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MINISTRY OF LAW

(Legislative Department)

New Delhi, the 30th December, 1964/Pausa 9, 1886 (Saka)

The following Act of Parliament received the assent of the President on the 29th December, 1964, and is hereby published for general information:—

THE REPEALING AND AMENDING ACT, 1964

No. 52 of 1964

[*29th December, 1964*].

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

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

1. This Act may be called the Repealing and Amending Act, 1964. Short title.

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 The enactments specified in the First Schedule are hereby repealed to the extent mentioned in the fourth column thereof.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

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

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 The repeal by this Act of any enactment shall not affect any other enactment in which the repealed enactment has been applied, incorporated or referred to; Saving.

and this Act shall not affect the validity, invalidity, effect or consequences of anything already done or suffered, or any right, title, obligation or liability already acquired, accrued or incurred or any remedy or proceeding in respect thereof, or any release of discharge of or from any debt, penalty, obligation, liability, claim or demand, or any indemnity already granted, or the proof of any past act or thing;

nor shall this Act affect any principle or rule of law, or established jurisdiction, form or course of pleading, practice or procedure, or existing usage, custom, privilege, restriction, exemption, office or appointment, notwithstanding that the same respectively may have been in any manner affirmed, or recognised or derived by, in or from any enactment hereby repealed;

nor shall the repeal by this Act of any enactment revive or restore any jurisdiction, office, custom, liability, right, title, privilege, restriction, exemption, usage, practice, procedure or other matter or thing not now existing or in force.

Effect of repeal of amending enactment.

5. For the removal of doubts, it is hereby declared that where this Act repeals any enactment by which the text of any other enactment, not being a Central Act, Ordinance or Regulation, was amended by the express omission, insertion or substitution of any matter, the repeal shall not affect the continuance of any such amendment made by the enactment so repealed and in operation at the commencement of this Act.

THE FIRST SCHEDULE

(*See* section 2)

REPEALS

Year	No.	Short title	Extent of repeal
1	2	3	4
		Central Acts	
1954	14	The Barsi Light Railway Company (Transferred Liabilities) Act, 1954.	The whole.
1959	3	The Cinematograph (Amendment) Act, 1959.	The whole.
1959	4	The Delhi Land Reforms (Amendment) Act, 1959.	Sections 2 to 19 and sub-section (1) of section 20.
1959	8	The Workmen's Compensation (Amendment) Act, 1959.	The whole.
1959	9	The Delhi Panchayat Raj (Amendment) Act, 1959.	The whole.
1959	13	The Indian Railways (Amendment) Act, 1959.	The whole.
1959	14	The Reserve Bank of India (Amendment) Act, 1959.	The whole.
1959	15	The Chartered Accountants (Amendment) Act, 1959.	The whole.
1959	16	The Indian Lighthouse (Amendment) Act, 1959.	The whole.
1959	20	The Bengal Finance (Sales Tax) (Delhi Amendment) Act, 1959.	The whole.
1959	21	The Displaced Persons (Compensation and Rehabilitation) Amendment Act, 1959.	The whole.
1959	22	The Census (Amendment) Act, 1959.	The whole.
1959	24	The Pharmacy (Amendment) Act, 1959	Sections 2 to 17.
1959	25	The International Monetary Fund and Bank (Amendment) Act, 1959.	The whole.
1959	26	The State Bank of India (Amendment) Act, 1959.	The whole.
1959	28	The Road Transport Corporations (Amendment) Act, 1959.	The whole.
1959	30	The Wakf (Amendment) Act, 1959.	The whole.

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Year	No.	Short title	Extent of repeal
1	2	3	4
1959	32	The Indian Electricity (Amendment) Act, 1959.	The whole.
1959	33	The Banking Companies (Amendment) Act, 1959.	The whole.
1959	37	The Central Excises and Salt (Amendment) Act, 1959.	Section 2.
1959	38	The State Bank of India (Subsidiary Banks) Act, 1959.	Section 64 and the Third Schedule.
1959	41	The Criminal Law (Amendment) Act, 1959.	Section 2.
1959	44	The Public Debt (Amendment) Act, 1959.	The whole.
1959	45	The Government Savings Banks (Amendment) Act, 1959.	The whole.
1959	49	The Securities Contracts (Regulation) Amendment Act, 1959.	The whole.
1959	50	The Kerala State Legislature (Delegation of Powers) Act, 1959.	The whole.
1959	52	The Indian Penal Code (Amendment) Act, 1959.	The whole.
1959	59	The Mineral Oils (Additional Duties of Excise and Customs) Amendment Act, 1959.	Sections 2 and 3.
1959	60	The Indian Tariff (Amendment) Act, 1959.	The whole.
1959	62	The Mines (Amendment) Act, 1959.	The whole.
1960	1	The Administration of Evacuee Property (Amendment) Act, 1960.	The whole.
1960	2	The Displaced Persons (Compensation and Rehabilitation) Amendment Act, 1960.	Sections 2 to 10.
1960	4	The Imports and Exports (Control) Amendment Act, 1960.	The whole.
1960	5	The Motor Vehicles (Amendment) Act, 1960.	Section 2.
1960	14	The Reserve Bank of India (Amendment) Act, 1960.	The whole.
1960	16	The Estate Duty (Amendment) Act, 1960.	Sections 2 and 3.
1960	17	The Supreme Court (Number of Judges) Amendment Act, 1960.	The whole.
1960	18	The Indian Boilers (Amendment) Act, 1960.	Sections 2 to 20.

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Year	No.	Short title	Extent of repeal
1	2	3	4
1960	20	The Representation of the People (Amendment) Act, 1960.	The whole.
1960	21	The Rubber (Amendment) Act, 1960 .	The whole.
1960	22	The Cotton Transport (Amendment) Act, 1960.	Sections 2 and 3.
1960	23	The Banking Companies (Amendment) Act, 1960.	The whole.
1960	24	The Delhi Land Holdings (Ceiling) Act, 1960.	Section 28.
1960	25	The Agricultural Produce (Grading and Marking) Amendment Act, 1960.	The whole.
1960	26	The Press and Registration of Books (Amendment) Act, 1960.	The whole.
1960	27	The Evacuee Interest (Separation) Amendment Act, 1960.	The whole.
1960	34	The Plantations Labour (Amendment) Act 1960.	The whole.
1960	35	The Drugs (Amendment) Act, 1960 .	The whole.
1960	37	The Banking Companies (Second Amendment) Act, 1960.	Sections 2 to 9.
1960	38	The Central Excises (Conversion to Metric Units) Act, 1960.	Sections 2 to 8 and the First and Second Schedules.
1960	40	The Customs Duties and Cesses (Conversion to Metric Units) Act, 1960.	Sections 2 to 9 and the Schedule.
1960	41	The Standards of Weights and Measures (Amendment) Act, 1960.	The whole.
1960	42	The Indian Trade Unions (Amendment) Act, 1960.	The whole.
1960	44	The Indian Aircraft (Amendment) Act, 1960.	The whole.
1960	45	The Indian Museum (Amendment) Act, 1960.	Sections 2 to 12.
1960	46	The Employees' Provident Funds (Amendment) Act, 1960.	The whole.
1960	51	The Motor Vehicles (Second Amendment) Act, 1960.	The whole.
1960	52	The Indian Post Office (Amendment) Act, 1960.	The whole.
1960	55	The Indian Tariff (Amendment) Act, 1960.	The whole.

Year	No.	Short title	Extent of repeal
1	2	3	4
1960	56	The Code of Criminal Procedure (Amendment) Act, 1960.	The whole.
1960	61	The Preventive Detention (Continuance) Act, 1960.	The whole.
1960	62	The Forward Contracts (Regulation) Amendment Act, 1960.	The whole.
1960	65	The Companies (Amendment) Act, 1960.	Sections 2 to 207 and 209 to 218.
1960	66	The Industrial Finance Corporation (Amendment) Act, 1960.	The whole
1961	7	The Banking Companies (Amendment) Act, 1961.	Sections 2 to 5.
1961	8	The Railway Passenger Fares (Repeal) Act, 1961.	The whole.
1961	11	The Insurance (Amendment) Act, 1961.	The whole.
1961	13	The Orissa State Legislature (Delegation of Powers) Act, 1961.	The whole.
1961	15	The Telegraph Laws (Amendment) Act, 1961.	The whole.
1961	16	The Industrial Employment (Standing Orders) Amendment Act, 1961.	The whole.
1961	17	The Essential Commodities (Amendment) Act, 1961.	The whole.
1961	19	The Medicinal and Toilet Preparations (Excise Duties) Amendment Act, 1961.	The whole.
1961	21	The Delhi Shops and Establishments (Amendment) Act, 1961.	The whole.
1961	24	The Coal Mines (Conservation and Safety) Amendment Act, 1961.	The whole.
1961	29	The Marking of Heavy Packages (Amendment) Act, 1961.	The whole.
1961	31	The Minimum Wages (Amendment) Act, 1961.	The whole.
1961	32	The Khadi and Village Industries Commission (Amendment) Act, 1961.	The whole.
1961	34	The Salt Cess (Amendment) Act, 1961 .	The whole.
1961	39	The Indian Railways (Amendment) Act, 1961.	The whole.
1961	40	The Representation of the People (Amendment) Act, 1961.	The whole.

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Year	No.	Short title	Extent of repeal
1	2	3	4
1961	41	The Indian Penal Code (Amendment) Act, 1961.	The whole.
1961	42	The Delhi Municipal Corporation (Amendment) Act, 1961.	The whole.
1961	44	The Indian Standards Institution (Certification Marks) Amendment Act, 1961.	The whole.
1961	47	The Deposit Insurance Corporation Act, 1961.	Section 51 and the Second Schedule.
1961	48	The Coffee (Amendment) Act, 1961.	The whole.
1961	50	The High Court Judges (Conditions of Service) Amendment Act, 1961.	The whole.
1961	51	The Industries (Development and Regulation) Amendment Act, 1961.	The whole.
1961	52	The Apprentices Act, 1961	Section 38.
1961	56	The Indian Tariff (Amendment) Act, 1961	The whole.
1961	60	The Visva-Bharati (Amendment) Act, 1961	The whole.
1961	61	The Delhi University (Amendment) Act, 1961.	The whole.
		Other Enactments	
1944	18	The Patiala State Penal Deductions Ordinance, 2000 BK.	The whole.
1948	2	The Patiala Armed Bands (Arrest and Detention) Ordinance, 2005 BK.	The whole.

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THE SECOND SCHEDULE

(*See* section 3)

AMENDMENTS

Year	No.	Short title	Amendments
1	2	3	4
		Central Acts	
1898	5	The Code of Criminal Procedure, 1898.	In section 118, the brackets and figure "(1)" at the commencement shall be omitted.
1925	26	The Indian Carriage of Goods by Sea Act, 1925.	(*i*) In the Preamble— (*a*) in the first paragraph, the words "including the delegates representing His Majesty" shall be omitted; (*b*) for the third and fourth paragraphs, the following paragraph shall be substituted, namely:— "AND WHEREAS it is expedient that the said rules as so amended and as set out with modifications in the Schedule should, subject to the provisions of this Act, have the force of law with a view to establishing the responsibilities, liabilities, rights and immunities attaching to carriers under bills of lading; It is hereby enacted as follows:—"; (*ii*) In section 7, for the words, figures and brackets "four hundred and forty-six to four hundred and fifty, both inclusive, five hundred and two, and five hundred and three of the Merchant Shipping Act, 1894 (57 & 58 Vict., c. 60), as amended by any subsequent enactment", the following words, figures and brackets shall be substituted, namely:— "331 and 352 of the Merchant Shipping Act, 1958 (44 of 1958)".
1925	39	The Indian Succession Act, 1925.	In sub-section (*2*) of section 213, in clause (*ii*), for the words "ordinary civil jurisdiction", the words "ordinary original civil jurisdiction" shall be substituted.
1949	24	The Delhi Hotels (Control of Accommodation) Act, 1949.	(*i*) For sub-section (*2*) of section 1, the following sub-section shall be substituted, namely:— "(*2*) It extends to the areas which immediately before the 7th April, 1958, were included in the jurisdiction of—

Year	No.	Short title	Amendments
1	2	3	4
			(*a*) the Municipality of New Delhi; (*b*) the Notified Area Committee, Civil Station, Delhi."; (*ii*) For the words " Estate Officer", wherever they occur, the words "Director of Estates " shall be substituted.
1949	38	The Chartered Accountants Act, 1949.	In item (9) of Part I of the First Schedule, for the figures "226", the figures "225" shall be substituted.
1956	1	The Companies Act, 1956.	(*i*) In section 3 (*1*) (*ii*) of the Act, as extended to the Union territory of Goa, Daman and Diu, in clause (*g*), the words, brackets and figures "(Carta Lei of the 11th April, 1901)" shall be omitted; (*ii*) In clause (*c*) of sub-section (*4*) of section 56, for the words "was immaterial", the words "were immaterial " shall be substituted ; (*iii*) In sub-section (*1*) of section 620, for the figures "639" the figures and letter "619A" shall be substituted.
1957	61	The Delhi Development Act, 1957.	In sub-section (*3*) of section 3, in clause (*f*) for the words "two representatives ", the words "three representatives" shall be substituted.
1957	66	The Delhi Municipal Corporation Act, 1957.	(*i*) In the heading to section 184, the words "Taxes on motor vehicles and" shall be omitted ; (*ii*) In clause (*a*) of sub-section (*1*) of section 397, sub-clauses (*ii*) and (*iii*) shall be omitted.
1959	47	The Rajasthan and Madhya Pradesh (Transfer of Territories) Act, 1959.	In the First Schedule, against "Dotada" village, in the column headed "Area in Bighas"— (*i*) for the figures "926" against Khasara No. 365, the figures "921" shall be substituted ; (*ii*) for the figures "200" against Khasara No. 367, the figures "205" shall be substituted.
1960	11	The Bombay Reorganisation Act, 1960.	In the Eighth Schedule, under the heading "Part IV—Gujarat", in item 12 below entry 1, for the expression "Koli, Dhor", the expression "Koli Dhor " shall be substituted.

Year	No.	Short title	Amendments
1	2	3	4
1961	25	The Advocates Act, 1961.	In sub-section (5) of section 49A, for the words "under this Act", the words "under this section" shall be substituted.
1962	51	The Defence of India Act, 1962.	In sub-section (2) of section 35, the word "by" occurring after the words "shall not prejudice" shall be omitted.
1962	55	The Manipur (Sales of Motor Spirit and Lubricants) Taxation Act, 1962.	In the first proviso to section 15, for the words "under this sub-section" the words "under this section" shall be substituted.
1963	36	The Limitation Act, 1963.	In the Schedule,—
			(i) in the entry in the first column against article 98, for the words and figures "an order under rule 63 or rule 103," the words and figures "an order referred to in rule 63 or in rule 103" shall be substituted;
			(ii) in the entry in the third column against article 136, for the word "Where", where that word first occurs, the word "When" shall be substituted.
1963	47	The Specific Relief Act, 1963.	(i) In clause (i) of sub-section (3) of section 12, after the word, brackets and letter "clause (b),", the words "pays or has paid" shall be inserted;
			(ii) In clause (b) of sub-section (1) of section 22, for the words "made to" the words "made by" shall be substituted.

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Year	No.	Short title	Amendments
1	2	3	4
		Acts in force in the Union territory of Delhi.	
..	..	The Punjab Municipal Act, 1911 (Punjab Act 3 of 1911), as in force inthe Union territory oD elhi.	Section 151 shall be omitted.
..	..	The United Provinces Municipalities Act, 1916 (United Provinces Act 2 of 1916), as in force in the Union territory of Delhi.	Section 248 shall be omitted.

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Secy. to the Govt. of India.

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