looked into afresh.

I would, therefore, like that a Group of eminent and knowledgeable persons to study the existing Act governing the Medical Council of India, look at the proposed amendments to the Act and make recommendations to the Government to make the Medical Council of India modern and suited to the prevailing conditions.

The Group to be chaired by Dr. Ranjit Roy Chaudhury would consist of the following members:-

1. Dr. Sita Naik, Former Dean, Sanjay Gandhi Postgraduate Institute of Medical Sciences, Lucknow
2. Dr. Avinash Supe, Dean, Lokmanya Tilak Municipal General Hospital and Lokmanya Tilak Municipal Medical College, Sion, Mumbai
3. Dr. Arun Jamkar, Maharashtra University of Health Sciences, Nashik
4. Dr. Utpala N Kharod, Dean Pramukhswami Medical College, Karamsad
5. Dr. Prem Pais, Dean St. John's Medical College, Bengaluru
6. Dr. JM Kaul, Director Professor of Anatomy, MAMC, New Delhi
7. Dr. Gautam Sen, Wellspring Healthcare, Mumbai
8. Dr. Sakhuja, PGIMER, Chandigarh
9. Dr. Ajay Kumar, Apollo Hospital
10. Joint Secretary in charge of Medical Education, Ministry of Health & FW.

The Chairman of the Group would be at liberty to invite any other expert as deemed appropriate by him. Ministry of Health & Family Welfare will provide the necessary logistic support including TA/DA for the members.

The Group is required to submit its report within six weeks of its constitution.

Harsh
(Dr. Harsh Vardhen)

Minister of Health & Family Welfare

3.7.2014



Secretary (H&FW)

Urgent

AS (H)
4/7/14

AS (H)
4/7/14

4/7/2014

Dr. Roychoudhary has informed me through an sms on 14th July at 1:00 AM (Arrange to see DFA)

AD (H&FW)

Proposed amendments in the INC Act, 1947:

This Act came in 1947 and it is quite old now. It needs amendments as per the following important/ major recommendations received from the core committee constituted by Ministry of Health and Family Welfare.

1. The Nursing State Register shall be live and in public domain and it should be continuously updated at specific intervals.
2. One of the major components of selecting the Council members should be on the basis of their educational qualification / knowledge level and they should be selected from various States of India.
3. Nomination of the Nursing Superintendents should be from reputed institutions across India like AIIMS, New Delhi, SCTIMST Thiruvananthapuram, PGIMER Chandigarh to name a few and the position should be on a rotation basis. The nomination should be made from across different States in India.
4. To maintain the transparency to the system, the Central Government shall appoint a senior practicing lawyer as the returning officer for the smooth conduct of elections in the council and an elected or nominated member shall hold office for a term of three years from the date of his election or nomination or until his successor has been duly elected or nominated, whichever is longer. Currently, the provision is for five years.
5. Some major recommendation related to HR system of the council:

Section 8(1) (a) The Secretary of the Council shall be a person appointed by the Central Government and shall hold office during the pleasure of the Central Government.

Section 8(1) (b) The Treasurer of the council, shall be a person appointed by the Central Government and shall hold office during the pleasure of the Central Government.

Section 8(1) (c) The post of Secretary and the Treasurer must not be held by the same person.

6. Three committees needs to be constituted as mentioned below:
 1. Academic Committee; 2. Quality Assurance Committee; and 3. Equivalence Committee.

7. Inspection related recommendations:

Section 13(1) - The inspection team would be constituted by the State Council from a pool of experts empanelled by the central government for the purpose of inspecting any institution recognized as a training institution, and to attend examinations held for the purpose of granting any recognized qualification or recognized higher qualification.

A schedule of inspection should be provided and it should be available online

Section 13(2) - Qualified Individuals can directly apply to the central government to be a member of the pool of experts. The eligibility criteria shall be specified by the INC.

Section 13(3) - The constitution of the inspection team would be through an automated system which shall fulfill the following criteria

1. Random selection method shall be followed.
2. The team should not include members from the state in which the institution is located.

8. A grievance redressal cell should be set up. The system should be transparent and online.

9. Additional Recommendations:

- a) Public health opportunities for nurses – The public health role requires education and training equipping the nurses to manage the public health nursing challenges, which is absent in current nursing education and training system.
- b) Defining a nurse by categories, levels of education and training – Need to define the scope of the categories and have a cadre structure unambiguous for nurses.
- c) Developing health care teams at secondary care level- A family medicine nurse working with an EmOC trained doctor and LSAS trained doctor or a family medicine doctor in providing secondary care requirements in maternal and neo natal health – this requirement needs to be acted upon.
- d) Research funds – A dedicated corpus to be provided for nursing. Institutions / individuals eligible can be identified through a transparent process.

The Ministry is examining the above recommendations and would take a decision in this regard soon.

Proposed Amendments in the Pharmacy Act, 1948

(A) The Pharmacy Act, 1948 was enacted with a view to making better provisions for the regulation of the profession and practice of pharmacy in the country. On the basis of experience gained over decades, the various provisions of the said act were reviewed by the Law Committee, Executive Committee and the Central Council of the Pharmacy Council of India in a number of meetings from the year 2001 onwards. The council also convened a meeting with all the stakeholders of pharmacy profession. Based on these discussions, the suggested amendments to the Pharmacy Act, 1948 are as under:

(B) The proposed amendments are mainly intended to achieve the following major objectives –

(a) Pharmacy Act to extend to Jammu & Kashmir also

- The present Pharmacy Act, 1948 extends to the whole of India except the State of Jammu and Kashmir. It is proposed to extend the Act to State of Jammu & Kashmir also.

(b) Preamble to include regulation of pharmacy education also

- The present preamble of the Act is to regulate the 'Profession of Pharmacy'. It does specify that PCI can regulate Pharmacy education also, whereas section 10 of the Act empowers the PCI to frame Education Regulations prescribing the minimum standard of education required for qualification as a pharmacist besides empowering the Council to grant approval to "course of study and examination" u/s 12 of the Act. Hence it is essential to modify the preamble by incorporating the regulation of Pharmacy education also.

(c) Regulation of Pharmacy education and profession under one statutory authority only

- PCI to regulate education at all levels i.e undergraduate, post-graduate etc.

- Minimum qualification for registration be upgraded from Diploma to Degree in Pharmacy.

(d) Better Regulation of Pharmacy Institutions/ Education by way of following provisions

- Prior sanction of PCI mandatory for:

- Opening new college.
- Opening new course.
- Increase in admission.

- Guidelines for charging of tuition fee.

- Steps to prevent commercialization of education.

- Regional offices of PCI.

(e) Better Regulation of Pharmacy Institutions/ Education by way of following provisions

- Constitution of National Board of Accreditation.

- Allocation & disbursement of Central Govt. funds to Institutions/ Universities.

- Mutual Recognition Agreement added.

- Power to co-opt PCI members for inspection.

(f) Introduction of "Pharmacy Practice Regulations" to ensure-

- Ethical Dispensing
- Pharmacist to Charge counseling fees.
- Patient counseling with confidentiality.
- Accreditation of pharmacies by PCI.

(g) Stringent Registration / Renewal procedures

- Renewal of Registration
 - No automatic renewal.
 - Minimum two Continuing Education.
 - Programmes mandatory every five years.
 - Medical fitness certificate.
- Fee for registration is fixed by PCI.
- Provision on "Reorganization of State" added.
- Delete all detrimental provisions like first register, Registration Tribunal etc.
- Stringent penal provisions for defaulters.

(h) Action against defaulting State Pharmacy Councils

- To make regulations to seek data of registered pharmacists from State Pharmacy Councils to:
 - Prepare Central Register
 - Plan pharmacy workforce at macro level.
- To recommend to State Govts. action against defaulting State Pharmacy Councils.

(i) Redefining Constitution of PCI

- Nominations from Central Govt. and UGC-
 - Increased from 6 to 10.
 - Pharmacy qualification added.
- Executive Committee membership increased from 5 to 9.
- Number of Adhoc Committee members now specified (7).
- President / Vice-President shall be registered pharmacist.

(C) There is another legislation administratively concerned with Ministry of Human Resource Development, namely the All India Council for Technical Education Act, 1987 enacted with view to making proper planning and coordinated development of the technical education system in the Country. The term technical education has been defined to include Engineering & Technology, Architecture & Town Planning, Management, Applied Arts & Crafts, Hotel Management & Catering Technology and includes Pharmacy. As a result, there are two statutory Councils i.e the Pharmacy Council of India and the All India Council for Technical Education regulating Pharmacy education. There is an overlapping of the activities between the two statutory Councils in the areas of-

- (a) Framing regulations, norms and standards to be followed by Pharmacy institutions.
- (b) Dual approval of Pharmacy institutions.
- (c) Dual inspection of Pharmacy institutions
- (d) Superiority of the Council's decision, where conflicting decisions are there.

It may be noted that whereas the AICTE Act, 1987 is a general Act concerning the technical education system including Pharmacy, the Pharmacy Act, 1948 is a special Act dealing with both the Pharmacy education as well as the practice of profession of Pharmacy in the Country.

In order to resolve this issue PCI has taken up the matter with the Health Ministry. The same is under consideration of the Health Ministry.

In order to ensure smooth functioning of the Pharmacy educational institutions, it is strongly felt that the provision of Pharmacy education may be taken out from the AICTE Act. It is all the more necessary as Pharmacy is a professional subject and is a vital part of the healthcare delivery system.

The Ministry is examining the above recommendations and would take a decision in this regard soon.

**AMENDMENTS PROPOSED BY THE EXPERT COMMITTEE
CONSTITUTED TO RE-EXAMINE THE PROVISIONS OF THE ACT**

	Existing provision of PC & PNDT Act	Proposed amendments
PREAMBLE:		
1.	Statement of Objects and Reason: Point No. (i): prohibition of the misuse of pre natal diagnostic techniques for determination of sex of the foetus, leading to female foeticide;	<u>Point No. (i): May read as</u> (i) prohibition of the misuse of pre natal diagnostic techniques for determination of sex of the foetus, leading to decline sex ratio at birth (Number of females born/ thousand boys)
2.	Statement of Objects and Reason: Point No. (iii) permission and regulation of the use of Pre Natal Diagnostic Techniques for the purpose of detection of specific genetic abnormalities or disorders;	<u>Point No. (iii): May read as</u> (iii) prohibition and prevention of the misuse of Pre Natal Diagnostic Techniques for detection or determination of sex;
3.	Use of appropriate terms for- "leading to female foeticide" and "Abortion"	<u>Terms to be replaced as</u> 1. "decline in female child sex ratio at birth" 2. "sex selective termination of pregnancy" respectively.
CHAPTER I		
4.	Section 2(g): " medical geneticist" includes a person who possesses a degree or diploma in genetic science in the fields of sex selection and pre-natal diagnostic techniques or has experience of not less than two years in any of these fields after obtaining - (i) Any one of the medical qualifications recognised under the Indian Medical Council Act, 1956; or (ii) A post-graduate degree in biological sciences;	"medical geneticist" is defined as a person who has DM/ MD in Medical Genetics recognized by MCI or has worked/done research for not less than five years in a recognized university or institute or has obtained a doctorate degree in the area of clinical or medical or human genetics after obtaining: (i) Medical qualifications recognized under the Indian Medical Council Act, 1956 (102 of 1956); Or

		(ii) A recognized post graduate degree in subjects like Zoology/ Molecular Biology/ Human Genetics/ Bio-chemistry/ Biotechnology, Biomedical sciences and Biosciences /Life sciences
CHAPTER II		
5.	Section 3B: <i>Prohibition on sale of ultrasound machines, etc., to persons, laboratories, clinics, etc. not registered under the Act.</i> - No person shall sell any ultrasound machine or imaging machine or scanner or any other equipment capable of detecting sex of foetus to any Genetic Counseling Centre, Genetic Laboratory, Genetic Clinic or any other person not registered under the Act.	<i>Prohibition on sale or otherwise transfer of ultrasound machines, etc., to persons, laboratories, clinics, etc. not registered under the Act.</i> - No person shall sell or in any other manner transfer any ultrasound machine or imaging machine or scanner or any other equipment capable of detecting sex of foetus to any Genetic Counseling Centre, Genetic Laboratory, Genetic Clinic or any other person not registered under the Act.
CHAPTER III		
6.	Section 6: Determination of sex prohibited	<i>Insertion of Section 6 (1) as :-</i> Prevention of misuse of prenatal diagnostic techniques: (a) Every Appropriate Authority shall prevent and may interpose for the purpose of preventing, and shall to the best of his ability, prevent the misuse of pre-natal diagnostic techniques and commission of any offence under the Act. (b) Appropriate Authority may, if it thinks fit, for purpose of preventing commission of any offence under the Act, obtain a bond from the concerned person giving undertaking that he will not indulge into misuse of pre-natal diagnostic techniques.
CHAPTER VII		
7.	Section 23: Offences and Penalties Section 23 (1): Any medical geneticist, gynaecologist,	Section 23 (1):- May read as "Any medical geneticist,

	<p>registered medical practitioner or any person who owns a genetic counselling centre, a genetic laboratory, or a genetic clinic or is employed in such a centre, laboratory or clinic or render his professional or technical services to or at such a centre, laboratory or clinic, whether on an honorary basis or otherwise, and who contravenes any of the provisions of this Act or Rule made thereunder shall be punishable with imprisonment for a term which may extend to three years and with fine which may extend to ten thousand rupees and on any subsequent conviction, with imprisonment which may extend to five years and with fine which may extend to fifty thousand rupees.</p>	<p>gynaecologist, registered medical practitioner or any person who owns a genetic counselling centre, a genetic laboratory, or a genetic clinic or is employed in such a centre, laboratory or clinic or render his professional or technical services to or at such a centre, laboratory or clinic, whether on an honorary basis or otherwise, and who contravenes any of the provisions of this Act or Rule made thereunder shall be punishable with imprisonment for a term which shall not be less than three years and with fine which may extend to fifty thousand rupees and on any subsequent conviction, with imprisonment which shall not be less than five years and with fine which may extend to one lakh rupees.</p> <p><u>Insertion of Section 23(1)(a).as :-</u> Any person who shall not abide by the following prescribed norms including: (a) Wearing apron with proper name plate while performing diagnostic procedure , (b) Putting up-sign board disclaiming sex selection at a prominent place in the clinic. (c) Copy of PNDT Act always present in the clinic shall be punishable with a fine of not less than one thousand rupees and in case of continuing contravention with an additional fine of not less than five hundred rupees for every day.</p>
<p>8.</p>	<p>Section 25: Penalty for contravention of the provisions of the Act or Rules for which no specific punishment is provided: Whoever contravenes any of the provisions of this Act or any rules made thereunder, for which no penalty has been elsewhere provided in this</p>	<p>Section 25: <u>May read as</u> Penalty for contravention of the provisions of the Act or Rules for which no specific punishment is provided: Under Section 25, fine may extend to Rs10,000/- and in the case of continuous contravention, with an additional fine which may extend to</p>

	<p>Act, shall be punishable with imprisonment for a term which may extend to three months or with fine, which may extend to one thousand rupees or with both and in the case of continuing contraventions with and additional fine which may extend to five hundred rupees for every day during which such contravention continues after conviction of the first such contravention.</p>	<p>Rs.1,000/- for every day during which such contravention continues. Confiscation of sonography machine and other equipment used for commission of offence maybe provided as per provision of Section 55 of the Indian Forest Act, 1927. *</p>
<p>9.</p>	<p>Section 26: Offences by the companies</p>	<p><u>Insertion of Section 26 (3) as:</u> When any offence punishable under this Act has been committed by a company it should be liable to a punishment of not less than 3 years and a fine not less than 25 lakhs</p>
<p>10.</p>	<p>Section 31: <i>Protection of action taken in good faith.-</i> No suit, prosecution or other legal proceeding shall lie against the Central or the State Government or the Appropriate Authority or any officer authorized by the Central or State Government or by the Authority for anything which is in good faith done or intended to be done in pursuance of the provisions of this Act</p>	<p>Section 31: <u>May read as</u> <i>Protection of action taken in good faith.-</i> No suit, prosecution or other legal proceeding shall lie against the Central or the State Government or the Appropriate Authority or any officer authorized by the Central or State Government or by Authority or by any person including social organization which has made complaint to the Court under Section 28 (1)(b) of the Act for anything which is in good faith done or intended to be done in pursuance of the provisions of this Act.</p>

* Section 55 in The Indian Forest Act, 1927: Forest- procedure, tools, etc., when liable to confiscation.

(1) All timber or forest- produce which is not the property of Government and in respect of which a forest- offence has been committed, and all tools, boats, carts and cattle used in committing any forest- offence, shall be liable to confiscation.

(2) Such confiscation may be in addition to any other punishment prescribed for such offence.

The meeting concluded with the vote of thanks to the chair.

4

Synopsis of proposal on Amendments to MTP Act, 1971
(Amended in 2002-03)

Background and Rationale:

The Medical Termination of Pregnancy (MTP) Act in India came into existence in 1971 based on the recommendations of the Shah Committee. The Act recognizes the importance of providing safe, affordable, accessible and acceptable abortion services to women who need to terminate a pregnancy under certain conditions, and legalizes abortion on therapeutic, eugenic, humanitarian or social grounds. It also aims to regulate and ensure access to safe MTP and also defines 'when', 'where' and 'by whom' abortion may be performed.

The Act, Rules and Regulations framed under the Act were amended in 2002-03 to facilitate better implementation and increase access for women by enlarging the network of safe MTP providers including the private health sector. However, even after four decades of implementation of a liberal MTP Act, unsafe abortions still continue to outnumber safe and legal abortions in the country, contributing to eight percent of the total maternal deaths in India. The access and availability of safe abortion services to women living in rural areas, more so in remote underserved districts, remains poor. Against such a backdrop, national policies and programmes including the National Population Policy, Reproductive and Child Health programme within the framework of the National Rural Health Mission have clearly spelt out strategies to improve access of women to safe abortion services and reduce maternal mortality. More recently, the Reproductive, Maternal, New born, Child and Adolescent Health (RMNCH+A) approach under the National Health Mission has given renewed emphasis to providing access to quality Comprehensive Abortion Care services at public health facilities.

To strengthen these efforts and taking into consideration recent advances in medical technology, the Ministry of Health and Family Welfare (MOHFW), GoI has examined the provisions in the MTP Act through an extensive consultative process between Experts representing a variety of stakeholders from central and state governments, NGOs, academic institutions, professional bodies and associations like FOGSI, INC, NCW and legal professionals.

II. The Amendment Proposal:

A synopsis of the Amendment proposal is placed below.

Broad areas for proposed amendments :

- Expanding health care provider base to include non-MBBS providers (ANMs, Nurses, AYUSH practitioners)
- Increasing the upper gestation limit for legal MTP services for specific categories of women and for severe fetal abnormalities.
- Increasing the access to legal abortion services
- Others:
 - a. Increasing clarity by providing new definitions
 - b. Maintaining the provision of confidentiality in the Act

A. Key amendments proposed to the MTP Act under the above classifications:

(i) Expanding the base of legal abortion providers

- It has been recommended to replace the term "registered medical practitioner" with "registered health care provider". This would cover the expanded provider base being suggested, by bringing in para-medicals (nurses and ANMs), apart from AYUSH practitioners (Unani, Siddha, Ayurveda and Homoeopathy) as legitimate providers of abortion service. These categories of AYUSH practitioners have Ob-Gyn including abortion as part of their undergraduate curriculum. The nurses should be registered with the Nursing Council of India. In addition it has also been recommended that Auxiliary Nurse Midwives (ANM) posted at high case load service delivery points be included as legal providers of medical methods of abortion only.
- All details regarding eligibility, training, certification, permitted gestation limit, method of MTP and place of service delivery will be clearly described in the Rules and subsequent guidelines issued by the Central Government.

(ii) Increasing access to legal abortion services for women

The Act in its current form imposes some operational barriers that limit women's access to safe and legal abortion services. The recommendations include:

- Removing the requirement for provider's opinion for first trimester abortions, thereby making abortion available to women on request in the first trimester.
- Reducing the condition of requirement of the opinion of two health care providers for second trimester pregnancies to one health care provider only, as this is seen as a hindrance in access to safe abortion services by women in situations where two providers are not available.
- Extending the indication of contraception failure to include unmarried women also.

(iii) Increasing the upper gestation limit for legal MTP services

- It is recommended to increase the gestational limit for seeking abortions/ MTP on grounds of fetal abnormality beyond 20 weeks. This would result in making abortion available at any time during the pregnancy, if the fetus is diagnosed with severe fetal abnormalities which require major medical interventions or are incompatible with life. These services will however be available only at medical colleges in the public sector and at other large private-sector institutions that may be accredited by the state for this purpose.
- In addition, the proposed recommendations also include increasing the gestation limit for MTP/ abortion services for survivors of rape, victims of incest, single women (unmarried/ divorced/ widowed) and other vulnerable women (women with disabilities) to 24 weeks.

(iv) Others:

- The confidentiality that is guaranteed to a woman under the MTP Act must not be compromised and this needed to be addressed while drafting the amended MTP Act and Rules. Suitable clauses have been included in the draft amendments to address potential areas of conflict with the POCSO or any other Act.
- Other amendments pertain to improved clarity (including definitions) and rationalizing certain clauses.

No. 16(43)/2014-Coord.
Government of India
Ministry of Heavy Industries & Public Enterprises
Department of Heavy Industry
Coordination Section

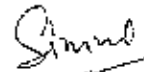
Udyog Bhawan, New Delhi.
Dated: 10th September, 2014.

OFFICE MEMORANDUM

Sub: Act or Acts require amendment/re-enactment/repeal in the light of changing socio-economic environment.

The undersigned is directed to refer to ID Note No. CRA/1/2014 dated 3rd September, 2014 of Prime Minister's Office on the subject mentioned above and to say that there is no Act that comes under the purview of the Department of Heavy Industry.

2. This issues with the approval of Secretary, Heavy Industry.



(Simmi Namaulia)

Under Secretary to the Govt. of India
Ph. 23061738

Prime Minister's Office,
(Shri R. Ramanujam, Secretary),
South Block, New Delhi-110001.

F.No.7-3/2014-AR
Government of India
Department of Higher Education
(Economic Administration Division)

Dated the 16th September, 2014

OFFICE MEMORANDUM

Subject : Repeal/Review/Amendment of all existing Acts under the Government of India
(Allocation of Business) Rules 1961

Please refer to Prime Minister's Offices' I.D. No.CRA/1/2014 dated 03.09.2014 regarding repeal of certain Acts in the Department of Higher Education.

2. The information is being collected from various quarters, however, the same has been received in respect of UGC Act, 1956 which is given in the prescribed proforma (Annexure.I).



Economic Advisor(HE)

The Secretary to Prime Minister,
Prime Minister's Office
South Block
New Delhi-110001.

Annexure-I

Name of the Ministry/Department:

*Title of all Acts (including Acts/Finance Acts/Amendment Acts) under the purview of the administrative Ministry/Department under the Government of India (Allocation of Business) Rules, 1961 which are in force as on date.	*Whether the Act mentioned under column (1) has been recommended to be repealed by any Commission or Committee. (Indicate Yes or No and if Yes, the name of the Commission/Committee that made the recommendation).	*If the Acts mentioned under column (2) have not been repealed (as recommended by any of the Commissions or Committees, the reasons therefor including legal opinion obtained, if any. Please enclosed the legal opinion therefor/the recommendations of any committee or authority or judgement of court in support thereof and the justification, if any, to continue them.)	*Whether Acts mentioned under column (1) and in force as on date require revisiting in whole or part, and if so, the provisions that require amendments thereto. Give details of Acts that require re-enactment or repeal as well as those which need amendments in the light of changing socioeconomic environment alongwith the reasons for proposed amendments/re-enactment or repeal.
(1)	(2)	(3)	(4)
The University Grants Commission Act, 1956			To review the Act, a Review Committee has been set up under the Chairmanship of Dr. Hari Gautam on 31.07.2014 and the Committee is to submit its Report within a period of six months.

*Please give information under columns (1) to (4) in respect of each Act. Attach a separate sheet in case of lengthy details.

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F.No.I-34020/122/2014-Coord.-I
Government of India
Ministry of Home Affairs

North Block, New Delhi
The 19th September, 2014

Office Memorandum

Subject: Review and Repeal of Acts.

The undersigned is directed to refer to the Prime Minister Office (PMO) I.D Note No. CRA/1/2014 dated 3.9.2014 on the above subject, and to say that to facilitate the processing we have compiled the columns of Annexure-I and Annexure-II furnished by the PMO into one single Appendix 'A'.

2. We compiled a list of 144 Acts as per details given below:-

S. No.	Particulars	Number of Acts
1.	Acts relating to MHA as per Allocation of Business Rules	60
2.	Acts contained in the list of 166 Acts (recommended for repeal) which was received from Cabinet Secretariat vide their letter no. 1/19/2014- Cab dated 05.08.2014	18
3.	Acts contained in the list of 253 Acts (recommended for repeal by Jain Commission and other Commissions) received from Law Commission vide their letter no.6(3)/211/2011/LC/LS dated 19.08.2014	66
	Total	144

3. Out of a total of 144 Acts identified, information in respect of 42 Acts, complete in all respects is sent herewith. The information in respect of remaining Acts is being collected and will be sent in due course.

4. This issues with the approval of the Joint Secretary in this Ministry.



(T. Rajendran Nair)

Under Secretary to the Government of India
Phone No. 23094435

Prime Minister's Office,
(Shri R. Ramanujam, Secretary to PM)
South Block,
New Delhi.

Encl: As above

		Appendix A					
No	Title of all Acts (including Appropriation Acts/ Finance Acts/ Amendment Acts) under the purview of the administrative Ministry/ Department under the GOI (Allocation of Business) Rules, 1961 which are in force as on date.	Whether the Act mentioned Under column (1) has been recommended to be repealed by any Commission or Committee. (Indicate Yes or No and if Yes, the name of the Commission/ Committee that made the recommendation)	If the Acts mentioned under column (2) have not been repealed (as recommended by any of the Commissions or Committees, the reasons therefore including legal opinion obtained, if any. Please enclose the legal opinion obtained there for / the recommendations of any committee or authority or judgment of court in support thereof and the justification, if any, to continue them.)	Whether Acts mentioned under column (1) and in force as on date require repealing in whole or part, and, if so, the provisions that require amendments thereto. Give details of Acts that require re-enactment or repeal as well as those which need amendments in the light of changing socio-economic environment alongwith the reasons for proposed amendments/ re-enactment or repeal.	Indicate whether the Act has come into force fully. (YES/ NO). In case the answer is No, indicate the Sections or Schedules of the Act, which have not come into force as on date.	Reasons for not bringing into force the Act or the Sections thereof or the Schedules thereof.	Indicate whether the Act or the Sections or Schedules mentioned in Column (7) are required to be continued or repealed or amended alongwith justification
1	2	3	4	5	6	7	8
1	The Delhi and Ajmer Rent Control (Nasirabad Cantonment Repeal) Act, 1966 (49 of 1966)	Yes. Jain Commission recommended the repealing of the Act.	It has already been repealed.	Does not arise.	N/A	N/A	N/A
2	The Goa, Daman & Diu (Opinion Poll) Act, 1966.	Yes. Jain Commission recommended the repealing of the Act.	Detailed examination is being done with a view to repeal this Act.	The Act was enacted for taking opinion of the people to know their wishes as to (i) whether the territory of Goa should be merged with the State of Maharashtra (ii) and the territories of Daman and Diu should be merged with the State of Gujrat. Now the purpose is over. MHA proposes to repeal this Act.	Yes	N/A	Act required to be repealed
3	The Goa, Daman & Diu (Extension of the Code of Civil Procedure and the Arbitration) Act, 1965 (30 of 1965)	Yes. Jain Commission recommended the repealing of the Act.	MHA not in favour to repeal the Act.	Since the territory was under Portuguese law, consequent upon formation of the UT of Goa, Daman & Diu, the enactment of this law was felt necessary	Yes	N/A	Act required to be continued.
4	The Manipur and Tripura (Repeal of Law) Act, 1958 (36 of 1958)	Yes. Jain Commission recommended the repealing of the Act.	- do -				
5	The Central Laws (Extension to Arunachal Pradesh) Act, 1993 (44 of 1993)	Yes. Jain Commission recommended the repealing of the Act.	The Act has contemporary relevance and hence should not to be repealed	No	Yes	N/A	This Act relates to M/o Agriculture

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1	2	3	4	5	6	7	8
	The Scheduled Areas (Assimilation of Laws) Act, 1951 (37 of 1951)	Yes. Jain Commission recommended the repealing of the Act.	The State of Assam files original suit No. 1/89 in the Supreme Court of India and the matter is presently sub-judice. The Act may not be repealed.	No	Yes	N/A	8
6	The Scheduled Areas Act, 1953 (18 of 1953)	Yes. Jain Commission recommended the repealing of the Act.	The State of Assam filed original suit No. 2/88 in the Supreme Court of India and the matter is presently sub-judice. The Act may not be repealed.	No	Yes	N/A	
7	The Shillong (Rifle Range and Umfong) Cantonment Assimilation of Laws Act, 1954 (31 of 1954)	Yes. Jain Commission recommended the repealing of the Act.	Khasi Autonomous District Council is claiming that Shillong Cantonment and municipality of Shillong Area was part and parcel of the Sixth Schedule areas and hence these area be transferred to them. Thus the Act may not be repealed at this stage.	No	Yes	N/A	
8	The Assam Municipal (Manipur Amendment) Act, 1961	PC Jain Commission Report (Appendix-A-5)	MHA not in favour to repeal the Act. Detailed examination for repeal / review of the act is needed in consultation with State Governments	No	Yes	N/A	Detailed examination for repeal / review of the act is needed in consultation with State Governments
9	The North-Eastern Provinces Village and Road Police Act, 1873 (Act 16 of 1873) [Error in the Jain Commission Report. Act 18 of 1873 is the North-Western Provinces Village and Road Police Act, 1873]	PC Jain Commission Report (Appendix-A-5)	The Act provides appointment of Village police and Road police in north Western Provinces of the Presidency of Fort William in Bengal. This Act is no longer applicable in the North Eastern States and hence can be repealed in consultation with Ministry of Law.	Yes	Not in force	N/A	This Act is no longer applicable in the North Eastern States and hence can be repealed in consultation with Ministry of Law.
10	The Assam Reorganisation (Meghalaya) Act, 1969 (55 of 1969)	PC Jain Commission Report (Appendix B)	The Act defines boundary of the present Meghalaya State and hence this Act may not be repealed.	No	Yes	N/A	
11							

1	2	3	4	5	6	7	8
1	The Dadra and Nagar Haveli Act, 1961	PC Jain Commission Report (Appendix B)	MHA not in favour to repeal the Act.	Since the formation of the UT of Dadra & Nagar Haveli, the provisions of the Act is in force and being continued. Section 4 of this Act is not necessary. Hence Can not be repealed	Y	N/A	Can not be repealed.
12	The Goa, Daman and Diu (Administration) Act, 1962	PC Jain Commission Report (Appendix B)	Detailed examination is being done with a view to repeal this Act.	This Act was enacted for the administration of the UT of Goa, Daman & Diu. Since all the provisions of the Act is available in the Goa, Daman & Diu reorganisation Act 1987. Hence may be repealed	Yes	N/A	Act required to be repealed
13	The Goa, Daman and Diu (Reorganisation) Act, 1987	PC Jain Commission Report (Appendix B)	MHA not in favour to repeal the Act.	This Act contains provisions for basic structure of the UT. Hence may not be repealed	yes	N/A	Can not be repealed.
14	The North Eastern Areas (Reorganisation) Act, 1971	PC Jain Commission Report (Appendix 8)	This Act provides establishment of States of Manipur and Tripura and to provide the formation of the State of Meghalaya and of the UTs of Mizoram and Arunachal Pradesh. Hence this Act may not be repealed.	No	Yes	N/A	
15	The State of Arunachal Pradesh Act, 1986	PC Jain Commission Report (Appendix B)	This Act provides establishment of State of Arunachal Pradesh and hence this Act may not be repealed.	No	Yes	N/A	
16	The State of Mizoram Act, 1986	PC Jain Commission Report (Appendix B)	This Act provides establishment of State of Mizoram and hence this Act may not be repealed.	No	Yes	N/A	
17	The State of Nagaland Act, 1962	PC Jain Commission Report (Appendix B)	This Act provides establishment of State of Nagaland and hence this Act may not be repealed.	No	Yes	N/A	
18	The Acquisition of Certain Area at	No	Does not arise	Does not arise	Yes	Does not arise	No
19	Ayodhya Act, 1993						

1	2	3	4	5	6	7	8
1	The Armed Forces (Special Power) Act, 1956	No	A CCS Note for rejection of Justice Jeevan Reddy Committee Report on Armed Forces (Special Powers) Act 1958 is pending advice from PMO. Two PILs are pending in the Hon'ble Supreme Court and the matter is sub-judice.	No	Yes	N/A	8
20	The Arms Act, 1959	No	Does not arise	The Act is presently being reviewed. On completion of review necessary steps to amend particular Sections / provisions of the Acts will be taken	Yes in force since 01.01.0.1952	Does not arise	Does not arise
21	The Citizenship Act, 1956, except the exercise of Powers conferred by Section 78(1) thereof	No	N/A	In force. Citizenship (Amendment) Bill 2013 for amending certain sections of the Act is under process	Yes	N/A	N/A
22	The Civil Defence Act, 1988	No	N/A	Amended in 2010	Yes	N/A	N/A
23	The Code of Criminal Procedure (Amendment) Act, 2005	No	Does not arise	Some Sections have been inserted / amended in the code of Criminal Procedure, 1973 and are prevalent and in force	Yes	Does not arise	Does not arise
24	The Code of Criminal Procedure, 1973	No	Does not arise	Can not be repealed. However, a request has been made to Law Commission for amendment.	yes	Does not arise	Does not arise
25	The Commissions of Inquiry Act, 1952	No	Does not arise	No	Yes	Does not arise	Does not arise
26	The Explosive Substances Act, 1908	No	Does not arise	Amendment not envisaged	Yes	Does not arise	Does not arise
27	The Foreign (Contribution) Regulation Act, 2010	No	N/A	in force. Can not be repealed	Yes	Does not arise	Does not arise
28	The Foreigners Act, 1946	No	N/A	in force. Can not be repealed	yes	N/A	N/A
29	The Immigration (Carries Liability) Act, 2000 (52 of 2000)	No	N/A	in force. Can not be repealed	yes.	N/A	N/A
30	The Indian Penal Code Act, 1860	No	N/A	in force. Can not be repealed	yes.	N/A	N/A
31				The IPC 1860 is the sole major criminal code which cannot be repealed	Yes	Does not arise	Does not arise

2	3	4	5	6	7	8
The National Investigation Agency Act, 2008	Does not arise	As per the request of NIA the Act is being deliberated further amendments to encompass more provisions in the list of scheduled offences apart from other issues	Yes	Does not arise	Does not arise	Does not arise
32	The Official Secrets Act, 1923	Yes. Jain Commission recommended the repealing of the Act.	No	With the approval of Hon'ble Home Minister it has been decided not to amend the Act.	Does not arise	Does not arise
33	The Passport (Entry into India) Act, 1920	No.	N/A	Does not arise	Does not arise	Does not arise
34	The Place of Worship (Special Provisions) Act, 1991	No	Does not arise	Already repealed	Does not arise	N/A
35	The Prevention of Terrorism Act, 2002 (15 of 2002)	No	Does not arise	Does not arise	Does not arise	No
36	The Protection of Human Rights Act, 1939	No	Does not arise	Does not arise	Does not arise	Does not arise
37	The Punjab Special Powers (Press) Act, 1956	No	This is an Act of State Government of Punjab	Does not arise	Does not arise	No
38	The Registration of Foreigners Act, 1939	No.	Does not arise	Does not arise	Does not arise	Does not arise
39	The Religious Institution (Prevention of Misuse) Act, 1988	No	This is an Act of State Government of Punjab	Does not arise	Does not arise	Does not arise
40	The Sikh Gurdwaras Act, 1925	No	This is an Act of State Government of Punjab	Does not arise	Does not arise	N/A
41	The Unlawful Activities (Prevention) Act, 1967	No	This Act provides more effective prevention of certain unlawful activities of individuals and associations and for dealing with terrorists activities.	Act has been reviewed and amendment issued in 2004, 2008 and 2012	Does not arise	Does not arise
42						

No. I-34020/122/2014-Coord.I
Government of India
Ministry of Home Affairs
Coordination Division

North Block, New Delhi - 110 001
Dated: the 22nd September, 2014

Office Memorandum

Subject: Identification and review and repeal of laws & rules/ review of processes.

The undersigned is directed to refer to PMO's letter No. CRA-01/2014-PMC/ dated 12.09.2014 on the above subject and to furnish the following information in this connection:-

2. We received a letter No. 1/19/2/2014-Cab. dated 5.8.2014 (copy attached) from Cabinet Secretariat also on this subject. Alongwith this letter they had sent a list of 166 Acts to us.
3. We had sent a reply to this letter to the Cabinet Secretariat vide our OM of even number dated 19th August, 2014. In this OM we had made our position clear in respect of 18 Acts (from out of 166 Acts) pertaining to us.
4. Subsequently we received another letter from the Law Commission of India vide their D.O.letter No.6(3)/211/2011/(LC)/LS dated 19.08.2014 (copy attached). This letter contains a list of 253 Acts recommended for repeal by P.C. Jain Commission and also by Law Commission.
5. We are also in receipt of PMO's ID Note No.CRA/I/2014 dated 3.9.2014 on this subject. PMO vide this ID Note has requested us to furnish detailed information on the following points:-
 - (i) further process the act of repealing the Central Acts which are not relevant or no longer needed as on date and can be repealed whole or in part immediately based on recommendations of various reports, Departmental/ Ministry, the Law Commission and other Commissions and Committees;
 - (ii) Identify the Acts amending the Central Acts which can be wholly or partially repealed in view of Section 6A of the General Clauses Act, 1897;
 - (iii) Identify the Central Acts which would require revision in the present socio-economic context through appropriate amendments thereto or re-enactment thereof.

6. PMO has also desired that this information may be furnished to them in two different Annexures which have been attached with their ID Note.

7. We are thus concerned with a total of 144 Acts only as per break-up given below:-

Sl. No.	Particulars	Number of Acts
1	Acts relating to MHA as per Allocation of Business Rules	60
2	Acts contained in the list of 166 Acts (recommended for repeal which was received from Cabinet Secretariat vide their letter No.1/19/2014-Cab dated 05.08.2014 (A reply to this letter was sent by Coordination Division earlier on the basis of inputs received from Divisions)	18
3	Acts contained in the list of 253 Acts (recommended for repeal by Jain Commission and other Commissions) received from Law Commission vide their letter No.6(3)/2011/LC/LS dated 19.08.2014	66
Total		144

8. The information in respect to 42 Acts out of 144 Acts mentioned above has been compiled and has been sent to PMO vide our OM of even number dated 19.09.2014 (copy attached). The information in respect of the remaining Acts will be furnished in due course.



(T. Rajendran Nair)
Under Secretary to the Govt. of India
Phone: 23094435

Prime Minister's Office
{Shri Avinash Kumar Sinha (Staff Officer to Member)}
Committee on Review of Administrative Laws,
South Block,
New Delhi - 110 011

File No. 46020/5/2014-Coord.
Government of India
Ministry of Housing & Urban Poverty Alleviation
Coordination Section

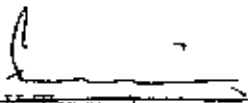
Nirman Bhawan, New Delhi
Dated 23rd September 2014

OFFICE MEMORANDUM

Subject : Information on Acts under AOB Rules, 1961 - Reg.

The undersigned is directed to refer to Prime Minister's Office ID Note. number CRA/1/2014 dated 03.09.2014 regarding information on Acts under AOB Rules, 1961,

2. Requisite information in respect of Ministry of Housing and Urban Poverty Alleviation is included in Annexure I. Information for inclusion in Annexure II is NIL for this Ministry.


(S.K. Tewari)
Economic Adviser
Tel : 23063563

Shri R. Ramanujam,
Secretary to Prime Minister,
Prime Minister's Office,
New Delhi 110011.

Encl : As above.

Ministry of Housing & Urban Poverty Alleviation

*Title of the Act under the purview of the administrative Ministry under GOI (Allocation of Business) Rules, 1961 which are in force as on date	*Whether the Act mentioned under column (i) has been recommended to be repealed by any Commission or Committee	*Reasons for not repealing the Act as recommended.	*Whether the Act mentioned in column I and in force as on date.....or repeal
Employment of Manual Scavengers and Construction of Dry Latrine (Prohibition) Act, 1993	Yes, Committee of Secretaries' decision to transfer the Act from MHUPA to D/o SJ&E.	Further action in this regard would be initiated by D/o Social Justice & Empowerment.	D/o Social Justice & Empowerment has enacted a new legislation on 'Prohibition of Employment as Manual Scavengers and their Rehabilitation Act, 2013'.
Street Vendors (Protection of Livelihood and Regulation of Street Vending) Act, 2014	No.	Not applicable	The Act has come into force on 01.05.2014.

अमित कान्त
AMITABH KANT
सचिव
Secretary



D.O.No: 34011/13/2014-O&M

भारत सरकार

औद्योगिक नीति और संवर्धन विभाग

वाणिज्य एवं उद्योग मंत्रालय

उद्योग भवन, नई दिल्ली-110 011

Government of India

Deptt. of Industrial Policy and Promotion

Ministry of Commerce & Industry

Udyog Bhawan, New Delhi-110 011

Tel : 23061815, 23061667 Fax : 23061598

e-mail : amitabh.kant@nic.in, secy-ipp@nic.in

19th September, 2014

Dear Shri Ramanujam,

Kindly refer to your I.D. Note No. CRA/1/2014 dated 3rd September, 2014 regarding the progress of implementation of the recommendation of various commissions on repealing certain central Acts under the purview of the Department of Industrial Policy and Promotion, Ministry of Commerce and Industry under the Government of India (Allocations of Business) Rules, 1961.

The requisite information in respect of this department is provided in Annexure-I and II (copy enclosed). A soft copy of the information has also been sent at oo.ramanujam@gov.in

Warm Regards,

Yours sincerely

(Amitabh Kant)

Encl: as above.

Shri R. Ramanujam,
Secretary to Prime Minister,
South Block,
New Delhi.

Name of the Ministry/Department:

*Title of all Acts (including Appropriation Acts/Finance Acts/Amendment Acts) under the purview of the administrative Ministry/Department under the Government of India (Allocation of Business) Rules, 1961 which are in force as on date.	*Whether the Act mentioned under column (1) has been recommended to be repealed by any Commission or Committee. (Indicate Yes or No and if Yes, the name of the Commission / Committee that made the recommendation).	*If the Acts mentioned under column (2) have not been repealed (as recommended by any of the Committees, the reasons therefor including legal opinion obtained, if any. Please enclose the legal opinion obtained there for/the recommendations of any committee or authority or judgment of court in support thereof and the justification, if any, to continue them.)	*Whether Acts mentioned under column (1) and in force as on date require revisiting in whole or part, and, if so, the provisions that require amendments thereto. Give details of Acts that require re-enactment or repeal as well as those which need amendments in the light of changing socioeconomic environment alongwith the reasons for proposed amendments/re-enactment or repeal.
(1)	(2)	(3)	(4)
1. The Industries (Development and Regulation) Act, 1951 (as of 1951).	No	Not applicable	Law Commission in its 158 th Report has recommended that Amendment in the first Schedule of IDR Act, substituting the following as item No.26 in the Schedule "Fermentation Industries but including Alcohol". The process has been initiated for amending the IDR Act and the file is under submission.
2. The Indian Boilers Act, 1923 (5 of 1923)	No	Not applicable	The Act was comprehensively amended in 2007.
3. The Explosives Act, 1954 (4 of 1954)	No	Not applicable	Not applicable

4. The Inflammable Substances Act, 1952 (20 of 1952).	No	Not applicable	Not applicable
5. The Designs Act, 2000 (16 of 2000).	No	Not applicable	Not applicable
6. The Trade Marks Act, 1999 (47 of 1999).	No	Not applicable	Not applicable
7. The Patents Act, 1970 (39 of 1970).	No	Not applicable	The last amendment to the Patent Act was done in 2005.
8. The Geographical Indications of Goods (Registration and Protection) Act, 1999 (48 of 1999).	No	Not applicable	Not applicable
9. The Salt Cess Act, 1953 (49 of 1953)	No	Not repealed. However, the Expenditure reforms Commission (ERC) recommended in September, 2001 that Cess on salt may be collected either by the Central Excise Department or it may be abolished. The DPP is moving a Cabinet Note to reverse the above recommendation of ERC.	Not applicable

*Please give information under columns (1) to (4) in respect of each Act. Attach a separate sheet in case of lengthy details.

Annexure-II

Name of the Ministry/Department:

*Title of all Acts (including Amendment Acts) under the purview of the administrative Ministry/Department under the Government of India (Allocation of Business) Rules, 1961 or sections thereof or Schedule thereto which have not come into force as on date.	*Reasons for not bringing into force the Acts or sections thereof or Schedule thereto mentioned under column (1).	*Indicate whether the Acts or the provisions thereof or Schedules thereto mentioned under column (2), in the opinion of the Ministry/Department require to be continued or repealed or amended alongwith justifications.
(1) Nil	(2) Nil	(3) Nil

*Please give information under columns (1) to (3) in respect of each Act. Attach a separate sheet in case of lengthy details.



No. A-50011/25/2014-ISC (Adm.)
Government of India
Ministry of Home Affairs
Inter State Council Secretariat

Vigyan Bhawan Annexe,
New Delhi, dated the 12th September, 2014

OFFICE MEMORANDUM

Sub: Revisiting of the existing Acts.

The undersigned is directed to refer to PMO I.D. No. CRA/1/2014 dated 03.09.2014 on the above subject and to state that there is no Act which falls under the purview of Inter State Council Secretariat. However, the State Reorganization Act, 1956 is under the purview of Ministry of Home Affairs (Department of States). It is learnt that PC Jain Commission had recommended to repeal some part of said Act, which are not relevant. Since the said Act is under the purview of Ministry of Home Affairs (Department of States), they would be in a better position to offer comments.

2. This has the approval of Secretary, ISCS.

(L.R. Gupta)
Deputy Secretary to the Govt. of India
Tel:-23022350

To

Shri R. Ramanujam,
Secretary to PM,
South Block,
New Delhi-110001.

Immediate

Ministry of Law and Justice
Department of Justice

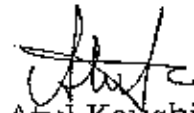
Jaisalmer House, Mansingh Road,
New Delhi-110011.



Subject: Amendment/re-enactment/repeal of Central Acts.

The Prime Minister's Office may kindly refer to its I.D. No. CRA/1/2014 dated 03.09.2014 on the above subject.

The requisite information in respect of Acts being administered by Department of Justice is furnished herewith in Annexure-I and Annexure-II.



Atul Kaushik
Joint Secretary to GoI
Tele: 23385020

Prime Minister's Office (Shri R. Ramanujam, Secretary), South Block,
DoJ I.D. No. L-19017/12/2014-Jus dated 10.09.2014.

Name of the Ministry/Department: Department of Justice

Title of all Acts (including Appropriation Acts/Finance Acts/Amendments Acts) under the purview of the administrative Ministry/Department under the Government of India (Allocation of Business) Rules, 1961 which are in force as on date.	Whether the Acts mentioned under column (1) has been recommended to be repealed by any Commission or Committee. (Indicate Yes or No and if Yes, the name of the Commission/Committee that made the recommendation).	If the Acts mentioned under column (2) have not been repealed (as recommended by any of the Commissions or Committees, the reasons therefore including the legal opinion obtained, if any. Please enclose the legal opinion obtained there for/the recommendations of any committee or authority of judgment of court in support thereof and the justification, if any, to continue them.)	Whether the Acts mentioned under column (1) and in force as on date require revisiting in whole or part, and, if so, the provisions that require amendments thereto. Give details of Acts that require re-enactment or repeal as well as those which need amendments in the light of changing socio-economic environment along with the reasons for proposed amendments/re-enactment or repeal.
(1)	(2)	(3)	(4)
The Contempt of Courts Act, 1971.	No	—	Does not require revisiting.
The Court Fees Act, 1870.	No	—	Does not require revisiting.
The Judges (Inquiry) Act, 1968.	No	—	Does not require revisiting for the present. However, as and when the Judicial Standards and Accountability Bill is enacted, the Judges (Inquiry) Act, 1968 will get repealed as per Clause 59 (1) of the Bill.
The Judges (Protection) Act, 1985.	No	—	Does not require revisiting.

<p>The High Court Judges (Salaries and Conditions of Service) Act, 1954</p>	<p>No</p>	<p>—</p>	<p>The Act requires revisiting as certain provisions have become redundant and some provisions are to be amended and/or to be added. A statement showing existing provisions and amendment suggested is enclosed. The proposal has been approved by the Minister of Law and Justice and has been referred to Department of Legal Affairs for advice.</p>
<p>The Supreme Court Judges (Salaries and Conditions of Service) Act, 1958</p>	<p>No</p>	<p>—</p>	<p>The Act is proposed to be revisited on the lines of the High Court Judges Act, 1954. A proposal is yet to be formulated.</p>
<p>The Family Courts Act, 1984</p>	<p>No</p>	<p>—</p>	<p>Does not require revisiting.</p>
<p>The Gram Nayayalaya Act, 2008</p>	<p>No</p>	<p>—</p>	<p>Does not require revisiting.</p>

THE HIGH COURT JUDGES (SALARIES AND CONDITIONS OF SERVICE) ACT, 1954

Statement showing existing provisions and amendment suggested

Section	Existing provisions	Amendment suggested	Remarks
1.	This Act may be called the High Court Judges (Salaries and Conditions of Service) Act, 1954.	This Act may be called the High Court Judges (Salaries and Conditions of Service) Amendment Act, 2014.	Consequential
2(1) (a) to (c)	Definition	No change	
2(1) (d)	'Additional Judge' means a person appointed as an additional Judge under sub-section (3) of section 222 of the Government of India Act, 1935 or 224 of the Constitution.	'Additional Judge' means a person appointed as an additional Judge under clause (1) of article 224 of the Constitution.	under sub-section (3) of section 222 of the Government of India Act, 1935 or Deleted as it has become redundant.
2(1)(e)	Former Indian High Court means the High Court at Rangoon, the High Court at Lahore, the Chief Justice of Sindh or the Judicial Commissioner's Court of North West Frontier Province.	To be deleted.	Redundant as there is no former Indian High Court
2(1) (f) to (i)	Definition	No change	
2(2)	In the calculation of service for the purposes of this Act, previous service for any period or periods as acting Judge or additional Judge or as a Judge of a former Indian	To be deleted	Redundant as there is no former Indian High Court

	High Court shall be reckoned as service as a Judge but, save as otherwise expressly provided previous service as an acting Chief Justice shall not be reckoned as service as Chief Justice.			
2(3)	Any period of leave taken by a Judge before the commencement of this Act under the rules then applicable to him as an acting Judge, Additional Judge or a Judge shall, for the purposes of this Act, be treated as if it were leave taken by him under this Act.	To be deleted		Redundant as there is no Judge in office appointed before the commencement of 1954 Act
2(4)	Any period of leave taken by a Judge, while serving as a Judge of a former Indian High Court before his appointment to a High Court shall for the purposes of this Act are treated as if it were leave taken by him under this Act.	To be deleted		Redundant as there is no former Indian High Court
3	Relates to kinds of leave admissible to a Judge.	No change		
4	Relates to leave account showing the amount of leave due.	No change		
4(A)	A Judge shall be entitled in his entire service including the period of service rendered in a pensionable post under the Union or State or on re-employment, if any, to claim the cash equivalent of leave salary on his retirement in respect of the period of earned leave at his credit, to the extent of the maximum period prescribed for encashment of such leave under the All India	A Judge shall be entitled in his entire service including the period of service rendered in a pensionable post under the Union or State or on re-employment, if any, to claim the cash equivalent of leave salary in respect of both earned leave and half pay leave, if any, standing in his credit on the date on which he ceases to be a Judge subject to a maximum of 300 days. The cash	Provision for leave encashment has been made on the lines of AIS (Leave) Rules, 1955.	

	Service (Leave) Rules, 1955.	equivalent shall be equal to the leave salary as admissible for earned leave and /or equal to the leave salary as admissible for half pay leave plus dearness allowance admissible on the leave salary for the first 300 days.
5	Relates to aggregate amount of leave which may be granted.	No change
5A	Relates to commuted leave.	No change
6	Relates to grant of leave not due.	No change
7	Relates to special disability leave.	No change
8	Relates to extraordinary leave.	No change
9	<p>The monthly rate of leave allowances payable to a Judge while on leave on full allowances shall be for the (first forty five days) of such leave at rate equal to the monthly rate of his salary, and thereafter in the case of the Chief Justice, fifty-five per cent of the monthly rate of his salary and in the case of each of the other Judges, sixty per cent of the monthly rate of his salary.</p> <p>Provided that where leave on full allowances is granted to a Judge on medical certificate, the monthly rate of leave allowances shall, for the</p>	<p>Leave salary while on leave on full allowances or commuted leave shall be full pay and while on HPL, it shall be half pay.</p> <p>This Section relates to leave allowances and makes an interesting reading. His leave salary shall be full pay for the first 45 days of leave and thereafter it will be 45% of salary in the case of CJ and 60% in the case of other Judges. In respect of leave salary on HPL, it shall be twenty seven and half percent of salary in case of a CJ and thirty percent of salary in case of a Judge. Thus, these provisions make a distinction in leave salary and also leave salary of a CJ and a Judge. With a view to remove this anomaly, it is proposed to make a provision for full pay while on EL and commuted leave and half pay in case of HPL and other kinds of leave.</p>

	First one hundred and twenty days of such leave be a rate equal to the monthly rate of his salary. (2) The monthly rate of leave allowances payable to a Judge while on leave on half allowances shall be in the case of the Chief Justice, twenty-seven and a half percent of the monthly rate of his salary and in the case of each of the other Judges, thirty per cent of the monthly rate of his salary.		
10	Relates to allowances for joining time.	No change	
11	Relates to combining leave with vacation.	No change	
12	Relates to consequences of overstayng leave or vacation.	No change	
12A		Casual leave not exceeding fourteen days may be granted in a calendar year.	New provision.
13	Relates to authority competent to grant leave.	No change.	
13A	Relates to salaries of Judges.	No change.	
14	Relates to pension payable to a Part I Judge i.e. who has been elevated from the Bar.	No change.	
	(b) of first proviso to Section 14	To be deleted.	Redundant as there may not be Judge, who was in office on 5th day of October, 1963.
14A		Subject to the provision of this Act, a period of ten years shall be added to	New provision in pursuance of Supreme Court judgment in Justice P. Ramakrishna

		the service of a Judge for the purpose of his pension who qualified for appointment as such judge under sub-clause (b) of clause (2) of article 217 of the Constitution with effect from 1 st April of 2004.	Raju case.
15(1)(a)	Relates to pension payable to a Judge belonging to ICS.	To be deleted.	Redundant as there is no ICS Judge.
15(2)	Relates to pension payable to a Judge elevated from service.	The term 'Part II' to be deleted.	Redundant as there is no ICS Judge.
16	Relates to addition to the service for pension.	No change except the term 'Part II' to be deleted occurring in the proviso.	Redundant as there is no ICS Judge.
17	Relates to extra ordinary pension.	No change.	
17A	Relates to family pension and gratuities to be paid to a Judge.	The term 'Part II' to be deleted wherever it occurs.	Redundant as there is no ICS Judge.
17B	Additional quantum of pension/family pension.	No change.	
18	Relates to pension to be paid in sterling.	To be deleted.	Redundant.
19	Commutation of pension.	No change.	
20	Provident Fund.	The term "who is a member of ICS" occurring in first proviso to be deleted. Second proviso relates to a Judge appointed before the commencement of the 1954 Act.	Redundant. Redundant and therefore, to be deleted.
20A	Deposit linked insurance scheme.	No change.	

21	Authority competent to grant pension.	No change.	
22	Provides for rules to be framed in respect of travelling allowance.	No change.	
22A	Facility of rent free house.	No change.	
22B	Conveyance facilities.	No change.	
22C	Sumptuary allowance	No change.	
22D	Exemption from income tax on certain perks and allowances.	No change.	
23A	Medical treatment and other conditions of service.	No change.	
23A A	Vacation.	No change.	
23B	Relates to leave and pension of Judges of former High Court in Part- B States.	To be deleted.	Redundant.
23C	Special provision in respect of Judges transferred from the High Court of J&K.	No change.	
23D	Medical facilities for retired Judges.	No change.	
24	Power to make rules.	No change.	
25	This Section pertains to Judges in office in 1954 and the judges of former High Courts in Part-B States.	To be deleted.	Redundant.

Part I of the First Schedule	Relates to pension payable to a Part I Judge.	No change.	
Part II of the First Schedule	Relates to pension payable to an ICS Judge.	To be deleted.	Redundant.
Part III of the First Schedule	Relates to pension payable to a Judge elevated from the service.	No change.	
Second Schedule	Injury Gratuities and Pensions.	No change.	

Annexure- II

Name of the Ministry/Department: Department of Justice

Title of all Acts (including Amendments Acts) under the purview of the administrative Ministry/Department under the Government of India (Allocation of Business) Rules, 1961 or sections thereof or Schedule thereto which have not come into force as on date.	Reasons for not bringing into force the Acts or sections thereof or Schedule thereto mentioned under column (1).	Indicate whether the Acts or the provisions thereof or Schedules thereto mentioned under column (2), in the opinion of the Ministry/Department require be continuing or repealing or amended along with justification.
(1) Nil	(2) —	(3) —

No.Z-20025/55/2014-Coord.
Government of India/Bharat Sarkar
Ministry of Labour and Employment
Shram aur Rozgar Mantralaya
(Coordination Section)

(25)

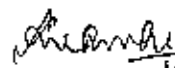
Shram Shakti Bhawan, Rafi Marg,
New Delhi, the 15th September, 2014

OFFICE MEMORANDUM

Subject:- Repeal of certain Acts recommended by various Commissions – reference from Prime Minister's office.

The undersigned is directed to refer to the Prime Minister's office I.D. No. CRA/1/2014 dated 03.09.2014 on the above mentioned subject.

2. The requisite information pertaining to Ministry of Labour & Employment is enclosed. The material has also been e-mailed at oo.ramanujam@gov.in, on 12-09-2014.
3. This issues with the approval of Additional Secretary (L&E).


(G.A. Raghuvanshi)
Under Secretary to the Government of India
Tele.No.23766936

Encl: As above.

The Prime Minister's office,
(Kind attn: Shri R.Ramanujam, Secretary to Prime Minister),
South Block, New Delhi.

Ministry of Labour & Employment

Sl.No	Title of all Acts (including Appropriation Acts /Finance Acts / Amendment Acts) under the purview of the administrative Ministry / Department under the Government of India (Allocation of Business) Rules, 1961 which are in force as on date.	Whether the Act mentioned under column (1) has been recommended to be repealed by any Commission or Committee. (Indicate Yes or No and if Yes, the name of the Commission/ Committee that made the recommendation).	if the Acts mentioned under column (2) have not been repealed (as recommended by any of the Commissions or Committees, the reasons therefor including legal opinion obtained, if any. Please enclose the legal opinion obtained, if any. Please enclose the legal opinion obtained there for / the recommendations of any committee or authority or judgment of court in support thereof and the justification, if any, to continue them.)	Whether Acts mentioned under column (1) and in force as on date require revisiting in whole or part, and, if so, the provisions that require amendments thereto. Give details of Acts that require re-enactment or repeal as well as those which need amendments in the light of changing socio- economic environment along with the reasons for proposed amendments /re-enactment or repeal.
	(1)	(2)	(3)	(4)
01.	The Employees' State Insurance Act, 1948,	No	Not applicable	No amendment under consideration
02.	The Employees' Provident Fund and Miscellaneous Provisions Act, 1952	No	Not Applicable	Proposal for Comprehensive amendments to the Act is under consideration including revising the number of employees in an establishment for coverage, constitution of the Board, definition of various terms such as wages, employee, voluntary contribution, appellate officer, period of limitation for determination of dues, constitution of appellate tribunal, provision for penalty for non-supply of returns

	(1)	(2)	(3)	(4)
03.	The Payment of Gratuity Act, 1972	No	Not Applicable	No amendment under consideration
04.	The Maternity Benefit Act, 1961	No	Not applicable	No amendment under consideration
05.	The Employees' Compensation Act, 1923	No	Not applicable	Law Commission in its 62 nd and 134 th Report have made several recommendations which require amendment to the Act. These recommendations are being examined
06.	The Personal Injuries (Compensation Insurance) Act, 1923	No	Not applicable	Repeal
	The Personal Injuries (Emergency Provisions) Act, 1962	No	Not applicable	Repeal
08.	The Employees Liability Act, 1938	No	Not Applicable	Repeal
09.	Unorganised Workers Social Security Act, 2008	No	Not Applicable	No amendment under consideration
10.	The Contract Labour (Regulation & Abolition) Act, 1970	No	Not Applicable	Focus of the proposal is to(i) ensure same wages and social security to the Contract workers at par with the regular workers (ii) for provision for agreement between the contractor and the Principal Employer in respect of wages and social security.

				<p>Under the proposal the provision under rule 25 sub para (v)(a) of para 2 was to be brought to the main act and included as section 16 A of the Act. The proposed section 16A will be read as</p> <p><u>Wages:</u> "In case where the contract labour perform the same or similar kind of work as the workmen directly appointed by the Principal Employer the wage rates, holidays, social security provisions of contract labour shall be the same as are available to the directly appointed workmen on the rolls of the Principal Employer". This would strengthen the implementation of the provision to ensure equal remuneration for Contract workers who perform the same or similar kind of work as regular workmen directly employed by the Principal Employer.</p>
11.	The Building & other Construction Workers (Regulation of Employment & Conditions of Services) Act, 1996	No	Not Applicable	<p>The Cabinet approved the proposal to carry out the amendments in the Acts. Accordingly, the bill viz. The Building and Other Construction Workers Related Laws (Amendment) Bill, 2013 was introduced in Rajya Sabha on 18th March, 2013. The bill seeks to amend the Acts as under:</p>
12.	The Building & other Construction Workers Welfare Cess Act, 1996 (BOWCW)			<p>It is proposed to include the Union territories within the definition of appropriate Government under clause (a) of sub-section (1) of section 2 of the BOCW(RECS) Act.</p>

To empower the Central Government to specify the maximum cost of construction which shall fall within the definition of establishment under clause (i) of sub-section (1) of section 2 of BOCW (RECS) Act.

The existing condition of ninety days work certificate for registration under the BOCW (RECS) Act is a major handicap. Workers are finding it difficult to register themselves with the Workers Welfare Board as they do not get ninety days work certificate from the employer on account of migration from one site to another construction site. Most of the employers employing building and other construction workers do not give any certificate to the construction workers. In order to overcome this difficulty the provision of engagement of ninety days requires to be done away with. Moreover, the criteria of upper age limit of sixty years is proposed to be done away with in order to extend benefits to the workers who are engaged in building and construction work after attaining the age of sixty years.

(1)	(2)	(3)	(4)
			<p>In many States the Welfare Board has not been constituted with its full manpower. It is proposed that till such time a Board is formally constituted by the State Government as stipulated under section 18, the following committee shall perform all or any function of the Board:</p> <ul style="list-style-type: none"> ➤ Principal Secretary/ Secretary Labour; ➤ Principal Secretary/ Secretary Finance or his representative; ➤ Principal Secretary/ Secretary Planning or his representative; ➤ Principal Secretary/ Secretary Social Welfare or his representative; <p>As per sub-section (3) of section 24 of the BOCW(RECS) Act, 1996 a ceiling of five percent of the expenditure has been prescribed for incurring expenditure towards salaries, allowances and other remunerations to the members, officers and other employees and administrative expenses of the Board.</p> <p>In view of the recommendations of the Central Advisory Committee, it is proposed that expenses for meeting administrative and other expenses shall</p>

not exceed such percentage of total expenses as may be notified by the Central Government.

It is proposed to empower the Central Government to appoint such number of Director Generals not exceeding ten to coordinate with the Central Government in carrying out its responsibility of laying down the standard of inspection and to exercise the power of an Inspector.

The definition of the 'employer' has not been incorporated in BOCW Welfare Cess Act. This needs to be included as given in the main Act.

It is proposed to provide a period of 30 days to deposit the cess to the Board under Section 3 of the BOCW Welfare Cess Act. At present, no time limit has been prescribed under the present provisions.

It is proposed to include the State Governments under sub-section 3 of Section 12 of the BOCW Welfare Cess Act so as to enable the State Governments to file complaints for contravention of the provisions of the Act

(1)	(2)	(3)	(4)
			<p>The Bill was referred to the Standing Committee on Labour for examination and report. The Committee, after deliberation with the Ministry and other stakeholders, presented its report to the Hon'ble Speaker, Lok Sabha on 15th March, 2014.</p> <p>In order to examine the recommendations of the Standing Committee on Labour, an Inter-Ministerial Committee has been constituted. The suggestions of the Inter -Ministerial Committee are under examination of the Ministry.</p>
13.	The Bonded Labour System (Abolition Act), 1976	No	No amendment under consideration
14.	The Inter-State Migrant Workmen (Regulation of Employment & Conditions of service) Act, 1979	No	<p>Cabinet had approved the proposal of this Ministry to amend the Inter-State Migrant Workmen (Regulation of Employment & Conditions of service) Amendment Bill, 2011 on 7th July, 2011 and to introduce a Bill viz. Inter-State Migrant Workmen (Regulation of Employment & Conditions of service) Bill, 2011 in the Parliament. The Bill was introduced in Rajya Sabha on 18.08.2011.</p>

(1)	(2)	(3)	(4)
			The Bill was referred to the Standing Committee on Labour by Speaker, Lok Sabha on 24.8.2011 for examination and report. The Committee recommended that the Bill should be returned to the Government with a request to bring a comprehensive amendment Bill so that the problem of the migrant workers could be addressed in entirety. The same is under consideration of the Government.
15.	The Beedi Workers Welfare Fund Act, 1977	No	No amendment under consideration
16.	The Beedi Workers Welfare Cess Act, 1977	No	No amendment under consideration
17.	The Cine Workers Welfare Fund Act, 1981	No	No amendment under consideration
18.	The Beedi Workers Welfare Cess Act, 1976	No	No amendment under consideration
19.	The Cine Workers Welfare Cess Act, 1981	No	No amendment under consideration
20.	The Iron Ore, Manganese Ore and Chrome Ore Mines Labour Welfare Fund Act, 1976	No	No amendment under consideration

	(1)	(2)	(3)	(4)
21.	The Iron Ore, Manganese Ore and Chrome Ore Mines Labour Welfare Cess Act, 1976	No	Not Applicable	No amendment under consideration
22.	The Limestone & Dolomite Mines Labour Welfare Fund Act, 1972	No	Not Applicable	No amendment under consideration
23.	The Mica Mines Labour Welfare Fund Act, 1946	No	Not Applicable	No amendment under consideration
	(1)	(2)	(3)	(4)
24.	The Cine Workers and the Cinema Theatre Workers (Regulation of Employment)Act, 1981	No	Not Applicable	No amendment under consideration
25.	The Industrial Disputes Act, 1947	No	Not Applicable	A proposal to amend the Section 25 FFF(1) to bring Manufacturing Sector with in the ambit of the Act, as proposed by Department of Industrial Policy & Promotion is presently under consideration..

	(1)	(2)	(3)	(4)
26.	The Trade Unions Act, 1926.	No	Not Applicable	A proposal to amend Section 8 of the Trade Unions Act, 1926 to bring the provisions of liability to register Trade Unions in stipulated time, imposition, recovery and payment of cost in case of delay is presently under consideration.
27.	The Plantations Labour Act, 1951	No	Not Applicable	No amendment under consideration
28.	The Sales Promotion Employees (Conditions of Service) Act, 1976	No	Not Applicable	No amendment under consideration
29.	The Weekly Holidays Act, 1942	No	Not Applicable	No amendment under consideration
30.	The Industrial Employment (Standing Orders) Act, 1946	No	Not Applicable	No amendment under consideration
31.	The Motor Transport Act, 1961	No	Not Applicable	No amendment under consideration

	(1)	(2)	(3)	(4)
32.	The Factories Act, 1948	No	Not applicable	<ul style="list-style-type: none"> • A Bill to amend the Factories Act has been introduced in the recently concluded Budget Session of the Parliament in August, 2014. The Bill proposes to: <ul style="list-style-type: none"> • The threshold limit for coverage under the Factories Act to include besides the existing limits of 10 workers (for units with power) and 20 workers (for units without power), units with such number of workers as may be prescribed by the State Government with a cap of 20 workers (for units with power) and 40 workers (for units without power) respectively. • Permission for employment of women for night work for a factory or group or class or description of factories with adequate safeguards for safety and provision of transportation till the doorstep of their residence. • Enhancement of limit of overtime hours from the present limit of 50 hours per quarter to 100 hours per quarter. This limit to be increased to a maximum of 125 hours per quarter in public interest with the approval of State Government.

<ul style="list-style-type: none">• Insertion of provision relating to compounding of certain offences and amendment of the Act enhancing the quantum of penalty for offences• Increase in the period of spread over from 10.5 hours to 12 hours by State Government through notification in the Official Gazette.• Provision of personal protective equipment for workers exposed to various hazards. Stricter provisions regarding entry into confined spaces and precautions against dangerous fumes, gases etc.• Provision of canteen facilities in respect of factories employing 200 or more workers instead of the present stipulation of 250 workers and also provision of shelters or restrooms and lunchrooms in respect of factories employing 75 or more workers instead of the present stipulation of 150 workers.• Introduction of new terms like "hazardous substance" and "disability" to existing definitions.• Prohibition of employment of				
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33.	The Mines Act, 1952	No	Not Applicable	<p>pregnant women (it was earlier for all women) and persons with disabilities on or near machinery in motion and near cotton openers.</p> <ul style="list-style-type: none">• Reduction in the eligibility criteria for entitlement of annual leave with wages from 240 days to 90 days.
<p>The Mines Amendment Bill was introduced in Rajya Sabha in March, 2013 and was referred to the Standing Committee for examination. Based on the report of the Standing Committee, a Cabinet Note was submitted for consideration of the Cabinet. The Ministry of Mines objected to the issue of inclusion of definition of foreign company in the amendment bill since there is no provision of granting leases to the foreign companies under the MMDS Act. As per the decision of the Cabinet dated 06.09.2012, the Ministry of labour & Employment was directed to discuss the issue with the Ministry of Mines and thereafter to bring supplementary note for the consideration of the Cabinet. The concerns of Ministry of Mines have been sorted out. After completing the process as directed by the Cabinet, the proposal was again sent the Note to the Cabinet Sectt. for placing it before the Cabinet. The Cabinet considered the proposal in its meeting held on 09.05.2013 and decided that "matter relating to definition of owner, continuation of liability and other</p>				

34	The Dock Workers(Safety and Health Miscellaneous Provisions Act, 1952)	No	Not Applicable	related provisions be appropriately reformulated by the Minister of Labour & Employment in consultation with the Minister of Communication and Information Technology, the Minister of Coal and the Minister of Mines and the proposal may, thereafter, be brought for consideration of the Cabinet." The matter is being sorted out from concerned Ministries.
35	The Labour Laws (Exemption from Furnishing Returns and Maintaining Registers by Certain Establishments) Act, 1988	No	Not Applicable	The Labour Laws (Exemption from Furnishing Returns and Maintaining Registers by Certain Establishments) Amendment Bill, 2011 was introduced in Rajya Sabha on 23.03.2011.
				<p>The Bill was referred to the Parliamentary Standing Committee on Labour on 01.04.2011 for examination and report. The Committee has since presented its Report in Lok Sabha on 20.12.2011.</p> <p>The observations and recommendations of the Committee contained in their Report have been examined. The Ministry agrees with many of the recommendations.</p>

Approval of the Cabinet for moving official amendments in the Labour Laws (Exemption From Furnishing Returns And Maintaining Registers By Certain Establishments) Amendment, Bill, 2011 was obtained in July, 2014. Notice for moving official amendments has been sent to Rajya Sabha on 06.08.2014 for taking up and passing the Bill.

The main features of the proposed Amendments are:

- The nomenclature of the Act is being changed to "The Labour Laws (Simplification of Procedure for Furnishing Returns and Maintaining Registers by Certain Establishments) Act, 1988". Continuing with the existing method of defining establishments as 'very small', and 'small' with the change that the 'small' establishments would now cover the establishments employing the existing provision of 10 to 19 workers.
- Small establishments will be required to maintain two registers as against the existing provision of maintaining three registers.

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(1)	(2)	(3)	(4)
			<p>➤ to amend the Second Schedule of the Bill so as to substitute the date of submission of Annual Return in Form I from "31st January" for the year ending on 31st December" to "30th April" for the year ending on 31st March";</p> <p>➤ to amend the Second Schedule of the Bill so as to insert an Annexure in Form I to provide the names and address of employees / workers;</p> <p>➤ allow maintaining of registers or records in computer, floppy, diskette or on other electronic media and submitting return through electronic form</p> <p>After passing of the Bill by Rajya Sabha, the same will be moved to Lok Sabha for consideration and passing. The amendments will ease the compliance burden on 'small' and 'very small' establishments by reducing the number of returns filed and registers required to be maintained. The amendments will also enable maintenance of records and filing of returns in electronic form.</p>

	(1)	(2)	(3)	(4)
36.	The Child Labour (Regulation & Abolition) Act, 1986.	No	Not Applicable	The Child Labour (Prohibition & Regulation) Amendment Bill was introduced in the Rajya Sabha in Dec., 2012. The report of the Parliamentary Standing Committee on Labour has since been received. The Ministry agrees with many of the recommendations of the Committee. It had also carried out public consultation on the amendment bill and the recommendations of the Committee. Official amendments are in the process of being drafted in consultation with the Ministry of Law.
37.	The Children (Pledging of Labour) Act, 1933	Yes (2 nd National Commission on Labour)	All stakeholders such as Central Ministries, State Governments and the general public have been consulted	Repeal
38.	The Equal Remuneration Act, 1976	No	Not applicable	
39.	The Minimum Wages Act, 1948			The proposal to amend the Minimum Wages Act, 1948 was placed before the Cabinet in its meeting held on 12.2.2014 and was referred to the Group of Ministers (GOM). Since the concept of GOM has been scrapped, the amendment proposal was placed in the public domain for inviting suggestions in June 2014. Thereafter, the Draft Cabinet Note(DCN) was circulated for inter-ministerial consultations on 7 th August, 2014. The

				DCN will now be referred to the Ministry of Law and Justice for vetting after approval of the competent authority.
40	Payment of Wages Act, 1936	NO	NOT APPLICABLE	It is proposed to provide for a National Floor Level Minimum Wage which would be reviewed and revised periodically on the basis of consumer expenditure survey published by NSSO, to make the coverage universal by removing the scheduled employment, to protect the interest of the employment by providing them revised minimum wages and to simplify the procedure. No Amendment proposed now.
41.	The Payment of Bonus Act, 1965	NO	NOT APPLICABLE	The details of the amendment proposal in respect of the Payment of Bonus Act, 1965 are as under:- (i) Eligibility Limit: to be revised from Rs.10,000 to Rs.18,000 per month. [Amendment of Section 2(13)] (ii) Calculation Ceiling: to be revised from Rs.3,500 to Rs.6,000 per month. (Amendment of Section 12) The proposal has already been approved in the 46 th Session of the Standing Labour Committee held on 31.01.2014. The proposal will now be placed before the Indian Labour Conference (ILC) in its next meeting.

					Reasons for proposed amendments: Since the enactment of the Payment of Bonus Act, 1965, Section 2(13) and Section 12 have been amended from time to time (1985, 1995 and 2007 (w.e.f. 1.4.2006)) due to periodical rise in salary or wage as well as rise in price index.
42	The Working Journalists & Other Newspapers Employees (Condition of Service) and Miscellaneous Act, 1938	No	Not Applicable	No Amendment proposed now.	
43	The Employment Exchange (Compulsory Notification of Vacancies) Act, 1959	The Parliamentary Standing Committee on Labour in its report, returned the Amendment Bill for reviewing it comprehensively. An Inter-Ministerial Committee constituted for the purpose in its meeting of 26.08.2014 has recommended its repeal and introduction of a policy frame work	The recommendations of the Inter-Ministerial Committee of 26.08.2014 are being examined.	Please see remarks under column (2) & (3).	

	(1)	(2)	(3)	(4)
44.	The Apprentices Act, 1961 (52 of 1961)	No	Not applicable	<p>The Apprentices (Amendment) Bill, 2014 for amending the Act was placed and passed in Lok Sabha on 14th August, 2014. The following amendments have been proposed:</p> <ul style="list-style-type: none"> ➤ In place of strict regulation of seats for every trade, a band is being envisaged at establishment level to provide flexibility to industry. ➤ Industry will also be allowed to undertake new courses (other than designated trades) which are demand based. ➤ Non-engineering graduates and diploma have been included. ➤ The regime for penalties and inspection will be reasonable and exception based for reducing harassment. ➤ Compliance will be made portal based. ➤ Establishments operating business in four or more States will be taken into the fold of Central authorities for easy interface.

ANNEXURE-II

Name of the Ministry/Department: Ministry of Labour & Employment

Title of all Acts (including Amendment Acts) under the purview of the Ministry/Department under the Government of India (Allocation of Business) Rules, 1961 or sections thereof or Schedule thereto which have not come into force as on date.	Reasons for not bringing into force the Acts or sections thereof or Schedule thereto mentioned under column (1).	Indicate whether the Acts or the provisions thereof or Schedules thereto mentioned under column (2), in the opinion of the Ministry/Department require to be continued or repealed or amended along with justification.
(1) Nil	(2) Not Applicable	(3) Not Applicable

Secretary to Hon'ble Prime Minister
Prime Minister's Office
South Block,
New Delhi.

(P.K. SARANGI)
JOINT SECRETARY (LR)

3-9-14
3-9-14

Encl : as above.

The undersigned is directed to refer Prime Minister's Office I.D. No.CRA/1/2014, dated 3-9-2014, on the subject mentioned above and to furnish herewith the requisite information, as per Annexure-I & II.

Subject : Repeal of Central Acts - reg.

OFFICE MEMORANDUM

Dated 23rd September, 2014

'G' Wing N.B.O. Building
Nirman Bhawan, New Delhi

No.13011/6/2013-LRD
Government of India
Department of Land Resources
Ministry of Rural Development Department

BY SPECIAL MESSENGER
IMMEDIATE

Name of the Ministry/Department :

Ministry of Rural Development/Department of Land Resources

Title of all Acts (including Appropriation Acts/Finance Acts/Amendment Acts) under the purview of the administrative Ministry/Department under the Government of India (Allocation of Business) Rules, 1961 which are in force as on date.	*Whether the Act mentioned under column (1) has been recommended to be repealed by any Commission or Committee.	*If the Acts mentioned under column (2) have not been repealed (as recommended by any of the Commissions or Committees, the reasons therefor including legal opinion obtained, if any. Please enclose the legal opinion obtained there for/the recommendations of any committee or authority or judgement of court in support thereof and the justification, if any, to continue them).	* Whether Acts mentioned under column (1) and in force as on date require revisiting in whole or part, and, if so, the provisions that require amendments thereto. Give details of Acts that require re-enactment or repeal as well as those which need amendments in the light of changing socio-economic environment alongwith the reasons for proposed amendments/re-enactment or repeal.
(1)	(2)	(3)	(4)
Land Acquisition Act, 1894	The Act is repealed vide Section 114 of The Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013.	The Act is repealed vide Section 114 of The Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013. Opinion of Ministry of Law & Justice, Department of Legal Affairs dated 21-8-2014 is enclosed.	Opinion of Ministry of Law & Justice, Department of Legal Affairs dated 21-8-2014 is enclosed.
The Registration Act, 1908		In order to examine the need for amendment to the Registration Act, 1908, A Committee of Inspector General of Registration (IGRs) was constituted under the Chairmanship of Secretary, Department of Land Resources	The draft amendments were approved by the Cabinet on 4 th June, 2013 and the Registration (Amendment) Bill, 2013 was introduced in the Rajya Sabha on 8 th August, 2013. Parliament referred this Bill to the Standing

<p>The Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013*</p>		<p>on 7th June, 2011. The Committee suggested certain amendments to the existing Registration Act, 1908. Draft amendments put on the website of the Department of Land Resources and sent to States/UTs for comments. Comments were received from 12 States /UTs.</p>	<p>The Act has come into force on 1.1.2014</p>
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* The Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013 has been enacted since 1.1.2014 repealing the Land Acquisition Act, 1894. However, this Act has not been mentioned under the (Allocation of Business) Rules, 1961.

Name of the Ministry/Department :

Ministry of Rural Development/Department of Land Resources

* Title of all Acts (including Amendment Acts) under the purview of the administrative Ministry/Department under the Government of India (Allocation of Business) Rules, 1961 or sections thereof or Schedule thereto which have not come into force as on date.	* Reasons for not bringing into force the Acts or sections thereof or Schedule thereto mentioned under column (1)	* Indicate whether the Acts or the provisions thereof or Schedules thereto mentioned under column (2), in the opinion of the Ministry/Department require to be continued or repealed or amended alongwith justification	* Indicate whether the Acts or the provisions thereof or Schedules thereto mentioned under column (2), in the opinion of the Ministry/Department require to be continued or repealed or amended alongwith justification
(1)	(2)	(3)	(4)
NIL	NIL	NIL	NIL

May kindly see

(Busing Majhi)
Assistant Legal Advisor
20.08.2014

JS&LA(Consultant)

Department of Land Resources,
Ministry of Rural Development

(Date and time)
No. 2223
D. No. 21/814
21/8/14

To (LR) 5/2/8

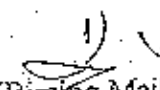
Ministry of Law & Justice
Department of Legal Affairs

FTS No. 2421/LS/LA/2014
FTS No. 2223/Adv.(B)/2014


Reference is received from the Ministry of Rural Development, Department of Land Resources vide their O.M. No.-13011/06/2013-LRD, dated 14th August, 2014 regarding the Identification and review & repeal of laws & rules/review of processes.

The Principal Act Land Acquisition Act 1894 has been amended two times vide two Acts i.e. Land Acquisition (Amendment) Act, 1962 and Land Acquisition (Amendment and Validation) Act, 1967. In this way the both Acts i.e. Act 1962 and Act 1967 have become part and partial parts of the Principal Act 1894, which has been repealed by Section 114 of the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation & Resettlement Act, 2013. Hence, the question existence of both Acts do not arise while the Principal Act i.e. Act 1894 has been repealed by Act 2013.

May kindly see.

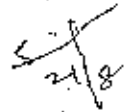

(Barsing Majhi)
Assistant Legal Advisor
20.08.2014

JS&LA(Consultant)


20/8/14

Department of Land Resources,
Ministry of Rural Development

(Date and Place)
(Date of receipt)
S. No. 2223 (B)
D. No. Adv. (B)
21.8.14

To (LR) 
21/8

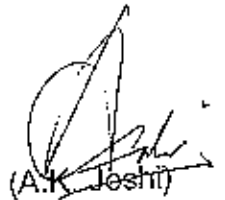
Government of India
Ministry of Law & Justice
Department of Legal Affairs
Admn. I (LA)

15/09/2014

With reference to the Prime Minister's Office's I.D. Note No.CRA/1/2014 dated 3rd September, 2014 regarding review of Acts within a purview of this Department as to whether these need to continue or could be repealed and also whether some of the provisions of these Acts have not come into force till date, the requisite information with regard to the five Acts under the purview of this Department is hereby furnished in the prescribed proforma at enclosed Annexures I & II.

2. Incidentally, the subject of 'legal aid to poor' which was previously allocated to the Department of Legal Affairs has been reallocated to the Department of Justice and the records in this regard are in the process of being transferred.

3. This issues with the approval of Law Secretary.



(A.K. Joshi)
Deputy Secretary
Phone :23384109

PM's Office [Kind Attn: Sh. R. Ramanujam, Secretary to PM], South Block, New Delhi
Department of Legal Affairs I.D. No.28/28/2014-Admn. I (LA) dated 15/09/2014.

Name of the Ministry/Department: Department of Legal Affairs

* Title of all Acts (including Acts/Finance Acts/Amendment Acts) under the purview of the administrative Ministry/Department under the Government of India (Allocation of Business) Rules, 1961 which are in force as on date.	* whether the Act mentioned under column (1) has been recommended to be repealed by any Commission or Committee. (Indicate Yes or No and if Yes, the name of the Commission/Committee that made the recommendation).	* If the Acts mentioned under column (2) have not been repealed (as recommended by any of the Commissions or Committees, the reasons therefor including legal opinion obtained, if any. Please enclose the legal opinion obtained therefor/the recommendations of any committee or authority or judgement of court in support thereof and the justification, if any, to continue them.)	* Whether Acts mentioned under column(1) and in force as on date require revisiting in whole or part, and, if so, the provisions that require amendments thereto. Give details of Acts that require re-enactment or repeal as well as those which need amendments in the light of changing socio-economic environment alongwith the reasons for proposed amendments/re-enactment or repeal.
(1)	(2)	(3)	(4)
1. Advocates' Act, 1961	No	NA	NIL
2. Advocates' Welfare Fund Act, 2001	No	NA	NIL
3. National Tax Tribunal Act, 2005	No	NA	Nil*
4. Legal Services Authorities Act, 1987	No	NA	*Constitutional validity of the Act is under challenge before a Constitution Bench. Hearing is complete and judgment reserved. Certain amendments to the Act are under consideration in consultation with NALSA, which is headed by the Hon'ble Chief Justice of India as Patron in Chief.
5. Notaries Act, 1952	No	NA	Nil.




Annexure-II

Name of the Ministry/Department:

*Title of all Acts (including Amendment Acts) under the purview of the administrative Ministry/Department under the Government of India (Allocation of Business) Rules, 1961 or sections thereof or Schedule thereto which have not come into force as on date.	*Reasons for not bringing into force the Acts or sections thereof or Schedule thereto mentioned under column (1).	*Indicate whether the Acts or the provisions thereof or Schedules thereto mentioned under column (2), in the opinion of the Ministry/Department require to be continued or repeated or amended along with justification.
(1)	(2)	(3)
	NIL	

*Please give information under columns (1) to (3) in respect of each Act. Attach a separate sheet in case of lengthy details.



ड. जी० नारायणा राजु
अपर सचिव
Dr. G. Narayana Raju
Additional Secretary



भारत सरकार
विधायी विभाग
विधि और न्याय मंत्रालय
शास्त्री भवन, नई दिल्ली-110001
Govt. of India
Legislative Department
Ministry of Law and Justice
4th Floor, Shastri Bhawan, New Delhi-110001

D.O.No. 11(29)/2014-L.I


12th September, 2014

Respected Sir,

Kindly refer to your ID Note No.CRA/1/2014, dated 3rd September, 2014 relating to repealing of the Central Acts which are not relevant or no longer needed as on date and can be repealed whole or in part immediately based on recommendations of various reports, Departmental/ Ministry, the Law Commission and other Commissions and Committees. In this connection, the requisite information pertaining to this Department is enclosed herewith as Annexures I and II. A CD is also enclosed herewith containing the soft copy of the said Annexures I and II.

With kind regards,

Yours sincerely,


(Dr.G.Narayana Raju)

Encl: As above.

Shri R.Ramanujam,
Secretary to Hon'ble Prime Minister,
Chainnan, Committee on Review of Administrative Laws,
Prime Minister's Office,
South Block, New Delhi.

S.No	Title of all Acts (including Appropriation Acts/Finance Acts/Amendment Acts) under the purview of the administrative Ministry/Department under the Government of India (Allocation of Business) Rules, 1961 which are in force as on date.	*Whether the Act mentioned under column (1) has been recommended to be repeated by any Commission or Committee. (Indicate Yes or No and if yes, the name of the Commission/Committee that made the recommendation).	*If the Acts mentioned under column (2) have not been repeated (as recommended by any of the Commissions or Committees, the reasons therefor including legal opinion obtained, if any. Please enclose the legal opinion obtained therefor/the recommendations of any committee or authority or judgment of court in support thereof and the justification if any, to continue them.)	*Whether Acts mentioned under column(1) and in force as on date require revisiting in whole or part, and, if so, the provisions that require amendments thereto. Give details of Acts that require re-enactment or repeal as well as those which need amendments in the light of changing socio-economic environments alongwith the reasons for proposed amendments/re-enactment or repeal.
1.	The Repealing and Amending Act, 2001 (30 of 2001)	No	Not applicable.	The Act has already been included in the Repealing and Amending Bill, 2013, which was introduced in Lok Sabha on 11 th August, 2014 and pending therein.
2.	The Representation of the People Act, 1950 (43 of 1950)	No	The provisions of the Act are still in force and are being implemented.	No. The Act has been amended from time to time depending on the changing requirement of the Government and the society.
3.	The Representation of the People Act, 1951 (43 of 1951)	No	The provisions of the Act are still in force and are being implemented.	No. The Act has been amended from time to time depending on the changing requirement of the Government and the society.
4.	The Presidential and Vice-Presidential Elections Act, 1952 (31 of 1952)	No	The provisions of the Act are still in force and are being implemented.	No. The Act has been amended from time to time depending on the changing requirement of the Government and the society.
5.	The Delimitation Act, 2002 (33 of 2002)	No	The provisions of the Act are still in force and are being implemented.	No. The Act has been amended from time to time depending on the changing requirement of the Government and the society.

6.	The Andhra Pradesh Legislative Council Act, 2005 (1 of 2006)	No	The provisions of the Act are still in force and are being implemented.	No.
7.	The Tamil Nadu Legislative Council Act, 2010 (16 of 2010)	No	The Tamil Nadu Legislative Assembly, constituted subsequent to enactment of the Tamil Nadu Legislative Council Act, 2010, passed a resolution dated 7 th June, 2011 in terms of clause (1) of article 169 of the Constitution for repeal of the said Act. In pursuance of the said resolution, the Tamil Nadu Legislative Council (Repeal) Bill, 2012 has been introduced in Rajya Sabha on 4 th May, 2012 and is pending consideration and passing by Parliament.	The Tamil Nadu Legislative Council (Repeal) Bill, 2012 has been introduced in Rajya Sabha on 4 th May, 2012 and is pending consideration and passing by Parliament.
8.	The Sheriffs' Fees Act, 1852 (8 of 1852)	NO	NIL	The Act is required to be repealed, as it is outdated Law.
9.	The Legal Representatives' Suits Act, 1855 (12 of 1855)	NO	NIL	The Act is required to be repealed as it is outdated Law.
10.	The Fatal Accidents Act, 1855 (13 of 1855)	YES	Action initiated to implement the recommendations of Law Commission. Process enactment of new act and repeal of this Act. Views of State Governments/ UTs have been sought but the comments of Andhra Pradesh, and Telangana have not been received.	NIL
11.	The Suits Valuation Act, 1887 (7 of 1887)	NO	NIL	Re-enactment and repeal is required in the light of changing socio economic environment.
12.	The Code of Civil Procedure, 1908 (5 of 1908) (CPC)	NO	NIL	Comprehensive amendments made in CPC vide Amendment Act, 1999 and of 2002.
13.	The Maintenance Orders Enforcement Act, 1921 (18 of 1921)	Law Commission recommended for repeal	NIL	(1) Law Commission in its 148th Report recommended for repeal.

14.	The Public Suits Validation Act, 1932 (11 of 1932)	NO	NIL	(ii) Re-enactment and repeal is required in the light of existing legal regime. Repeal is required as the Act appears to be of no relevance (outdated law)
15.	The Decrees and Orders Validating Act, 1936 (5 of 1936)	NO	NIL	-do-
16.	The Limitation Act, 1963 (36 of 1963)	NO	NIL	(i) P.C. Jain Commission recommended to review the Act immediately. (ii) Law Commission in its 89 th Report recommended for amendment in the Act. To implement the report views of State Governments/UTs have been sought, as the subject matter of the Reports relates to the List II - Concurrent List of the Seventh Schedule to the Constitution.
17.	The Specific Relief Act, 1963 (37 of 1963)	NO	NIL	The comments of the following 8 States/UTs have not been received. Andhra Pradesh, Jammu & Kashmir, Telangana, Maharashtra, Tamil Nadu, West Bengal, Uttar Pradesh, and UT of Dadra & Nagar Haveli. Reminder issued on 14 th August, 2014. Hence the delay.
18.	The Goa, Daman and Diu (Extension of Code of Civil Procedure and the Arbitration Act, 1965 (30 OF 1965)	NO	NIL	P.C. Jain Commission recommended to review the Act immediately. Require revisiting in the light of amendments in CPC and law relating to arbitration.
19.	The Arbitration & Conciliation Act, 1996 (26 of 1996)	NO	NIL	176 th Report of the Law Commission recommended for amendments and the Arbitration & Conciliation (Amendment) Bill, 2003 was introduced but has been withdrawn from Rajya Sabha on 12 th

				May, 2006 for enacting a new comprehensive law on the subject and the matter was transferred to Department of Legal Affairs.
20.	The Caste Disabilities Removal Act, 1850 (21 of 1850)	YES P.C. Jain Commission recommended for repeal*	It was decided by the Legislative Department to retain the Act.	The Act is required to be repealed in the light of changing socio-economic environment.
21.	The Indian Succession Act, 1925 (39 of 1925)	NO	NIL	The Act is required to be amended as per 209 th Report of the Law Commission (proposal for omission of section 213). To implement the report, views of State Governments/UTs have been sought, as the subject matter of the Reports relates to the List III- Concurrent List of the Seventh Schedule to the Constitution. Comments from 34 State Governments/UTs have been received so far. Reminders issued on 1st August, 2014 to remaining states.
22.	The Administrators-General Act, 1963 (45 of 1963)	NO	NIL	The Act has been amended in 2012.
23.	The Religious Endowments Act, 1863 (20 of 1863)	NO	NIL	(i) P.C. Jain Commission recommended to review the Act immediately. (ii) The Act is required to be re-enacted in the light of changing socio-economic environment.
24.	The Indian Trusts Act, 1882 (2 of 1882)	NO	NIL	(i) P.C. Jain Commission recommended to review the Act immediately. (ii) Law Commission in its 17 th Report recommended for amendment in the Act. Views of State Governments/UTs have been sought, as the subject matter of the Report relates to the List III - Concurrent List of the Seventh Schedule to the

1 No 20

				Constitution. Comments of two States viz., Andhra Pradesh and Telangana have not been received. Reminders issued on 7 th August, 2014.
				(i) The 9 th Report titled "Social Capital - A Shared Destiny" of the 2 nd Administrative Reforms Commission was referred to the Law Commission on 20 th January 2009 by this Department for giving its considered report on the feasibility of making a model legislation covering trusts and societies <i>in lieu</i> of several existing laws in this regard.
25.	The Charitable Endowments Act, 1890 (6 of 1890)	NO	NIL	(ii) Act is required to be re-enacted in the light of international obligations regarding beneficial ownership. (i) P.C. Jain Commission recommended to review the Act immediately.
26.	The Church of Scotland Kirk Sessions Act, 1899 (23 of 1899)	NO	NIL	(i) The Act is required to be repealed in the light of existing laws.
27.	The Official Trustees Act, 1913 (2 of 1913)	NO	NIL	The Act is required to be repealed as it is irrelevant (outdated law)
28.	The Mussalman Wakf Validating Act, 1913 (6 of 1913)	YES** PC Jain Commission recommended for repeal		Re-enactment and repeal of the Act is required in the light of changing socio-economic environment and the existing laws. Required to be repealed as it appears to be of no relevance.
29.	The Charitable and Religious Trusts Act, 1920 (14 of 1920)	NO	NIL	(i) PC Jain Commission recommended to repeal the Act immediately.

				(ii) Re-enactment and repeal is required in the light of changing social and economic environment as well as in the context of existing laws.
30.	The Mussalman Wakf Act, 1923 (42 of 1923)	NO	NIL	Required to be repealed in the light of changing socio-economic environment as well as other related enactments.
31.	The Sikh Gurdwaras (Supplementary) Act, 1925 (24 of 1925)	NO	NIL	Re-enactment and repeal of this Act is required in the light of socio-economic environment.
32.	The Mussalman Wakf Validating Act, 1930 (32 of 1930)	YES PC Jain Commission recommended for repeal	NIL	Required to be repealed as it is of no relevance.
33.	The Public Wakf (Extension of Jurisdiction) Act, 1959 (29 of 1959)	NO	NIL	Required to be repealed and relevant provisions with modifications may be covered under common Wakf Code, if proposed to be enacted.
34.	The Indian Evidence Act, 1872 (1 of 1872)	NO	NIL	Law Commission in its 69, 94 and 113 reports recommended for amendments. Competent Authority has decided that implementation of all these reports may be taken up together for consideration. Law Commission in 185 th report suggested amendment in section 166 A. Views of State Governments/UTs, all High Courts, Bar Councils and Supreme Court of India have been sought. The comments of the following 9 States/UT have not been received: Andhra Pradesh, Arunachal Pradesh, Assam, Bihar, Gujarat, Kerala, Manipur

35.	The Bankers' Books Evidence Act, 1891 (18 of 1891)	NO	NIL	<p>and Telangana and UT of Pondicherry.</p> <p>Reminders issued on 21st July, 2014. The subject matter of the Reports relates to the List III- Concurrent List of the Seventh Schedule to the Constitution and as such views of the State Government have to be ascertained for implementation of the Report. In this process the matter has been delayed.</p>
36.	The Commercial Documents Evidence Act, 1939 (30 of 1939)	NO	NIL	<p>(i) PC Jain Commission recommended to review the Act immediately. (ii) Re-enactment and repeal is required in the light of changing socio-economic environment.</p> <p>Re-enactment and repeal is required in the light of socio-economic environment or the provisions with modifications may be made part of the Evidence Act.</p>
37.	The Oaths Act, 1969 (44 of 1969)	NO	NIL	NIL.
38.	The Transfer of Property Act, 1882 (4 of 1882)	NO	NIL.	<p>Law Commission suggested amendments in its 70th and 181 Reports.</p> <p>(i) Views of State Governments/UTs, all High Courts, Bar Councils and Supreme Court of India have been sought. The comments of the following 9 States/UT have not been received:- Andhra Pradesh, Arunachal Pradesh, Assam, Bihar, Gujarat, Kerala, Manipur and Telangana and UT of Pondicherry. Reminders issued on 12th August, 2014. In this process the matter has been delayed.</p>

				(ii) Section 106 of the Transfer of Property Act, 1882 has been amended by the Transfer of Property (Amendment) Act, 2002 (No. 3 of 2003).
39.	The Partition Act, 1893 (4 of 1893)	NO	NIL	Re-enactment and repeal of this Act is required in the light of socio-economic environment.
40.	The Government Grants Act, 1895 (15 of 1895)	YES P.C Jain Commission recommended for repeal	NIL	Required to be repealed in the light of Commission's report.
41.	The Transfer of Property Amendment (Supplementary) Act, 1929 (21 of 1929)	NO	NIL	Required to be repealed as it is not relevant.
42.	The Converts' Marriage Dissolution Act, 1866 (21 of 1866)	YES. P.C. Jain Commission recommended for repeal.	It was decided by the Legislative Department to retain the Act.	(i) P.C. Jain Commission recommended for repeal (ii) Re-enactment and Repeal of this Act is required in the light of changing socio-economic environment.
43.	The Divorce Act, 1869 (4 of 1869)	YES. P.C. Jain Commission recommended for repeal.	It was decided by the Legislative Department to retain the Act.	(i) This Act has been amended by the Indian Divorce (Amendment) Act, 2001 to bring gender equality regarding grounds of divorce as well as to remove the procedural requirement of obtaining confirmation of decree of divorce/nullity of High Courts (ii) Law Commission in its 224 th Report recommended for amendment of section 2 of Divorce Act, 1869 enabling non-domiciled estranged christian wives to

				seek divorce. To implement the report views of State Governments/UTs were sought as the subject matter of the reports relate to the List III - Concurrent List of the Seventh Schedule to the Constitution. In this process the matter has been delayed.
44.	The Married Women's Property Act, 1874 (3 of 1874)	YES. P.C. Jain Commission recommended for repeal.	It was decided by the Legislative Department to retain the Act.	Re-enactment and repeal is required in the light of existing Personal Laws.
45.	The Marriages' Validation Act, 1892 (2 of 1892)	YES. P.C. Jain Commission recommended for repeal	NIL	To be repealed as per recommendation.
46.	The Anand Marriage Act, 1909 (7 of 1909)	NO	NIL	The Act has been amended by Anand Marriage (Amendment) Act, 2013.
47.	The Hindu Disposition of Property Act, 1916 (15 of 1916)	YES. P.C. Jain Commission recommended for repeal.	It was decided by the Legislative Department to retain the Act.	Re-enactment and repeal in the light of changing socio-economic environment and existing personal laws.
48.	The Hindu Inheritance (Removal of Disabilities) Act, 1928 (12 of 1928)	NO	NIL	Required to be repealed in the light of changing socio-economic environment and existing personal laws.
49.	The Bangalore Marriages Validation Act, 1937 (16 of 1936)	YES P.C. Jain Commission recommended for repeal.	It was decided by the Legislative Department to retain the Act.	Required to be repealed in the light of changing socio-economic environment and existing personal laws.
50.	The Arya Marriage Validation Act, 1937 (19 of 1937)	YES. P.C. Jain Commission recommended for repeal.	It was decided by the Legislative Department to retain the Act.	Required to be repealed in the light of changing socio-economic environment and existing personal laws.
51.	The Indian Matrimonial Causes (War Marriages) Act, 1948 (40 of 1948)	YES. P.C. Jain Commission recommended for repeal.	It was decided by the Legislative Department to retain the Act.	Required to be repealed in the light of changing socio-economic environment and existing personal laws.

52.	The Part B States Marriages Validating Act, 1952 (1 of 1952) The Special Marriage Act, 1954 (43 of 1954)	YES. P.C. Jain Commission recommended for repeal. NO	It was decided by the Legislative Department to retain the Act.	NIL	Required to be repealed as it is of no relevance. Law Commission in its 217 th report recommended, <i>inter alia</i> , to amend The Special Marriage Act, 1954 to incorporate irrevocable breakdown of marriage as another ground for divorce. To implement the same, The Marriage Laws (Amendment) Bill, 2010 was introduced in Rajya Sabha on 4 th August, 2010 and passed by the Rajya Sabha on 26 th August, 2013. The Bill lapsed on account of dissolution of 15 th Lok Sabha. A fresh Bill on the lines of Bill of 2010 has been prepared for soliciting Cabinet approval.
54.	The Hindu Marriage Act, 1955 (25 of 1955)	NO	NIL	Law Commission in its 217 th Report recommended, <i>inter alia</i> , to amend The Hindu Marriage Act, 1955 to incorporate irrevocable breakdown of marriage as another ground for divorce. To implement the same, The Marriage Laws (Amendment) Bill, 2010 was introduced in Rajya Sabha on 4 th August, 2010 and passed by the Rajya Sabha on 26 th August, 2013. The Bill lapsed on account of dissolution of 15 th Lok Sabha. A fresh Bill on the lines of Bill of 2010 has been prepared for soliciting Cabinet approval.	
55.	The Hindu Succession Act, 1956 (30 of 1956)	NO	NIL	(i) Law Commission recommended amendments in the Act in its 174 th Report. This report has been implemented vide The Hindu Succession Amendment Act, 2005. (ii) Law Commission further made recommendations in its 204, 207 and	

				<p>208th Reports on the subject. As the Subject matter of the Reports relates to the List III - Concurrent List of the Seventh Schedule to the Constitution, views and comments from States/UTs have been sought. Comments from few states are still awaited. Reminders have been issued in this process the matter has been delayed.</p>
56.	The Hindu Minority and Guardianship Act, 1956 (32 of 1956)	NO	NIL	<p>Law Commission, <i>inter alia</i>, recommended amendments in the Act in its 83rd and 133rd reports.</p> <p>As the subject matter of the Reports relates to the List III - Concurrent List of the Seventh Schedule to the Constitution, views and comments from States/UTs have been sought in respect of both the reports. Reminders have also been issued in this process the matter has been delayed. However, re-enactment and repeal is required in the light of changing socio-economic environment and existing laws on the subject.</p>
57.	The Hindu Adoption and Maintenance Act, 1956 78 of 1956)	NO	NIL	<p>The Act has been amended vide Personal Laws (Amendment) Act, 2010 (30 of 2010) to enable female Hindu to adopt a child or to give her child in adoption.</p>
58.	The Miscellaneous Personal Laws (Extension) Act, 1959 (48 of 1959)	NO	NIL	<p>Required to be repealed in the light of changing socio-economic environment and existing personal laws.</p>
59.	The Married Women Property (Extension) Act, 1959 (61 of 1959)	NO	NIL	<p>Required to be repealed in the light of changing socio-economic environment and existing personal laws.</p>

60.	The Indian Christian Marriage Act, 1872 (15 of 1872)	YES. P.C. Jain Commission recommended for repeal	It was decided by the Legislative Department to retain the Act.	Re-enactment and repeal of the Act is required in the light of changing socio-economic environment.
61.	The Kazis Act, 1880 (12 of 1888)	YES. P.C. Jain Commission recommended for repeal	It was decided by the Legislative Department to retain the Act.	Re-enactment and repeal of the Act is required in the light of changing socio-economic environment.
62.	The Parsi Marriage and Divorce Act, 1936 (3 of 1936)	NO	NIL	Require revisiting the whole Act.
63.	The Muslim Personal Law (Shariat) Application Act, 1937 (26 of 1937)	YES. P.C. Jain Commission recommended for repeal	It was decided by the Legislative Department to retain the Act.	Re-enactment and repeal of the Act is required in the light of changing socio-economic environment.
64.	The Cutchi Memons Act, 1938 (10 of 1938)	YES. P.C. Jain Commission recommended for repeal	It was decided by the Legislative Department to retain the Act.	Re-enactment and repeal of the Act is required in the light of changing socio-economic environment.
65.	The Dissolution of Muslim Marriages Act, 1939 (8 of 1939)	YES. P.C. Jain Commission recommended for repeal	It was decided by the Legislative Department to retain the Act.	Re-enactment and repeal of the Act is required in the light of changing socio-economic environment.
66.	The Muslim Women (Protection of Rights on Divorce) Act, 1986 (25 of 1986)	ND	NIL	Require revisiting the whole Act.
67.	The Indian Contract Act, 1872 (9 of 1872)	NO	NIL.	(i) PC Jain Commission recommended to review the Act immediately. (ii) Law Commission in its 13 th and 97 th (Amendment for section 28) report recommended amendments in the Act. As the subject matter of the Reports relates to the List III- Concurrent List of the Seventh Schedule to the Constitution, views of State Governments/UTs have

68.	The Powers of Attorney Act, 1882 (7 of 1882)	NO	NIL	<p>been sought. The comments of the following 5 States/UTs have not been received: Andhra Pradesh, Sikkim, Tamil Nadu, and Pondicherry. Reminders issued on 12th August 2014. In this process the matter has been delayed.</p> <p>Re-enactment and repeal of the Act is required in the light of changing socio-economic environment.</p>
69.	The Sale of Goods Act, 1930 (3 of 1930)	NO	NIL	<p>(i) P.C Jain Commission recommended to review the Act immediately.</p> <p>(ii) Re-enactment and repeal of the act is required in the light of changing socio-economic environment and other existing laws.</p>
70.	The Parliament (Prevention of Disqualification) Act, 1959 (10 of 1959)	NO	NIL	Require review of the whole Act.
71.	The Indian Easement Act, 1882 (5 of 1882)	NO	NIL	Re-enactment and repeal of the Act is required in the light of changing socio-economic environment and existing laws.
72.	The Diplomatic and Consular Officers (Oaths and Fees) Act, 1948 (41 of 1948)	NO	NIL	Require revisiting the whole Act.
73.	The Hindu Gains of Learning Act, 1930 (30 of 1930)	NO	NIL	Re-enactment and repeal of the Act is required in the light of changing socio-economic environment and existing laws.
74.	The Hindu Marriage (Validation of Proceeding) Act, 1960 (19 of 1960)	YES	-	Requires repeal in the light of recommendations of the commission.
P.C. Jain Commission recommended for repeal				

92/45/2014

75.	The General Clauses Act, 1897 (10 of 1897)	NO	NIL	<p>(i) PC Jain Commission recommended to review the Act immediately.</p> <p>(ii) Law Commission in its 183rd Report recommended amendments in the Act. As the subject matter of the Reports relates to the List III- Concurrent List of the Seventh Schedule to the Constitution, views of State Governments/UTs have been sought. The comments of the following 2 States/UTs have not been received: Andhra Pradesh, Rajasthan. Reminders issued on 29th August 2014. In this process the matter has been delayed.</p>
76.	The Guardians & Wards Act, 1898 (8 of 1898)	NO	NIL	<p>Law Commission inter alia recommended amendments in the Act in its 83rd and 133rd reports.</p> <p>The Subject matter of the Reports relates to the List III- Concurrent List of the Seventh Schedule to the Constitution. Views and comments from States/UTs have been sought in respect of both the reports. Reminders have also been issued. In this process the matter has been delayed. However, re-enactment and repeal is required in the light of changing socio-economic environment and existing laws on the subject.</p>
77.	The Majority Act, 1875 (9 of 1875)	NO	NIL	<p>Re-enactment and repeal of the act is required in the light of changing socio-economic environment.</p>
78.	The Religious Societies Act, 1880 (1 of 1880)	NO	NIL	<p>Re-enactment and repeal of the act is required in the light of changing socio-economic environment.</p>

79.	The Foreign Marriage Act, 1969 (33 of 1969)	NO	NIL	Needs to be revisited.
80.	The Diplomatic and Consular Officers (Oaths and Fees) (Extension to Jammu and Kashmir) Act, 1973 (2 of 1973)	NO	NIL	Needs to be revisited.
81.	The Election Commission (Conditions of Service of Election Commissioners and Transaction of Business) Act, 1991 (11 of 1991)	No	The provisions of the Act are still in force and are being implemented.	No. The Act has been amended from time to time depending on the changing requirement.

Annexure - II

S.No.	Title of all Acts (including Amendment Acts) under the purview of the administrative Ministry/Department under the Government of India (Allocation of Business) Rules, 1961 or sections thereof or Schedule thereto which have not come into force as on date.	*Reasons for not bringing into force the Acts or sections thereof or Schedule thereto mentioned under column (1).	*Indicate whether the Acts or the provisions thereof or Schedules thereto mentioned under column (2), in the opinion of the Ministry/Department require to be continued or repealed or amended alongwith justification.
1.	The Tamil Nadu Legislative Council Act, 2010 (16 of 2010)	Consequent upon passing a resolution on 12 th April, 2010 by the Tamil Nadu Legislative Assembly for creation of a Legislative Council in the State in terms of clause (1) of article 169 of the Constitution, the Tamil Nadu Legislative Council Act, 2010 was enacted. Thereafter, the new Tamil Nadu Legislative Assembly, on its constitution passed a resolution dated 7 th June, 2011 for repeal of the said Act. In pursuance of the said resolution, the Tamil Nadu Legislative Council (Repeal) Bill, 2012 has been introduced in Rajya Sabha on 4 th May, 2012 and is pending consideration and passing by Parliament.	The Tamil Nadu Legislative Council (Repeal) Bill, 2012 has been introduced in Rajya Sabha on 4 th May, 2012 and is pending consideration and passing by Parliament.

No. 11034/36/2014-O.L(P)
Government of India
Ministry of Home Affairs
Department of Official Language



NOCC II Building, Jai Singh Road,
4th Floor, B Wing, New Delhi-01
Dated the 13th September, 2014

Office Memorandum

Subject: Repealing of obsolete and irrelevant Laws-regarding.

The undersigned is directed to refer to Prime Minister's Office I.D. No. CRA/1/2014 dated the 3rd September, 2014 on the subject mentioned above and to furnish herewith the requisite information in the enclosed proforma Annexure I & II for necessary action.

2. This issues with the approval of Secretary (O.L).

(Vijay Kumar)

Deputy Secretary to the Govt. of India

To
Shri R.Ramanujam
Secretary to Prime Minister
Prime Minister's Office
South Block, New Delhi-01

Annexure-I

Name of the Ministry/Department:

Title of all Acts (including Appropriation Acts/Finance Acts/Amendment Acts) under the purview of the administrative Ministry/Deptt. Under the Govt. of India (Allocation of Business) Rules, 1961 which are in force as on date.	Whether the Act mentioned under column (1) has been recommended to be repealed by any Commission or Committee. (Indicate Yes or No and if Yes, the name of the Commission/Committee that made the recommendation).	If the Acts. Mentioned under Column (2) have not been repealed (as recommended by any of the Commissions or Committee, the reasons therefor including legal opinion obtained, if any. Please enclose the legal opinion obtained there for/the recommendations of any committee or authority or judgement of court in support thereof and the justification, if any, to continue them).	Whether Acts mentioned under column(1) and in force as on date require revisiting in whole or part, and, if so, the provisions that require amendments thereto. Give details of Acts that require reenactment or repeal as well as those which need amendments in the light of changing socio-economic environment alongwith the reasons for proposed amendments/re-enactment or repeal.
Official Languages Act 1963(as amended in 1967) (Act No. 19 of 1963). Official Language Act, 1963 is reviewed from time to time and, at present, there is no requirement for any amendment.	No	Does not arise	No

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Annexure-II

Name of the Ministry/Department:

Title of all Act (including Amendment Acts) under the purview of the administrative Ministry/Department under the Government of India (Allocation of Business) Rules, 1961 or sections thereof or Schedule thereto which have not come into force as on date.	Reasons for not bringing into force the Acts or sections thereof or Schedule thereto mentioned under column(1).	Indicate whether the Acts or the provisions thereof or Schedule thereto mentioned under column (2), in the opinion of the Ministry/Department require to be continued or repealed or amended alongwith justification.
Nil	Does not arise	Does not arise

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By Special Messenger

N-11012/7/2014-PESA
Government of India
Ministry of Panchayati Raj

11th Floor, Jeevan Prakash Building,
25, K. G. Marg, New Delhi. 110001.
Dated 12/09/2014

Subject: Review of Acts requiring amendment/re-enactment/repeal in the light of changing social economic environment.

The undersigned is directed to refer to Prime Minister's Office's I.D.Note No.CRA/1/2014 dt. 03.09.2014 on the above subject and to forward the requisite information in respect of Ministry of Panchayati Raj in the prescribed Annexure-I and Annexure-II.

2. This issues with the approval of competent authority.

Encl: Annexure-I & II

(N.P. Toppo)
Under Secretary to the Government of India
Phone No. 23356124

Prime Minister Office:
(R.Ramanujam, Secretary to PM)
South Block
New Delhi-10001

Name of the Ministry / Department: Ministry of Panchayati Raj

*Title of all Acts (including Appropriation Acts / Finance Acts/ Amendment Acts) under the purview of the administrative of India (Allocation of Business) Rules, 1961 which are in force as on date.	*Whether the Act mentioned under column (1) has been recommended to be repealed by any Commission or Committee. (Indicate Yes or No and if Yes, the name of the Commission / Committee that made the recommendation).	*If the Acts mentioned under column (2) have not been repealed (as recommended by any of the Commissions or Committees, the reasons therefore including legal opinion obtained, if any. Please enclose the legal opinion obtained there for /the recommendations of any committee or authority or judgment of court in support thereof and the justification, if any, to continue them).	*Whether Acts mentioned under column (1) and in force as on date require revisiting in whole or part, and, if so, the provisions that require amendments there to. Give details of Acts that require re-enactment or repeal as well as those which need amendments in the light of changing socio-economic environment along with the reasons for proposed amendments/re-enactment or repeal.
(1)	(2)	(3)	(4)
The Provisions of the Panchayats (Extension to the Scheduled Areas) Act, 1996 (PESA)	Yes, P.C. Jain Commission	The Act does not need repeal as it is an extension of the Part IX of Constitution of India to the Fifth Scheduled Areas with certain modifications.	Matter is under active consideration.

*Please give information under column (1) to (4) in respect of each Act. Attach a separate sheet in case of lengthy details.

Name of the Ministry / Department: Ministry of Panchayati Raj

*Title of all Acts (including Amendment Acts) under the purview of the administrative Ministry /Department under the Government of India (Allocation of Business) Rules, 1961 or sections thereof Schedule there to which have not come into force as on date.	*Reasons for not bringing into force the Acts or sections thereof or Schedule thereto mentioned under column (1).	*Indicate whether the Acts or the provisions thereof or Schedules thereto mentioned under column (2), in the opinion of the Ministry /Department require to be continued or repealed or amended along with justification.
(1)	(2)	(3)
NIL	NIL	NIL

*Please give information under columns (1) to (3) in respect of each Act. Attach a separate sheet in case of lengthy details.

F.No.15(26)/2014-R
Government of India
Ministry of Parliamentary Affairs
.....

90, Parliament House,
New Delhi-110 001.

Dated: 16.09.2014

OFFICE MEMORANDUM

Subject:- Repeal of Acts.

The undersigned is directed to refer to Prime Minister's Office I.D. No.CRA/1/2014 dated 3.9.2014 on the above cited subject and to enclose the requisite information in Annexure-I and Annexure-II.

Dchaubey

(Dhirendra Chaubey)
Under Secretary to the Govt. of India
Tel.No.23034274

Prime Minister's Office
(Kind Attn. Shri R. Ramanujam)
Secretary to Prime Minister,
South Block,
New Delhi.

Name of the Ministry / Department: Ministry of Parliamentary Affairs

*Title of all Acts (including Appropriation Acts/ Finance Acts/ Amendment Acts) under the purview of the administrative Ministry /Department under the Government of India (Allocation of Business) Rules, 1961 which are in force as on date	*Whether the Act mentioned under column (1) has been recommended to be repealed by any Commission or Committee. (Indicate Yes or No and if Yes, the name of the Commission /Committee that made the recommendation).	*If the Acts mentioned under column (2) have not been repealed (as recommended by any of the Commissions or Committees, the reasons therefore including legal opinion obtained, if any. Please enclose the legal opinion obtained there for/ the recommendations of any Committee or authority or judgment of court in support thereof and the justification, if any, to continue them.)	*Whether Acts mentioned under column (1) and in force as on date require revisiting in whole or part, and, if so, the provisions that require amendments thereto. Give details of Acts that require re-enactment or repeal as well as those which need amendments in the light of changing socio- economic environment alongwith the reasons for proposed amendments/re-enactment or repeal.
(1)	(2)	(3)	(4)
The Salaries and Allowances of the Officers of Parliament Act, 1953.	No	--	No
The Salary, Allowances and Pension of Members of Parliament Act, 1954.	No	--	No
The Salary and Allowances of Leaders of Opposition in Parliament Act, 1977.	No	--	No
The Leaders and Chief Whips of Recognized parties and Groups in Parliament (Facilities) Act, 1998.	No	--	No

*Please give information under columns (1) to (4) in respect of each Act. Attach a separate sheet in case of lengthy details

Name of the Ministry / Department: Ministry of Parliamentary Affairs

*Title of all Acts (including Amendment Acts) under the purview of the Ministry/Department under the Government of India (Allocation of Business) Rules, 1961 or sections thereof or Schedule thereof which have not come into force as on date	*Reasons for not bringing into force the Acts or sections thereof or Schedule thereof mentioned under column (1).	*Indicate whether the Acts or the provisions thereof or Schedules thereto mentioned under column (2), in the opinion of the Ministry/Department require to be continued or repealed or amended alongwith justification.
(1)	(2)	(3)

*Please give information under columns (1) to (3) in respect of each Act. Attach a separate sheet in case of lengthy details.

Immediate

No.38/ 83/2014-P&PW(A)
Ministry of Personnel, PG & Pensions
Department of Pension & Pensioners' Welfare

New Delhi, the 11th September, 2014

Subject:- Examination of Acts falling under the purview of Department under the Allocation of Business Rules, 1961 - information sought by PMO -regarding-

Prime Minister's Office may please refer to their I.D. No. CRA/1/2014 dated 3.9.2014 on the above subject. Department of Pension & Pensioners Welfare is concerned with the Pension Act, 1871. A copy of the Act is enclosed.

As desired by the PMO, the provisions of the Act have been reviewed and the requisite information in the prescribed proforma (Annexure-I & II) is enclosed.

This issues with the approval of Secretary, Department of Pension & Pensioners' Welfare.


(Vandana Sharma)
Joint Secretary

Prime Minister's Office
(Shri R. Ramanujam, Secretary)
South Block
New Delhi

- 258 -
THE PENSIONS ACT, 1871
(Act No. 23 of 1871)

An Act to consolidate and amend the law relating to pensions and Grants by Government of money or land-revenue.

[8th August, 1871]

Preamble.—Whereas it is expedient to consolidate and amend the law relating to pensions and grants by Government of money or land-revenue, it is hereby enacted as follows:—

I. PRELIMINARY

1. **Short title.**— This act may be called the Pensions Act, 1871.

Extent of the Act.— In so far as it relates to Union Pensions, it extends to the whole of India and in so far as it relates to other pensions, it extends to the whole of India except (the territories which, immediately before the 1st November, 1956, were comprised in Part-b States).

2. **Repealed.**

3. **Interpretation.**— In this Act, the expression 'grant of money or land-revenue' includes anything payable on the part of the Government in respect of any right, privilege, perquisite or office.

3-A. The expression 'the appropriate Government' means in relation to Union Pensions, the Central Government, and in relation to other pensions, the state Government.

II. RIGHTS TO PENSIONS

4. **Bar on suits relating to pensions.**— Except as hereinafter provided, no Civil Court shall entertain any suit relating to any pension or grant of money or land-revenue conferred or made by the Government or by any former Government, whatever may have been the consideration for any such pension or grant, and whatever may have been the nature of the payment, claim or right for which such pension or grant may have been substituted.

5. **Claims to be made to Collector or other authorized Officer.**— Any person having a claim relating to any such pension or grant may prefer such claim to the Collector of the District or Deputy Commissioner or other officer authorized in this behalf by the appropriate Government and such Collector, Deputy Commissioner or other Officer shall dispose of such claim in accordance with such rules as the Chief Revenue authority may, subject to the general control of the appropriate Government, from time to time, prescribe in this behalf.

6. **Civil Court empowered to take cognizance of such claims.**— A Civil Court, otherwise competent to try the same, shall take cognizance of any such claim upon receiving a certificate from such Collector, Deputy Commissioner or other Officer authorized in that behalf that the case may be so tried, but shall not make any Order or Decree in any suit whatever by which the liability of Government to pay any such pension or grant as aforesaid is affected directly or indirectly.

7. **Pensions for lands held under grants in perpetuity.**— Nothing in Sections 4 and 6 applies to—

- (1) any inam of the class referred to in section 1 of Madras Act No. IV of 1862;
- (2) Pensions heretofore granted by Government in the territories respectively, subject to the Lieutenant-Governors of Bengal and the North-Western Provinces, either wholly or in part as an indemnity for loss sustained by the resumption by a Native Government of lands held under sanads purporting to confer a right to perpetuity. Such pension shall not be liable to resumption on the death of the recipient, but every such pension shall be capable of alienation and descent, and may be sued for and recovered in the same manner as any other property.

III. MODE OF PAYMENT

8. **Payment to be made by Collector or authorized officer.**—All Pensions or grants by Government of money or land-revenue shall be paid by the Collector or the Deputy Commissioner or other authorized officer, subject to such rules as may from time to time, be prescribed by the Chief Controlling Revenue Authority.

9. **Saving of rights of grantees of land revenue.**—Nothing in sections 4 and 8 shall affect the right of a grantee of land-revenue, whose claim to such grant is admitted by Government, to recover such revenue from the persons liable to pay the same under any law for the time being in force for the recovery of the rent of land.

10. **Commutation of pensions.**—The appropriate Government may, with the consent of the holder, order the whole or any part of his pension or grant of money or land-revenue to be commuted for a lumpsum on such terms as may deem fit.

IV. MISCELLANEOUS

11. **Exemption of pension from attachment.**—No Pension granted or continued by Government on political considerations, or on account of past services or present infirmities or as a compassionate allowance, and no money due or to become due on account of any such pension or allowance, shall be liable to seizure, attachment or sequestration by process of any Court at the instance of a creditor, for any demand against the pensioner, or in satisfaction of a Decree or Order of any such Court.

This section applies also to pensions granted or continued after the separation of Burma from India, by the Government of Burma.

12. **Assignments, etc., in anticipation of pension to be void.**—All assignments, agreements, orders, sales and securities of every kind made by the person entitled to any pension, pay or allowance mentioned in Section 11, in respect of any money not payable at or before the making thereof, on account of any such pension, pay or allowances or for giving or assigning any future interest therein are null and void.

12-A. **Nomination by pensioner to receive moneys outstanding on account of pension.**—Notwithstanding anything contained in Section 12 or in any other law for the time being in force—

- (a) any person to whom any pension mentioned in Section 11 is payable by the Government of India or out of the Consolidated Fund of India (such person being hereinafter referred to as the pensioner) may nominate any other persons (hereinafter referred to as the nominee), in such manner and in such form as

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may be prescribed by the Central Government by rules, to receive after the death of the pensioner, all moneys payable to the pensioner on account of such pension at, before or after the date of such nomination and which remain unpaid immediately before the death of the pensioner; and

- (b) the nominee shall be entitled on the death of the pensioner, to receive, to the exclusion of all other persons, all such moneys which have so remained unpaid:

Provided that if the nominee predeceases the pensioner, the nomination shall so far as it relates to the right conferred upon the said nominee, become void and of no effect:

Provided further that where provision has been duly made in the nomination, in accordance with the rules made by the Central Government, conferring upon some other person the right to receive all such moneys, which have so remained unpaid, in the event of the nominee predeceasing the pensioner, such right shall, upon the decease as aforesaid of the nominee, pass to such other persons.

13. Whoever proves to the satisfaction of the appropriate Government that any pension is fraudulently or unduly received by the person enjoying the benefit thereof shall be entitled to a reward equivalent to the amount of such pension for the period of six months.

14. **Power to make rules.**—In each State the Chief Controlling Revenue authority may, with the consent of the appropriate Government, from time to time, make rules consistent with this Act respecting all or any of the following matters:—

- (1) the place and times at which, and the person to whom, any pension shall be paid;
 - (2) inquiries into the identity of claimants;
 - (3) records to be kept on the subject of pensions;
 - (4) transmission of such records;
 - (5) correction of such records;
 - (6) delivery of certificates to pensioners;
 - (7) registers of such certificates;
 - (8) reference to the Civil Court, under Section 6, of persons claiming a right of succession to or participation in, pension or grants of money or land-revenue payable by Government;
- and generally for the guidance of officers under this Act.

All such rules shall be published in the Official Gazette, and shall thereupon have the force of law.

15. **Power of Central Government to make rules.**—The Central Government may, by notification in the Official Gazette, make rules to provide for all or any of the following matters, namely:—

- (a) the manner and form in which any nomination may be made under Section 12-A and the manner and form in which such nomination may be cancelled or varied by another nomination;
- (b) the manner in which provision may be made, for the purposes of the second proviso to Section 12-A in any such nomination for conferring on some person other than the nominee the right to receive moneys payable to the nominee in such nominee predeceases the pensioner.

16. **Laying of rules.**—Every rule made by the Central Government under this Act and every rule made

under Section 14 by a Chief Controlling Revenue Authority with the consent of the Central Government shall be laid, as soon as may be after it is made, before each House of Parliament, while it is session, for total period of thirty days which may be comprised in one session or in two or more successive sessions and if, before the expiry of the session immediately following the session or the successive session aforesaid, both Houses agree in making any modification in the rule or both Houses agree that the rule should not be made, the rule shall thereafter have effect only in such modified form or be of no effect, as the case may be; so, however, that any such modification or annulment shall be without prejudice to the validity of anything previously done under that rule.

ANNEXURE-I

Name of the Ministry/Department: Ministry of Personnel, Public Grievances & Pension, Department of Pension & Pensioners Welfare

*Title of all Acts (including Appropriation Acts/Finance Acts/Amendment Acts) under the purview of the administrative Ministry/Department under the Government of India (Allocation of Business) Rules, 1961 which are in force as on date.	*Whether the Act mentioned under column (1) has been recommended to be repealed by any Commission or Committee.	*If the Acts mentioned under column (2) have not been repealed (as recommended by any of the Commissions of Committee, the reasons therefore including legal opinion obtained, if any. Please enclose the legal opinion obtained there for/the recommendation of any committee or authority or judgment of court in support thereof and the justification, if any, to continue them).	*whether Acts mentioned under column (1) and in force as on date require revisiting in whole or part, and, if so, the provisions that require amendments thereto. Give details of Acts that require reenactment or repeal amendments in the light of changing socioeconomic environment along with the reasons for proposed amendments/re-enactment or repeal.
(1)	(2)	(3)	(4)
<p>The Pensions Act, 1971 (Act No.23 of 1971)</p> <p>NOTE -I: The Act relates to pensions and grants by Government of money or land revenue. As per the Act the expression "grant of money or land revenue" includes anything payable on the part of the Government in respect of any right privilege, perquisite or office.</p>	<p>No</p>	<p>Not applicable</p>	<p>As per Appendix</p>

Note-II: Department of Pension & Pensioners Welfare is concerned with the above mentioned Act only to the extent it relates to grant of pension to retired Central Government employees for the service rendered by them in the Government.

*Please give information under columns (1) to (4) in respect of each Act. Attach a separate sheet in case of lengthy detail

1. Department of Pension & Pensioners Welfare is concerned with the Pension Act, 1871, only to the extent it relates to grant of pension to retired Central Government employees for the service rendered by them in the Government. The Sections which are relevant to the pensions granted by Government to the retired Government employees are Section 4, Section 10, Section 11, Section 12, Section 12(A), Section 15 and Section 16. The other Sections in the Act are not relevant to Department of Pension & Pensioners Welfare.

2. Section 4 of the Act was examined by Law Commission in its 53rd Report in December, 1972. This section is reproduced below :

Bar on suits relating to pensions - Except as hereinafter provided, no Civil Court shall entertain any suit relating to any pension or grant of money or land-revenue conferred or made by the Government or by any former Government, whatever may have been the consideration for any such pension or grant, and whatever may have been the nature of the payment, claim or right for which such pension or grant may have been substituted.

3. The Law Commission observed that the provision in section 4 is (a) unjust on principle; (b) based apparently on a common law rule which itself is of doubtful validity; (c) anachronistic; (d) unrealistic; and (e) inconsistent with the basic legal character of the pensioner's right and, in that sense, opposed to Article 19 (I)(f) of the Constitution.

The Law Commission was of the view that the specific provision excluding right of suit, contained in section 4 should not apply to pensions of retired employees of the Government and a change in the law was required. The Law Commission recommended to add the following exception to section 4:

"Nothing in this section applies to a pension payable to or in respect of any persons appointed to a public service or post in connection with the affairs of the Union".

4. The above recommendation was examined by the Government and it was observed that the object behind the Law Commission recommendations will be achieved by enabling the pensioners to agitate their grievances before the Administrative Tribunals. It was, therefore, decided that no further action needed to be taken for amendment of Section 4, after the enactment of Central Administrative Tribunals Act, 1985. Section 4 of the Act has become redundant in so far as it relates to pension payable to retired employees of the Government. Therefore, the amendment recommended by the Law Commission was not made in the Pensions Act.

5. Section 10 of the Act provides that the appropriate Government may with the consent of the holder, order the whole or any part of his pension or grant of money or land revenue to be commuted for a lump sum on such terms as may deem fit. In so far as commutation of pension of the retired employees of the Central Government is concerned, specific rules VIZ. Central Civil Services (Commutation of Pension) Rules, 1981, have been notified in exercise of the powers conferred by proviso to article 309 of the Constitution. Therefore, this Section is not of much importance in so far as commutation of pension of the retired Central Government employees is concerned.

6. Section 11 provides that no pension granted or continued by Government on political considerations, or on account of past services or present infirmities or as a compassionate allowance, and no money due or become due on account of any such pension or allowance, shall be liable to seizure, attachment or sequestration by process of any Court at the instance of a creditor, for any demand against the pensioner, or in satisfaction of a Decree or Order of any such Court. Section 12 of the Act provides that all assignments, agreements, orders, sales and securities of every kind made by the person entitled to any pension, pay or allowance mentioned in Section 11, in respect of any money not payable at or before the making thereof, on account of any such pension, pay or allowances or for giving or assigning any future interest therein are null and void. The provisions in section 11 & 12 are useful / relevant as they give protection from attachment / assignment etc. to pension payable to retired Central Government employees.

7. Section 12 A is an enabling provision for making nomination by pensioner to receive monies outstanding on account of pension and section 15 confers powers on the Central Government to make rules providing for manner and form of nomination. Government has framed rules viz. Payment of Arrears of Pension (Nomination) Rules, 1983, in exercise of powers under Section 15 read with 12 A.

8. Section 16 provides for laying of rules framed under the Act before both Houses of Parliament.

9. From the positions stated above this Department is of the view that the Pensions Act, 1871, which was enacted around 150 years ago, needs comprehensive review. While some of the Sections of Act viz. Section 10, 11, 12, 12(A) are still relevant to the pensions granted to retired Central Government employees, the other sections have no relevance for the DOP&PW. Since the Pensions Act, 1871, is applicable to other pensions, land-revenue also, the Departments concerned with those pensions etc. would also need to be consulted before taking any decision on the question of retention/amendment/repeal of Pensions Act, 1871.

Annexure-II

Name of the Ministry/Department Ministry of Personnel, Public Grievances & Pension, Department of Pension & Pensioners Welfare

*Title of all Acts (including Amendment Acts) under the purview of the administrative Ministry/Department under The Government of India (Allocation of Business) Rules, 1961 or sections thereof or Schedule thereto which have not come into force as on date.	*Reasons for not bringing into force the Acts or sections thereof or Schedule thereto mentioned Under column (1).	*Indicate whether the Acts or the provisions thereof or Schedules thereto mentioned under column(2), in the opinion of the Ministry/Department require to be Continued or repealed or Amended alongwith justification
(1)	(2)	(3)
NIL	NOT APPLICABLE	NOT APPLICABLE

*Please give information under columns (1) to (3) in respect of each Act. Attach a separate sheet in case of lengthy details.

MOST IMMEDIATE

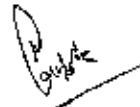
1-28011/60/2014-Coord
Government of India
Ministry of Personnel, Public Grievances and Pensions
Department of Personnel and Training

North Block, New Delhi.
Dated 15th September, 2014

OFFICE MEMORANDUM

Subject: Identification of Acts/Rules for repeal.

The undersigned is directed to refer to Prime Minister's Office ID No. CRA/1/2014 dated 3.9.2014 on the above subject and to furnish the desired information in the prescribed format.



(Nitin Gupta)

Under Secretary to the Government of India
Tel. 23092390

Prime Minister's Office
(Kind Attn: Shri R. Ramanujam, Secretary to PM),
South Block, New Delhi

Name of the Ministry/Department: MINISTRY OF PERSONNEL, PUBLIC GRIEVANCES AND PENSIONS (DEPARTMENT OF PERSONNEL AND TRAINING)

*Title of all Acts (including Acts/Finance Acts/Amendment Acts) under the purview of the administrative Ministry/ Department under the Government of India (Allocation of Business) Rules, 1961 which are in force as on date:	*Whether the Act mentioned under column (1) has been recommended to any Commission or Committee (Indicate Yes or No and if Yes, the name of the Commission/Committee that made the recommendation).	*If the Acts mentioned under column (2) have not been repealed (as recommended by any of the Commissions or Committees, the reasons therefor including legal opinion obtained, if any. Please enclose the legal opinion obtained therefor/the recommendations of any committee or authority or judgement of court in support thereof and the justification, if any, to continue them.)	*Whether Acts mentioned under column (1) and in force as on date require revisiting in whole or part, and, if so, the provisions that require amendments thereto. Give details of Acts that require re-enactment or repeal as well as those which need amendments in the light of changing socio-economic environment alongwith the reasons for proposed amendments/re-enactment or repeal.
(1)	(2)	(3)	(4)
The Delhi Special Police Establishment (DPSE) Act, 1946	No	NA	After the judgement dated 08/05/2013 passed by Hon'ble Supreme Court in WP (Criminal) No. 120 of 2012 and WP (Civil), the Central Government filed an affidavit in the Supreme Court on 03/07/2013, wherein the new amendments in DPSE Act, 1946 as proposed by Group of Ministers (GoM) and approved by the Cabinet have been mentioned. The purpose of the amendments is to provide more autonomy to Central Bureau of Investigation (CBI). Some of the matter relating to the proposed amendments have already found place in the Lokpal & Lokayuktas Act, 2013. The remaining amendments proposed by the GoM are under consideration in this Department.

<p>All India Service (AIS) Act, 1951 Administrative Tribunal Act, 1985</p>	<p>No No</p>	<p>NA NA</p>	<p>Proposal for amendment of provisions the Administrative Tribunals Act, 1985 regarding consultation with Hon'ble Chief Justice of India for appointment of Chairman and Members of Administrative Tribunals [sections 6(3), 6(4) and 6(5)], conditions of service of Chairman and Members [section, 8 and 10], to repeal proviso to section 10A and delegation of powers of Chairman to hear transfer petitions [section 25] are under consideration of Government.</p>	<p>NA</p>
<p>The Prevention of Corruption Act, 1988 (49 of 1988)</p>	<p>No.</p>	<p>N.A.</p>	<p>A Bill to amend the Prevention of Corruption Act, namely the Prevention of Corruption (Amendment) Bill, 2013 is currently pending in the Rajya Sabha. The Bill seeks, inter alia, to address gaps in the existing definition of offences so as to bring it in tune with the requirements of UNCAC, to provide for attachment and confiscation of property acquired by corrupt means and to afford protection to honest public servants.</p>	<p>NA</p>
<p>Central Vigilance Commission Act, 2003 Right to Information Act, 2005</p>	<p>No No</p>	<p>NA NA</p>	<p>Yes, a proposal to amend the RTI Act to exclude the Political Parties from the definition of Public Authority is under consideration.</p>	<p>NA</p>
<p>The Lokpal and Lokayuktas Act, 2013 (1 of 2014)</p>	<p>No.</p>	<p>N.A.</p>	<p>Some provisions of the Act relating to appointment of Chairperson and Members of Lokpal, Constitution of Search Committee, etc. may require a revisit. The matter is under consideration of the Department.</p>	<p>NA</p>

Name of the Ministry/Department: MINISTRY OF PERSONNEL, PUBLIC GRIEVANCES AND PENSIONS (DEPARTMENT OF PERSONNEL AND TRAINING)

*Title of all Acts (including Amendment Acts) under the purview of the administrative Ministry/Department under the Government of India (Allocation of Business) Rules, 1961 or sections thereof or Schedule thereto which have not come into force as on date:	*Reasons for not bringing into force the Acts or sections thereof or Schedule thereto mentioned under column (1).	*Indicate whether the Acts or the provisions thereof or Schedules thereto mentioned under column (2), in the opinion of the Ministry/Department require to be continued or repealed or amended alongwith justification.
<p>(1)</p> <p>The Whistle Blowers Protection Act, 2011 (17 of 2014)</p>	<p>(2)</p> <p>The Whistle Blowers Protection Bill, 2011 was passed by the Lok Sabha on the 27th of December, 2011 and was transmitted to the Rajya Sabha. Subsequently, it was noticed that some of the provisions in the Bill needed a relook with a view to strengthening the safeguards against disclosures which may prejudicially affect the sovereignty and integrity of the country, security of the State, etc. It was also noticed that the Bill as passed by Lok Sabha contained certain drafting and typographical errors which needed to be corrected by way of official amendments. Accordingly, repeated notices for official amendments were given to Rajya Sabha Secretariat. The Bill was finally taken up for consideration and passing on 21st February, 2014. However, the official amendments which had been proposed earlier in the Bill, were not moved during consideration and passing of the Bill. The Bill was passed by the Rajya Sabha in the same form as passed by the Lok Sabha on 21st February, 2014 and it has received the assent of the President on 9th May, 2014. This has resulted in a situation that the important amendments relating to protection of national security, etc., which were considered to be essential, have not been incorporated in the Act finally passed and assented to by the President. In view of this, the Whistle Blowers Protection Act, 2011 requires some immediate amendments before it is brought into force.</p>	<p>(3)</p> <p>A proposal to introduce necessary Bill for amendment of the Act is under consideration of the Government. Ministry of Law has provided a draft Bill. File is under submission to PMO for seeking the approval of the Prime Minister to place the matter before the Cabinet.</p>

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No. 5/2/2005-PI-I/PI-II(pt)
Government of India
Ministry of Chemicals & Fertilizers
Department of Pharmaceuticais

New Delhi, the 11th September, 2014

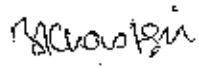
OFFICE MEMORANDUM

Subject: Furnishing of information in respect of repealing of Acts.

.....

The undersigned is directed to refer to PMO's ID No. CRA/1/2014 dated 03.09.2014 on the above subject and to forward the requisite information in respect of Department of Pharmaceuticais in the enclosed performa (Annexure-I) as desired by your office.

Encl: as above


(Barnali Khastgir)
Under Secretary to the Govt. of India
Tele: 23071162
Telefax: 23385765

Shri R. Ramanujam
Secretary to Prime Minister,
Prime Minister's Office,
South Block,
New Delhi-110001

Name of the Ministry / Department:- Department of Pharmaceuticals

*Title Of All Acts (Including Appropriation Acts/Finance Acts/ Amendment Acts) Under The Purview Of The Administrative Ministry/Department Under The Government Of India (Allocation of Business) Rules, 1961 which are in force as on date.	*Whether the Act mentioned under column (1) has been recommended to be repealed by any Commission or Committee. (Indicate Yes or No and if Yes, the name of the Commission / Committee that made the recommendation).	*If the Acts mentioned under column (2) have not been repealed (as recommended by any of the Commissions or Committees, the reasons therefor including legal opinion obtained, if any. Please enclose the legal opinion obtained there for/the recommendations of any committee or authority or judgement of court in support thereof and the justification, if any, to continue them.)	*Whether Acts mentioned under column (1) and in force as on date require revisiting in whole or part, and, if so, the provisions that require amendments thereto. Give details of Acts that require reenactment or repeal as well as those which need amendments in the light of changing socio-economic environment alongwith the reasons for proposed amendments/re-enactment or repeal.
(1) Drugs Control Act, 1950	(2) No. It has been decided to initiate the process of repealing the act with the approval of Hon'ble Minister (C&F).	(3) Not applicable	(4) The whole Act is proposed to be repealed.

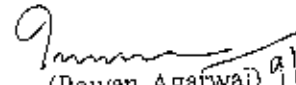
*Please give information under columns (1) to (4) in respect of each Act. Attach a separate sheet in case of lengthy details.

Government of India
Planning CommissionYojana Bhavan, Sansad Marg,
New Delhi - 110 001.

Subject: Identification of Central Acts falling under the purview of each Ministry / Department for repeal / amendment / re-enactment.

The undersigned is directed to refer to the Prime Minister's Office I.D. no. CRA/1/2014 dated 03/09/2014 on the above subject and to say that there are no Acts which fall under the purview of the Planning Commission. As such there is no information to be forwarded by the Planning Commission.

2. However, considering the importance of the subject, Planning Commission examined a list of 166 Acts recommended for repeal by the S.P. Jain Reforms Commission and a list of 253 Acts forwarded by the Law Commission, which were received earlier, from the Department of Administrative Reforms and Public Grievances and the Law Commission of India. Planning Commission has recommended repeal of 17 Acts and continuance of 2 Acts. Lists of these Acts is attached herewith for information. A soft copy of the note and its attachment have been sent through e-mail, also.


(Pawan Agarwal) 9/9/14
Adviser (OM&C)

Encl: As above

To

Shri R. Ramanujam,
Secretary to Prime Minister,
Prime Minister's Office,
South Block, New Delhi.

P.C. I.D. No.25/04/2014-OM&C

dated 9th September, 2014.

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Annexure to I.D. Note No. 25/04/2014-OM&C dated 11/09/2014

A. List of 13 Acts recommended for repeal by Planning Commission from the 166 Acts recommended for repeal by the S.P. Jain Reforms Commission

1. The Shipping Development Fund Committee (Abolition) Act, 1986.
2. The Coasting Vessels Act, 1938.
3. The Railway Companies (Emergency Provision) Act, 1951.
4. The Railway Companies (Substitution of Parties in Civil Proceedings) Act, 1946.
5. The Indian Railway Board Act, 1895 (10 of 1895).
6. The Scheduled Areas (Assimilation of Laws) Act, 1951, (37 of 1951).
7. The Scheduled Areas Act, 1953, (16 of 1953).
8. Levy Sugar Price Equalisation Fund Act, 1976.
9. The Delhi Municipal Corporation (Validation of Electricity Tax) Act, 1966.
10. The Industrial Disputes (Banking Companies) Decision Act, 1955.
11. The Indian University Act, 1904.
12. The Essential Commodities (Special Provisions) Act, 1981.
13. The Sugarcane Control (Additional Powers) Act, 1962.

Planning Commission had also suggested that the Indian Railways Board Act, 1905 may still be relevant and the issue of its repeal may be examined in consultation with the Ministry of Railways.

B. The 4 Acts recommended for repeal from the list of 253 Acts forwarded by the Law Commission.

1. The Coasting Vessels Act, 1838
2. The Land Acquisition (Amendment) Act, 1962.
3. The Land Acquisition (Amendment and Validation) Act, 1962.

It is suggested that "The Provisions of the Panchayats (Extension to the Scheduled Areas) Act, 1996 (PESA)" should not be repealed, because it empowers Panchayats in Tribal Areas.

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No. 1-1/2014-PO
Government of India
Ministry of Communications & IT
Department of Posts
(P.O. Division)

Dak Bhavan, New Delhi,
Dated: 23rd September, 2014

Reference PMO I.D No. CRA/1/2014 dated 03.09.2014 regarding constitution of a two member Committee to examine, identify and repeal various Central Acts which are no longer needed or require revision.

Annexure I and II as per the above mentioned letter, are enclosed.

This issues with the approval of Secretary, Posts.


(Amitabh Kharkwal)
DDG (CP&PO)

Shri R. Ramanujam,
Secretary to Prime Minister,
Prime Minister's Office,
South Block,
New Delhi-110001.

Department of Posts, Ministry of Communications and IT

Title of all Acts (including Appropriation Acts/Finance Acts/Amendment Acts) Under the purview of the administrative Ministry/Department under the Government of India (Allocation of Business) Rules, 1961 which are in force as on date.	Whether the Act mentioned under column (1) has been recommended to be repealed by any Commission or Committee. (Indicate Yes or No and if Yes, the name of the Commission /Committee that made the recommendation).	If the Acts mentioned under column (2) have not been repealed (as recommended by any of the Commissions or Committees, the reasons therefore including legal opinion obtained, if any. Please enclosed the legal opinion obtained there for/the recommendations of any committee or authority or judgement of court in support thereof and the justification, if any, to continue them.)	Whether Acts mentioned under column (1) and in force as on date require revisiting in whole or part, and, if so, the provisions that require amendments thereto. Give details of Acts that require re-enactment or repeal as well as those which need amendments in the light of changing socio-economic environment along with the reasons for proposed amendments/re-enactment of repeal.
(1)	(2)	(3)	(4)
The Indian Post Office Act, 1898	No	Not Applicable	The said Act is in force and would require revisiting/amendment as a whole in the light of changing business environment and IT modernization project currently under implementation.



Annexure-II

Department of Posts, Ministry of Communications and IT

(1) Title of all Acts (including Amendment Acts) under the purview of the administrative Ministry/Department under the Government of India (Allocation of Business) Rule, 1961 or section thereof or Schedule thereto which have not come into force as on date.	(2) Reasons for not bringing into force the Acts or sections thereof or Schedule thereto mentioned under column (1).	(3) Indicate whether the Acts or the provisions thereof or Schedule thereto mentioned under column (2), in the opinion of the Ministry /Department require to be continued or repealed or amended along with Justification.
NIL	NIL	NIL

Shankar

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No. 30/06/2014-R&R
Government of India
Ministry of Power

Shram Shakti Bhawan, Rafi Marg,
New Delhi, 8th October, 2014

OFFICE MEMORANDUM

Subject: PMO Reference regarding repeal of Central Acts – regarding.

The undersigned is directed to refer to PMO ID No. CRA/1/2014 dated 3.9.2014 on the above subject.

2. The information regarding Acts administered by Ministry of Power is enclosed in the prescribed proforma.
3. This has the approval of Secretary (Power).


(Pranay Kumar)
Director
Tel: 2371 5250

Prime Minister Office,
(Shri R. Ramanujam,
Secretary to Prime Minister)
South Block, New Delhi.

Ministry of Power

*Title of all Acts (including Appropriation Acts/Finance Acts/Amendments under the purview of the administrative Ministry/Department under the Government of India (Allocation of Business) Rules, 1961 which are in force as on date	*Whether the Act mentioned under column (1) has been recommended to be repealed by any Commission or Committee. (Indicate Yes or No and if Yes, the name of the Commission/Committee that made the recommendations).	*If the Acts mentioned under column (2) have not been repealed (as recommended by any of the Commissions or Committees, the reasons therefor including legal opinion obtained, if any. Please enclose the legal opinion obtained therefor the recommendations of any committee or authority or judgment of court in support thereof and the justifications, if any, to continue them.)	*Whether Acts mentioned under column (1) and in force as on date require revisiting in whole or part, and, if so, the provisions that require amendments thereto. Give details of Acts that require re-enactment or repeal as well as those which need amendments in the light of changing socio-economic environment along with the reasons for proposed amendments/re-enactment or repeal.
(1)	(2)	(3)	(4)
Electricity Act, 2003	No	N.A.	Proposal for certain amendments in Electricity Act, 2003 is under consideration based on review done.
Energy Conservation Act, 2001	No	N.A.	No
Damodar Valley Corporation Act, 1948	No	N.A.	No

Ministry of Power

Annexure-II

*Title of all Acts (including Amendments Act) under the purview of the administrative Ministry/Department under the Government of India (Allocation of Business) Rules, 1961 or sections thereof or Schedule thereto which have not come into force as on date	Reasons for not bringing into force the Acts or sections thereof or Schedule thereto mentioned under column (1)	Indicate whether the Acts or the provisions thereof or Schedules thereto mentioned under column (2), in the opinion of the Ministry/Department require to be continued or repealed or amended alongwith justification.
(1) Nil	(2) N.A.	(3) N.A.

No.1(16)/2014-Coord.
Government of India
Ministry of Heavy Industries & Public Enterprises
Department of Public Enterprises

Public Enterprises Bhawan
Block No-14, CGO Complex,
Lodi Road, New Delhi-110003
Dated the 1st September, 2014

Office Memorandum


The undersigned is directed to refer to PMO I.D. No. CRA/1/2014, dated 03.09.2014 regarding repealing of obsolete and irrelevant laws and to state that no Acts have ever been notified by this Department. Guidelines/instructions issued by DPE are non legislative in nature. Nil information is also enclosed in prescribed proforma (Annexure-I & Annexure-II).

Encl. As above.

Kalpana Narain
(Kalpana Narain)
Director

Prime Minister Office,
(Shri R. Ramanujam, Secretary to Prime Minister)
South Block, New Delhi-110001

Name of the Ministry/Department:

*Title of all Acts (including Appropriation Acts/Finance Acts/Amendment Acts) under the purview of the administrative Ministry/Department under the Government of India (Allocation of Business) Rules, 1961 which are in force as on date.	*Whether the Act mentioned under column (1) has been recommended to be repealed by any Commission or Committee. (Indicate Yes or No and if Yes, the name of the Commission /Committee that made the recommendation).	*If the Acts mentioned under column (2) have not been repealed (as recommended by any of the Commissions or Committees, the reasons therefor including legal opinion obtained, if any. Please enclose the legal opinion obtained there for/the recommendations of any committee or authority or judgement of court in support thereof and the justification, if any, to continue them.)	*Whether Acts mentioned under column (1) and in force as on date require revisiting in whole or part, and, if so, the provisions that require amendments thereto. Give details of Acts that require re-enactment or repeal as well as those which need amendments in the light of changing socio-economic environment alongwith the reasons for proposed amendments/re-enactment or repeal.
(1)	(2)	(3)	(4)
			

*Please give information under columns (1) to (4) in respect of each Act. Attach a separate sheet in case of lengthy details.

Annexure-II

Name of the Ministry/Department:

*Title of all Acts (including Amendment Acts) under the purview of the administrative Ministry/Department under the Government of India (Allocation of Business) Rules, 1961 or sections thereof or Schedule thereto which have not come into force as on date.	*Reasons for not bringing into force the Acts or sections thereof or Schedule thereto mentioned under column (1).	*Indicate whether the Acts or the provisions thereof or Schedules thereto mentioned under column (2), in the opinion of the Ministry/Department require to be continued or repealed or amended along with justification.
(1)	(2)	(3)
	Nil	

*Please give information under columns (1) to (3) in respect of each Act. Attach a separate sheet in case of lengthy details.



No.Z-17012/05/2014-GC
Government of India
Ministry of Rural Development
Department of Rural Development
GC(P) Section

Krishi Bhawan, New Delhi.
Dated 11th September, 2014

Subject: Information in respect of existing Acts which need to continue or require amendment/re-enactment/peal in the light of changing socio-economic environment - reg.

Attention is invited to PM's Office ID No.CRA/1/2014 dated 3-9-2014 on the subject mentioned above. The Department of Rural Development administers only the Mahatma Gandhi National Rural Employment Guarantee Act(MGNREGA), Act 2005. Accordingly, required information in respect of MGNREG Act, 2005 in Annexure-I & II is enclosed.

End: As above

(D.K. Singh)

Under Secretary to the Govt. of India
Tel: 23070978

Shri. R. Ramanujam, Secretary to the Prime Minister, South Block, New Delhi.
Ministry of Rural Development ID No.Z-17012/5/2014 dated 11th September, 2014

Name of the Ministry/Department : Rural Development

* Title of all Acts (including Appropriation Acts/Finance Acts/Amendment Acts) under the purview of the administrative Ministry/Department under Government of India (Allocation of Business) Rules, 1961 which are in force as on date	* Whether the Act mentioned under column (1) has been recommended to be repealed by any Commission or Committee (Indicate Yes or No and if Yes, the name of the Commission/Committee that made the recommendation)	* If the Acts mentioned under column (2) have not been repealed (as recommended by any of the Commissions or Committees, the reasons thereof including legal opinion obtained, if any. Please enclose the legal opinion obtained there for/the recommendations of any committee or authority or judgement of court in support thereof and the justification, if any, to continue them)	* Whether Acts mentioned under column(1) and in force as on date require revisiting in whole or part, and, if so, the provisions that require amendments thereto. Give details of Acts that require re-enactment or repeal as well as those which need amendments in the light of changing socio-economic environment along with the reasons for proposed amendments/re-enactment or repeal
1	2	3	4
MGNREG Act, 2005	No	N. A.	Schedule I and Schedule II of MGNREG Act, 2005 require amendments from time to time depending upon the exigency. Schedule I has been amended 17 times and Schedule II has been amended 7 times so far.

*Please give information under columns (1) to (4) in respect of each Act. Attach separate sheet in case of lengthy details.

Name of the Ministry/Department : Rural Development

* Title of all Acts (including Amendment Acts under the purview of the administrative Ministry/Department under the Government of India (Allocation of Business) Rules, 1961 or sections thereof or Schedule thereto which have not come into force as on date	* Reasons for not bringing into force the Acts or sections thereof or Schedule thereto mentioned under column(1)	* Indicate whether the Acts or the provisions thereof or Schedules thereto mentioned under column(2), in the opinion of the Ministry/Department require to be continued or repealed or amended along with justification
1	2	3
Nil	Not Applicable	Not Applicable

*Please give information under columns (1) to (3) in respect of each Act. Attach separate sheet in case of lengthy details.

F. No. 17-33/2014-EE.1
Government of India
Ministry of Human Resource Development
(Department of School Education and Literacy)

Shastri Bhawan, New Delhi
dated the 11th September, 2014.

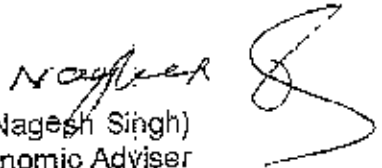
OFFICE MEMDRANDUM

Sub: Repeal of Acts

The undersigned is directed to refer to PMD I.D.No. CRA/1/2014 dated 3.9.2014 from Secretary to Prime Minister addressed to Secretary, Department of School Education and Literacy on the above subject.

2. As required therein, the requisite information for Annexure I is attached. There are no Acts at present in the Department of School Education and Literacy which are not in force and as such the information for Annexure II may be treated as Nil.

Encl: As above


(Dr. Nagesh Singh)
Economic Adviser
Tele: 23381721

Shri R. Ramanujam
Secretary to the Prime Minister
Prime Minister's Office
South Block
New Delhi - 110001

Ministry of Human Resource Development
Department of School Education and Literacy

*Title of all Acts (including Appropriation Acts/Finance Acts/Amendment Acts) under the purview of the administrative Ministry/ Department under the Government of India (Allocation of Business) Rules, 1961 which are in force as on date.	*Whether the Act mentioned under column (1) has been recommended to be repealed by any Commission or Committee. (Indicate Yes or No and if Yes, the name of the Commission/ Committee that made the recommendation).	*If the Acts mentioned under column (2) have not been repealed (as recommended by any of the Commissions Committees, the reasons therefor including legal opinion obtained, if any. Please enclose the legal opinion obtained there for/the recommendations of any committee or authority or judgement of court in support thereof and the justification, if any, to continue them.)	*Whether Acts mentioned under column (1) and in force as on date require revisiting in whole or part, and, if so, the provisions that require amendments thereto. Give details of Acts that require re-enactment or repeal as well as those which need amendments in the light of changing socio-economic environment alongwith the reasons for proposed amendments/re-enactment or repeal.
1	2	3	4
The Right of Children to Free and Compulsory Education (RTE) Act, 2009	No	Not applicable	Not required
National Council for Teacher Education Act, 1993	No	Not applicable	Not required

URGENT

Government of India
Ministry of Social Justice & Empowerment
Department of Social Justice & Empowerment
(Coordination Division)
<<<0>>>

Subject : Review/Repeal of Obsolete Laws and Regulations.

Reference I.D.Note No.CRA/1/2014 dated 03-09-2014 received from Prime Minister's Office on the above subject.

2 Requisite information in respect of Department of Social Justice & Empowerment is attached as Annexure-I and Annexure-II alongwith the softcopy.

Encl:As above.

Asokan P.K.
(Asokan P.K.)

Under Secretary to the Govt of India
Ph: 011 2338 6981

Prime Minister's Office [Shri R. Ramanujam, Secretary to Prime Minister]

Department of SJE U.O.No. 22-1/2012-Cdn dated 11th September, 2014

Annexure-I

**Ministry of Social Justice and Empowerment,
(Deptt. of Social Justice and Empowerment)**

**Name of the Ministry:
Department:**

Sl. No.	Title of all Acts (including Appropriation Acts/ Finance Act/ Amendment Acts) under the purview of the administrative Ministry/ Department under the Government of India (Allocation of Business) Rules, 1961 which are in force as on date.	Whether the Act mentioned under column (1) has been recommended to be repealed by any Commission or Committee.	If the Act mentioned under column (2) has not been repealed (as recommended by any of the Commissions or Committees), the reasons therefor including legal opinion obtained therefor / the recommendations of any committee or authority or judgement of court in support	Whether Acts mentioned under column (1) and in force as on date require revisiting in whole or part, and, if so, the provisions that require amendments thereto. Give details of Acts that require re-enactment or repeal as well as those which need amendments in the light of changing socio-economic environment alongwith the reasons for proposed amendments/re-enactment of repeal.
	(1)	(2)	(3)	(4)
01	The Prohibition of Employment as Manual Scavengers and their Rehabilitation Act, 2013(MS Act, 2013).	No	N.A.	No. The MS Act, 2013 was passed by the Parliament in September, 2013. The Act came into force w.e.f. 6.12.2013. For implementation of the Act, the matter is being regularly pursued with the concerned State Governments and Union Territory Administrations as well as the concerned Central Ministries/Departments.
02	The Employment of Manual Scavengers and Construction of Dry Latrines (Prohibition)	No	N.A.	As mentioned above the MS Act, 2013 came into force w.e.f. 06.12.2013, and at this stage no need has been felt to review the Act. Yes. A Committee of Secretaries, headed by the Cabinet Secretary, in its meeting held on 13.1.2014 decided to transfer th

				<p>Employment of Manual Scavengers and Construction of Dry Latrines (Prohibition) Act, 1993, from the Ministry of Housing and Urban Poverty Alleviation to the Ministry of Social Justice and Empowerment.</p> <p>In view of enactment of the "Prohibition of Employment as Manual Scavengers and their Rehabilitation Act, 2013", on the same subject, with wider scope and more stringent provisions, the Employment of Manual Scavengers and Construction of Dry Latrines (Prohibition) Act, 1993, has become redundant. As such it has been decided to repeal this Act.</p> <p>The Ministry of Social Justice and Empowerment, Department of Social Justice and Empowerment, having obtained the advice of the Ministry of Law and Justice, Department of Legal Affairs has initiated the process of repeal of the said Act. As the Ministry of Law and Justice, Department of Legal Affairs has opined that the Act was made under Section 252 of the Constitution on the request of the States after obtaining resolutions of the Assemblies of States (at least two), the Act would be repealed in the like manner.</p>
03	The Protection of Civil Rights Act, 1955	No	N.A.	<p>Accordingly, the Secretary, Ministry of Social Justice and Empowerment, Department of Social Justice vide his d.o. letter dated 07.7.14 has addressed the Chief Secretaries of the concerned State Governments, requesting them to provide the resolution of the Assembly of their State in this regard. The matter is being followed up with them.</p> <p>No. Article 17 of the Constitution of India has abolished "untouchability", and forbidden its practice in any form, and enforcement of any disability arising out of "Untouchability" is an offence punishable in accordance with law. In pursuance of this Constitutional provision, the Untouchability (Offences) Act, 1955 was enacted and notified on 08.05.1955. Subsequently, it was amended and renamed in the year 1976 as the "Protection of Civil Rights (PCR) Act, 1955". Rules under this Act, viz, "The Protection of Civil Rights Rules, 1977" were notified in 1977. The</p>

04	The Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Act, 1989	No	N.A.	<p>Act extends to the whole of India and provides punishment for the practice of untouchability. It is implemented by the respective State Governments and Union Territory Administrations. Under Section 15A(4) of the PCR Act, Central Government is required, every year, to place on the Table of each House of Parliament, a report on the measures taken by itself and by the State Governments in pursuance of the provisions of this Section.</p> <p>The Act is relevant even today as its genesis relates to Article 17 of the Constitution and the statute is presently required in view of continuing occurrence of offences of untouchability. As per the data of the National Crime Records Bureau, Ministry of Home Affairs, 87 cases were registered under the PCR Act, during 2013 compared to 67 in 2011.</p> <p>Yes. The Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) (PoA) Act, 1989 came into force with effect from 30.01.1990. This legislation aims at preventing commission of offences by persons other than Scheduled Castes and Scheduled Tribes against members of Scheduled Castes and Scheduled Tribes. The PoA Act extends to whole of India except the State of Jammu and Kashmir. The PoA Act is implemented by the respective State Governments and Union Territory Administrations.</p> <p>Comprehensive Rules under PoA Act, titled "Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Rules, 1995" were notified on 31.3.1995, by the Central Government in exercise of powers conferred by subsection (1) of Section 23 of the PoA Act.</p> <p>Under Section 21A(4) of the PoA Act, Central Government is required to every year, place on the Table of each House of Parliament, a report on the measures taken by itself and by the State Governments in pursuance of the provisions of this Section.</p> <p>The necessity of the Act has relevance as the statute is required in</p>
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<p>view of continuing occurrence of offences of atrocities against members of Scheduled Castes and Scheduled Tribes. As per the data of the National Crime Records Bureau, Ministry of Home Affairs, cases registered under the PoA Act in conjunction with the IPC have increased from 39,401 in 2011 to 46,114 in 2013.</p> <p>However, to deliver greater justice as well as to be an enhanced deterrent to the offenders, based on the consultation process with all stake holders, the Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Amendment Bill, 2014, to amend the PoA Act, has been introduced in the Lok Sabha on 16.07.2014. The Bill has been referred to the Departmental Parliamentary Standing Committee on Social Justice and Empowerment for examination and report.</p>		<p>No. This law was enacted on the direction of the Supreme Court and is relevant even today.</p>	
05	National Commission for Backward Classes Act, 1993	No.	Not Applicable.
06	The Maintenance And Welfare of Parents And Senior Citizens Act, 2007. (Act No.56 of 2007).	No.	Not Applicable.

YRS : Sept/20'14
 F.No.22-1/2012-Cdn

Annexure-II

**Ministry of Social Justice and Empowerment,
(Deptt. of Social Justice and Empowerment)**

**Name of the Ministry:
Department:**

*Title of all Acts (including Amendment Acts) under the purview of the administrative Ministry/Department under the Government of India (Allocation of Business) Rules, 1961 or sections thereof or Schedules thereto which have not come into force as on date.	*Reasons for not bringing into force the Acts or sections thereof or Schedule thereto mentioned under column (1).	*Indicate whether the Acts or the provisions thereof or Schedules thereto mentioned under column (2), in the opinion of the Ministry/Department require to be continued or repealed or amended alongwith justification.
(1)	(2)	(3)
NIL		

YRS : Sept/20'14
F.No.22-1/2012-Cdn

* Please give information under columns (1) to (3) in respect of each Act. Attach a separate sheet in case of lengthy details.

YRS:Sept/'14
F.No.22-1/2012-Cdn

भारत सरकार

अन्तरिक्ष विभाग

अन्तरिक्ष भवन, न्यू वी ई हल रोड
बंगलूर - 560 231, भारतता : स्पेस फ़ोन : +91-80-2341 8237
दूरभाष : +91-80-2341 7009GOVERNMENT OF INDIA
DEPARTMENT OF SPACEAntariksh Bhavan, New B.E.I. Road
Bangalore - 560 231, India.
Grams : Space Fax : +91-80-2341 8237
Telephone : +91-80-2341 7009
E-mail : vijayanand@isro.gov.inA. Vijay Anand
Additional Secretary

D.O.No. E.11017/3/2014

Dear *Shri Ramanujam*

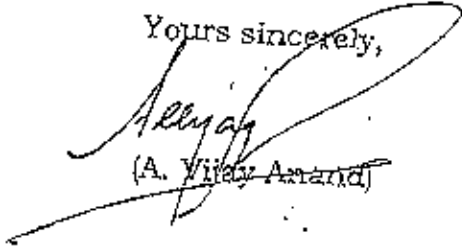
September , 2014

Kind reference is invited to PMO I.D. No.CRA/1/2014 dated 03.09.2014 requesting to revisit all the existing Acts falling under purview of this Department and to intimate whether such Act or Acts require amendment/re-enactment/peal in the light of the changing socio-economic environment.

2. I would like to bring to your kind notice that this Department does not have any enactments till date. Hence the reply from Department of Space may be treated as 'NIL'.

With best regards,

Yours sincerely,


(A. Vijay Anand)

To

Shri. R. Ramanujam,
Secretary to Prime Minister,
Prime Minister's Office,
New Delhi - 110001



F. No. 14-28/2014-SP-IV
Government of India
Ministry of Skill Development, Entrepreneurship,
Youth Affairs & Sports
(Department of Sports)

Shastri Bhawan, New Delhi
Dated : 11/9/2014

OFFICE MEMORANDUM

Subject:- Information for obsolete and irrelevant laws to be repealed during the
Winter Session of Parliament - reg.

The undersigned is directed to refer to Prime Minister's Office I.D. No. CRA/1/2014 dated 03.09.2014 on the above mentioned subject and to say that as on date there is no Act in the Department of Sports. Hence, information in respect of Department of Sports may please be treated as 'Nil'. The requisite information is enclosed as per Annexure-I and Annexure-II.

2. This issues with the approval of Secretary (Sports).

(S.P.S. Tomar)

Under Secretary to the Government of India
Tel.23073206

Copy to:

Prime Minister's Office
Shri R. Ramanujam, Secretary
South Block, New Delhi

Name of the Ministry/Department: DEPARTMENT OF SPORTS, GOVT OF INDIA

*Title of all Acts (including Appropriation Acts/Finance Acts/Amendment Acts) under the purview of the administrative Ministry/Department under the Government of India (Allocation of Business) Rules, 1961 which are in force as on date.	*Whether the Act mentioned under column (1) has been recommended to be repealed by any Commission or Committee. (Indicate Yes or No and if Yes, the name of the Commission /Committee that made the recommendation).	*If the Acts mentioned under column (2) have not been repealed (as recommended by any of the Commissions or Committees, the reasons therefor including legal opinion obtained, if any. Please enclose the legal opinion obtained there for/the recommendations of any committee or authority or judgement of court in support thereof and the justification, if any, to continue them.)	*Whether Acts mentioned under column (1) and in force as on date require revisiting in whole or part, and, if so, the provisions that require amendments thereto. Give details of Acts that require re-enactment or repeal as well as those which need amendments in the light of changing socio-economic environment alongwith the reasons for proposed amendments/re-enactment or repeal.
(1)	(2)	(3)	(4)
		NIL	

*Please give information under columns (1) to (4) in respect of each Act. Attach a separate sheet in case of lengthy details.

Annexure-II

Name of the Ministry/Department: DEPARTMENT OF SPORTS, GOVT. OF INDIA

*Title of all Acts (including Amendment Acts) under the purview of the administrative Ministry/Department under the Government of India (Allocation of Business) Rules, 1961 or sections thereof or Schedule thereto which have not come into force as on date.	*Reasons for not bringing into force the Acts or sections thereof or Schedule thereto mentioned under column (1).	*Indicate whether the Acts or the provisions thereof or Schedules thereto mentioned under column (2), in the opinion of the Ministry/Department require to be continued or repealed or amended alongwith justification.
(1)	(2)	(3)
	NIL	

*Please give information under columns (1) to (3) in respect of each Act. Attach a separate sheet in case of lengthy details.

डॉ. टी.सी.ए. अनन्त

सचिव

JR. T.C.A. ANANT
SECRETARY



भारत सरकार

Government of India

सांख्यिकी एवं कार्यक्रम कार्यान्वयन मंत्रालय

Ministry of Statistics & Programme Implementation

सरदार पटेल भवन, संसद मार्ग, नई दिल्ली-110001

Sardar Patel Bhavan, Sansad Marg, New Delhi-110001

फोन/Tel : 011-23742150 फैक्स/Fax : 23742067

E-mail : tca.anant@nic.in

D.O. No. Y-18090/16/2014-CAP

September 12, 2014

Dear *Shri Ramanujam*,

Kindly refer to PMO I.D No CRA/1/2014 dated September 3, 2014 regarding recommendations of Commission on Review of Administrative laws, 2nd Administrative Reforms Commission etc. for repeal of certain Acts. In this regard, information pertaining to Ministry of Statistics & Programme Implementation is given in the enclosed performae.

2. However, I would like to mention that there are two laws administered in the Ministry of Statistics and Programme Implementation (MoSPI). One is the Indian Statistical Institute Act, 1959(57 of 1959) and the other is The Collection of Statistics Act, 1953 (32 of 1953). The Commission on Review of Administrative Laws has recommended the review of The Collection of Statistics Act, 1953.

3. Accordingly, The Collection of Statistics Act, 1953 has been repealed and replaced by The Collection of Statistics Act, 2008, which came into force on 11th June, 2010. In view of the above, the recommendation of the aforementioned Commission has been fully implemented by this Ministry.

With regards,

Yours sincerely,

J. C. A. Anant
(T C A Anant)

Shri R. Ramanujam
Secretary to the Prime Minister,
South Block
New Delhi-110001

Ministry of Statistics and Programme Implementation

*Title of all Acts(including Appropriation Acts/Finance Acts/Amendment Acts) under the purview of the administrative Ministry/Department under the Government of India (Allocation of Business) Rules, 1961 which are in force as on date	*Whether the Act mentioned under column (1) has been recommended to be repealed by any Commission or Committee (Indicate Yes or No and if Yes, the name of the Commission/Committee that made the recommendation)	*If the Acts mentioned under column(2) have not been repealed (as recommended by any of the Commissions or Committees, the reasons there for including legal opinion obtained, if any. Please enclose the legal opinion obtained there for /the recommendations of any committee or authority or judgment of court in support thereof and the justification, if any, to continue them.)	*Whether Acts mentioned under column(1) and in force as on date require revisiting in whole or part, and, if so, the provisions that require amendments thereto. Give details of Acts that require re-enactment or repeal as well as those which need amendments in the light of changing socio-economic environment along with the reasons for proposed amendments/re-enactment or repeal
1	2	3	4
The Collection of Statistics Act(CoS Act), 2008*	NO		
Indian Statistical Institute Act, 1959	NO		

- It has been shown as The Collection of Statistics Act, 1953 under the Allocation of Business Rules, 1961 but has been reviewed and repealed by The Collection of Statistics Act, 2008.

Ministry of Statistics and Programme Implementation

*Title of all Acts(including Amendment Acts) under the purview of the administrative Ministry/Department under the Government of India (Allocation of Business) Rules, 1961 or sections thereof or Schedule thereto which have not come into force as on date	*Reasons for not bringing into force the Acts or sections thereof or Schedule thereto mentioned under column (1).	*Indicate whether the Acts or the provisions thereof or Schedules thereto mentioned under column (2), in the opinion of the Ministry/Department require to be continued or repealed or amended alongwith justification.
(1)	(2)	(3)
-	-	-

- 304 -

MOST IMMEDIATE / OUT AT ONCE

Government of India
Ministry of Steel

23

Subject:- Repeal of Central Acts/repeal of Acts amending the Central Acts/identifying of Central Acts requiring revision - reg.

With reference to PMO ID note no. CRA/1/2014 dated 03.09.2014 on the subject mentioned, the requisite information is forwarded herewith in the prescribed Annexure-I and Annexure-II. It may be mentioned here that there are no Acts (including Amendment Acts) under the purview of the Ministry of Steel under the Government of India (Allocation of Business) Rules, 1961.



(K.S. Samarendra Nath)

Director

Tel # 23063046

Encl: As above

Prime Minister's Office (Shri R.Ramamujam, Secretary), South Block, New Delhi

Ministry of Steel, ID No. 17(18)/2014-Coord. dated September 15, 2014

Annexure-I

Ministry of Steel/CPSU-Steel Authority of India Ltd.

Title of the Act (including Acts/Finance Acts/Amendment Acts) under the purview of the administrative Ministry/ Department under the Government of India (Allocation of Business) Rules, 1961 which are in force as on date	Whether the Act mentioned under column(1) has been recommended to be repealed by any commission or committee. (Indicate yes or No and if Yes, the name of the Commission / Committee that made the recommendation)	If the Acts mentioned under column (2) have not been repealed (as recommended by any of the Commissions Committees, the reasons therefore including legal opinion obtained, if any. Please enclose the legal opinion obtained therefore/ the recommendations of any committee or authority or judgment of court in support thereof and the justification, if any, to continue them.)	Whether Acts mentioned under column(1) and in force as on date require revisiting in whole or part and, if so, the provisions that require amendments thereto. Give details of Acts that require re-enactment or repeal as well as those which need amendments in the light of changing socio-economic environment along with the reasons for proposed amendments/ re-enactment or repeal.
(1)	(2)	(3)	(4)
The Iron and Steel Companies (Amalgamation) Act, 1952	Yes, Commission on Review of Administrative Laws (Sl.no. 89 of Appendix A-1 of the Report of the Commission on Administrative Laws Vol.-I)	Repealed in 2000	
The Iron and Steel (Taking over of Management) Act, 1972	Yes, Commission on Review of Administrative Laws(Sl.no. 140 of Appendix A-1 of the Report of the Commission on Administrative Laws Vol.-I)	Repealed in 2000	
The Indian Iron and Steel Company (Acquisition of shares) Act, 1976	No	Not repealed There is a possibility of some litigation being sub-judice before Calcutta High Court or Supreme Court of India	Savings clause for sustaining the legal consequences and rights arising there from need to be provided by Repeating Act

Annexure-II

Name of the Ministry/Department:

*Title of all Acts (including Amendment Acts) under the purview of the administrative Ministry/Department under the Government of India (Allocation of Business) Rules, 1961 or sections thereof or Schedule thereto which have not come into force as on date.	*Reasons for not bringing into force the Acts or sections thereof or Schedule thereto mentioned under column (1).	*Indicate whether the Acts or the provisions thereof or Schedules thereto mentioned under column (2), in the opinion of the Ministry/Department require to be continued or repealed or amended along with justification.
(1) NIL	(2) NIL	(3) NIL

*Please give information under columns (1) to (3) in respect of each Act. Attach a separate sheet in case of lengthy details.

18 SEP 2014

Nirman Bhavan, New Delhi
Dated : 17th September, 2014.

OFFICE MEMORANDUM

Subject : Review and repeal of Central Acts - a Committee constituted in PMO - regarding.

The undersigned is directed to refer to PMO's I.D. No.CRA/1/2014 dated 03.9.2014 on the above mentioned subject and to furnish the requisite information in respect of this Ministry in the prescribed proforma at Annexure-I and II.

2. This issues with the approval of Secretary (Urban Development).

Madhavi
(Madhavi Mohan)
Under Secretary to the Govt. of India
Tele : 23061047

To

Prime Minister's Office,
South Block,
New Delhi.

Name of the Ministry/ Department: Ministry of Urban Development

S.No.	Title of Act	Whether the Act mentioned under column (1) has been recommended to be repealed by any Commission or Committee. (Indicate Yes or No and if Yes the name of the Commission/ Committee that made the recommendation).	If the Acts mentioned under col.(2) have not been repealed (as recommended by any of the Commissions or Committees, the reasons therefor including legal opinion obtained, if any. Please enclose the legal opinion obtained therefor/the recommendations of any committee or authority or judgement of court in support thereof and the justification, if any, to continue them.)	Whether Acts mentioned under column (1) and in force as on date require revisiting in whole or part, and, if so, the provisions that require amendments thereto. Give details of Acts that require re-enactment or repeal as well as those which need amendments in the light of changing socio-economic environment alongwith the reasons for proposed amendments/re-enactment or repeal.
	(1)	(2)	(3)	(4)
1.	National Capital Region Planning Board, Act 1985 (2 of 1985)	No	Not applicable	No change required.
2.	Delhi Development Act, 1957 (61 of 1907)	No	Not applicable	No change required.
3.	Delhi Urban Arts Commission Act, 1973 (1 of 1973)	No	Not applicable	No change required.

4.	The National Capital Territory of Delhi Laws (Special Provisions) Securing Act, 2011	No	Not applicable	The validity of the Act is upto 31.12.2014. Thereafter, this Act will lapse.
5.	Delhi Apartment Ownership Act, 1986	No	Not applicable	A proposal to replace the Delhi Apartment Ownership Act, 1986 with a new legislation is under consideration of this Ministry as the same failed to elicit favourable response from lease administering agencies, promoters and flat-owners in apartment buildings. Consultation with stakeholders has been undertaken. Comments of some of the stakeholders are awaited.
6.	Delhi Hotels (Control of Accommodation) Act, 1949 (24 of 1949)	No	Not applicable	MnUD has decided to repeal the Act on the ground that it is an old law which has outlived its utility. Accordingly a Bill to repeal the said Act has been introduced in the Rajya Sabha in February 2014. Further a cabinet note has been circulated seeking approval to continue with the legislative process.
7.	Delhi Rent Control Act, 1958 (59 of 1958)	No	Not applicable	No change required.
8.	Urban Land (Ceiling & Regulation) Act, 1976 and the Urban Land Ceiling & Regulation Repeal Act, 1999 (15 of 1999)	No	Not applicable	No change required.

Annexure-II

S.No.	Title of Acts which have not come into force as on date	Reasons for not bringing into force the Acts or sections thereof or Schedule therein mentioned under column (1)	Indicate whether the Acts or the Provisions thereof or Schedules thereto mentioned under column (2), in the opinion of the Ministry/Department require to be continued or repealed or amended alongwith justification.
2.	The Delhi Rent Act, 1995 (33 of 1995)	<p>(1)</p> <p>(2)</p> <p>Government of NCT of Delhi appointed an All Party Committee to examine the Bill and make recommendations for changes which could address the grievances of the agitating groups. These primarily related to provisions of intended Act concerning deemed rent, registration of tenancies, inheritability of tenancies, eviction etc. Thereafter, following the receipt of numerous representations and the All Party Committee Report, the entire issue was re-examined to decide whether the said Act should be notified as assented by the President, or it should be amended in the light of the representations, that had been received. After detailed consideration, it was finally decided to carry out amendments to the Act before notifying it. Accordingly, the Delhi Rent (Amendment) Bill, 1997 was drafted and introduced in the Rajya Sabha on 28.7.1997.</p>	<p>(3)</p> <p>Bill to Repeal of the 'Delhi Rent Act,1995 was introduced in Rajya Sabha on 29-08-2013 and passed for consideration. Bill for consideration was placed before the house in February,2014 but could not be taken up in the Legislative Business.</p>
		<p>Government considered the report and accepted all the recommendations of the committee. However, the recommendations of the Committee once again required consideration and acceptance before being taken up for discussion by the Rajya Sabha and the Lok Sabha. In a meeting of representatives of Government of NCT of Delhi (GNCTD) and Ministry of Urban Development held on 16-03-2012, GNCTD favoured preparation of a new draft Bill to be placed in public domain for adequate discussion in the light of the changed scenario. Accordingly, Cabinet approval was obtained on 11th July,2013 to (i) repeal of the 'Delhi Rent Act, 1995', and (ii) withdrawal of the 'Delhi Rent (Amendment) Bill, 1997' pending in the Rajya Sabha.</p>	<p>Minister of Urban Development in a meeting held on 27.06.2014 has directed that inputs of other important stakeholders such as public representatives need to be taken on board along with inputs of GNCTD for new draft Bill. As Delhi Assembly is in suspension at present the framing of the amendment/fresh legislation may be kept in abeyance</p>

No.L-56011/9/2014-PP (PLU)
Government of India
Ministry of Water Resources, River Development
and Ganga Rejuvenation.
(Planning of PP Wing)


Shram Shakti Bhawan, New Delhi
Dated: 16th September, 2014

Subject: Review of the Acts of MoWR, RD & GR - reg.

Please refer to PMO ID No.CRA/1/2014 dated 3.9.2014 on the above subject. As desired, the information is enclosed for your necessary action.

This issues with the approval of Secretary (WR).

Encls: As above.


(Arvind Chaudhary)
Director (PP)
Tel.23766369

Secretary to Prime Minister,
PMD Office,
South Block, New Delhi

Name of the Ministry/Department: Ministry of Water Resources, River Development and Ganga Rejuvenation

*Title of all Acts (including Appropriation Acts/ Finance Acts/Amendment Acts) under the purview of the administrative Ministry/Department under the Government of India (Allocation of Business) Rules, 1961 which are in force as on date	*Whether the Act mentioned under column (1) has been recommended to be replaced by any Commission or Committee. (Indicate Yes or No and if Yes, the name of the Commission/Committee that made the recommendation).	*If the Acts mentioned under column (2) have not been repeated (as recommended by any of the Commissions/ Committees, the reasons therefore including legal opinion obtained, if any. Please enclose the legal opinion obtained there for/the recommendations of any committee or authority or judgement of court in support thereof and the justification, if any, to constitute them.)	*Whether Acts mentioned under column (1) and in force as on date require revisiting in whole or part, and, if so, the provisions that require amendments thereto. Give details of Acts that require re-enactment or repeal as well as those which need amendments in the light of changing socio-economic environment along with the reasons for proposed amendments/re-enactment or repeal.
(1) 1) Interstate-River Water Disputes (ISRWD) Act, 1956	(2) No	(3) Not Applicable	(4) The Central Government has enacted ISRWD ACT, 1956 which is amended from time to time. Last amendment to the Act was made in March 2002 when the adjudication of water disputes by the Tribunal was made time bound. Currently, the proposal for amendments in ISRWD Act is under consideration of the Ministry and is at conceptual stage.
2) River Board Act, 1956	Yes	A committee under Justice (Retd) T.S. Doabia was set up vide letter dated 6/3/2012 to study the activities that are required for the optimal development of a River basin and changes that may be required in the existing River Board Act, 1956. The report of the Committee has been placed before National Forum of Minister of Water Resources/Irrigation of the States and thereafter on the website of the Ministry of Water Resources for wider consultation. Copies have also been sent to State, UT's concerned and Central Ministries.	Require revisiting in whole after consultations with all states

3) Brahmaputra Board Act 1980	Yes	<p>The Standing Committee of Parliament on Water Resources at different fora have voiced their concern for revamping of the Brahmaputra Board. A Nodal Group under the chairmanship of Chairman, CWC was constituted, which recommended the mandate and the working structure of the strengthened organisation. On the basis of recommendation, the Draft Policy Document has been prepared and sent to all the North-Eastern States and West Bengal for their views. Accordingly, the draft Bill for Brahmaputra & Barak River Basin Authority in place of Brahmaputra Board Act, 1980 is under process in the Ministry.</p>	Not Applicable
4) Belwa River Board Act 1978	No		Not Applicable

No. 43011/39(3)/2014-Coord.
Government of India
Ministry of Women and Child Development

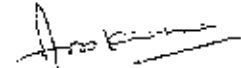
Shastri Bhavan, New Delhi.
Dated: 23rd September, 2014

OFFICE MEMORANDUM

Subject: Regarding Repealing of Obsolete and Irrelevant Laws during the Winter Session of Parliament.

The undersigned is directed to refer to ID No. CRA/1/2014 dated 03.09.2014 received from Secretary, Prime Minister's Office on the subject mentioned above and to inform that presently 12 Acts are being administered by the Ministry of which only the Juvenile Justice (Care & Protection of Children) Act, 2000 is under process for repeal. The Juvenile Justice (Care & Protection of Children) Bill, 2014 has been introduced in the Parliament on 12.08.2014. Accordingly, Ministry of Law & Justice has been apprised of the position vide this Ministry's OM No. 43011/18(4)/2014-Coord. Dated 10.09.2014 (copy enclosed).

4. Based on the above, the requisite information in respect of 12 Acts presently being administered by the Ministry of Women & Child Development is enclosed herewith in the prescribed format (Annexure I & II).



(A.M. Kumar)

Under Secretary to the Government of India
Tele: 23381970

Encl. As above.

Prime Minister's Office
(Kind Attn: Shri R. Ramanujam, Secretary)
South Block,
New Delhi.

MINISTRY OF WOMEN & CHILD DEVELOPMENT

Annexure-I

Title of all Acts (Including Appropriation Acts/Finance Acts/Amendment Acts) under the purview of the administrative Ministry/Department under the Government of India (Allocation of Business) Rules, 1961 which are in force as on date.	* Whether the Act mentioned under column (1) has been recommended to be repealed by any Commission or Committee. (Indicate Yes or No and if Yes, the name of the Commission/ Committee that made the recommendation)	*if the Acts mentioned under column (2) have not been repealed (as recommended by any of the Commissions or Committees, the reasons therefor including legal opinion obtained, if any. Please enclose the legal opinion obtained for the recommendations of any committee or authority or judgement of court in support thereof and the justification, if any, to continue them.)	*Whether Acts mentioned under column (1) and in force as on date require revisiting in whole or part, and, if so, the provisions that required amendments thereto. Give details of acts that require re-enactment or repeal as well as those which need amendments in the light of changing socio-economic environment alongwith the reasons for proposed amendments/re-enactment or repeal
The Protection of Women from Domestic Violence Act, 2005			
The Dowry Prohibition Act, 1961		NIL	
The Indecent Representation of Women (Prohibition) Act, 1986		NIL	
The Sexual harassment of women at workplace (Prevention, Prohibition and Redressal) Act, 2013		NIL	
The Commission of Sati (Prevention) Act, 2013		NIL	
The National Commission for Women Act, 1990		NIL	
The Protection of Children from Sexual Offences Act, 2012		NIL	
The Commission for Protection of Child Rights Act, 2005		NIL	

<p>Title of all Acts (including Appropriation Acts/Finance Acts/Amendment Acts) under the purview of the administrative Ministry/Department under the Government of India (Allocation of Business) Rules, 1961 which are in force as on date.</p>	<p>* Whether the Act mentioned under column (1) has been recommended to be repealed by any Commission or Committee. (Indicate Yes or No and if Yes, the name of the Commission/ Committee that made the recommendation)</p>	<p>* If the Acts mentioned under column (2) have not been repealed (as recommended by any of the Commissions or Committees, the reasons therefor including legal opinion obtained, if any. Please enclose the legal opinion obtained there for/the recommendations of any committee or authority or judgement of court in support thereof and the justification, if any, to continue them.)</p>	<p>* Whether Acts mentioned under column (1) and in force as on date require revisiting in whole or part, and, if so, the provisions that required amendments thereto. Give details of acts that require re-enactment or repeal as well as those which need amendments in the light of changing socio-economic environment along with the reasons for proposed amendments/re-enactment or repeal</p>
<p>The Juvenile Justice (Care and Protection of Children) Act, 2000</p>			<p>For repealing the Juvenile Justice (Care & Protection of Children) Act 2000 and for its amendment, a bill "Juvenile Justice (Care & Protection of Children) Bill 2014" has been introduced in the Parliament on 12.08.2014.</p> <p>The provisions in the said Bill also include giving statutory status to GARA.</p>
<p>The Infant milk Substitute, Feeding Bottles and Infant Food (regulation of production, supply and distribution) Act, 1992/2003</p>		<p>NIL</p>	
<p>The Prohibition of Child Marriage Act, 2006</p>		<p>NIL</p>	
<p>The Immoral Traffic (Prevention) Act 1956/1986</p>		<p>NIL</p>	

MINISTRY OF WOMEN & CHILD DEVELOPMENT

Title of all Acts (including Amendment Acts) under the purview of the administrative Ministry/Department under the Government of India (Allocation of Business) Rules, 1961 which have not come into force as on date.	Reasons for not bringing into force the acts or sections thereof or Schedule thereto mentioned under column (1)	Indicate whether the Acts or the provisions thereof or schedules thereto mentioned under column (2), in the opinion of the Ministry/Department require to be continued or repealed or amended alongwith justification.
NIL	NIL	NIL

*Please give information under columns (1) to (3) in respect of each Act. Attach a separate sheet in case of lengthy details.

Shastri Bhawan, New Delhi.
Dated: 13 September, 2014.

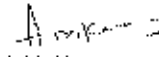
OFFICE MEMORANDUM

Subject: Regarding preparation of an exhaustive list of Laws/Acts Ministry is administratively concerned.

The undersigned is directed to refer to D.O. No. A-45012/3/2014-Adm.III(LA) dated 31.07.2014 received from Ministry of Law & Justice, Department of Legal Affairs on the subject mentioned above.

2. The Ministry had earlier sent its reply vide DM of even number dated 05.10.2012 in response to Ministry of Law & Justice letter dated 22.05.2012 (copy enclosed). Further it is informed that the Ministry administers 12 Acts details of which are given below along with comments / Action taken :-

S.t. No.	Laws/Act administered by the Ministry of Women and Child Development	Action taken
(i)	The Protection of Women from Domestic Violence Act, 2005	Review of Acts for enhancing its effectiveness and powers as also to check for redundancy are a continuous process undertaken by the Ministry. The outcome of such review is as under :- For repealing the Juvenile Justice (Care & Protection of Children) Act 2000 a re-enactment of Juvenile Justice (Care & Protection of Children), a bill "Juvenile Justice (Care & Protection of Children) Bill 2014" has been introduced in the Parliament on 12.08.2014. The provisions in the said Bill includes giving statutory status to CARA. To further simplify the adoption procedure, CARA has initiated revision of the Adoption Guidelines.
(ii)	The Dowry Prohibition Act, 1961	
(iii)	The Indecent Representation of Women (Prohibition) Act, 1986	
(iv)	The Sexual harassment of women at workplace (Prevention, Prohibition and Redressal) Act, 2013	
(v)	The Commission of Sati (Prevention) Act, 2013	
(vi)	The National Commission for Women Act, 1990	
(vii)	The Protection of Children from Sexual Offences Act, 2012	
(viii)	The Commission for Protection of Child Rights Act, 2005	
(ix)	The Juvenile Justice (Care and Protection of Children) Act, 2000	
(x)	The Infant Milk Substitute, Feeding Bottles and Infant Food (regulation of production, supply and distribution) Act, 1992/2003	
(xi)	The Prohibition of Child Marriage Act, 2006	
(xii)	The Immoral Traffic (Prevention) Act 1956/1986	


(A.M. Kumar)
Under Secretary to the Government of India
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Ministry of Law & Justice
Department of Legal Affairs
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