

ACT XXIV OF 1917.

[PASSED BY THE INDIAN LEGISLATIVE COUNCIL.]

(Received the assent of the Governor General on the 27th September, 1917.)

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

WHEREAS it is expedient that certain formal amendments should be made in the enactments specified in the First Schedule;

AND WHEREAS it is also expedient that certain enactments specified in the Second Schedule, which have ceased to be in force otherwise than by express specific repeal, or have become unnecessary, should be expressly and specifically repealed; It is hereby enacted as follows:—

Short title.

1. This Act may be called the Repealing and Amending Act, 1917.

Amendment of certain enactments.

2. The enactments specified in the First Schedule are hereby amended to the extent and in the manner mentioned in the fourth column thereof.

Repeal of certain enactments.

3. The enactments specified in the Second Schedule are hereby repealed to the extent mentioned in the fourth column thereof.

Savings.

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

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 or 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

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the same respectively may have been in any manner affirmed, recognised or derived by, in or from any enactment hereby repealed;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.

THE FIRST SCHEDULE.

AMENDMENTS.

(See section 2.)

1	2	3	4
Year.	No.	Short title.	Amendments.
1870	VII	The Court-fees Act, 1870.	In section 2, clause (a), after the words "St. George," the words "the Presidency of Fort William in Bengal" shall be inserted; and for the word "Bengal," the words "Bihar and Orissa" shall be substituted. In section 3, for the words "Statute 24 & 25 Victoria, Chapter 104, section 15" the following shall be substituted, namely:— "Section 15 of the Indian High Courts Act, 1861, or section 107 of the Government of India Act, 1915."
1872	IX	The Indian Contract Act, 1872.	In section 193, after the word "principal" the word "debtor" shall be inserted.

SCHEDULE 1

Repealing and Amending. [ACT XXIV
THE FIRST SCHEDULE—*contd.*

AMENDMENTS.
(See section 2.)

1	2	3	4
Year.	No.	Short title.	Amendments.
1897	X	The General Clauses Act, 1897.	<p>In section 3, to each of clauses (3a), (5), (5a), (6), (8a), (8b), (30), (44a), (46) and (55a), the following shall be added, namely:— “or the Government of India Act, 1915.”</p> <p>In section 5, for sub-section (2), the following shall be substituted, namely:— “(2) Where any Act of the Governor General in Council is reserved, under section 68 of the Government of India Act, 1915, for the signification of His Majesty's pleasure thereon, then, if no later date is expressed, it shall come into operation, if assented to by His Majesty, on the day on which that assent is duly notified.”</p> <p>To section 30, the following shall be added, namely:— “or section 72 of the Government of India Act, 1915.”</p>
1908	V	The Code of Civil Procedure, 1908.	<p>In section 127, for the word “sanctioned” the word “approved” shall be substituted.</p> <p>In section 190, for the word “sanction” the word “approval” shall be substituted.</p>
1912	VI	The Indian Life Assurance Companies Act, 1912.	<p>In section 28, for the words “publish in the Gazette of India and cause to be published in the local official Gazette of the Province in which the life assurance company has its principal place of business” the following shall be substituted, namely:—“cause to be published in such manner as he may direct, a summary of.”</p>

SCHEDULE 1

THE FIRST SCHEDULE—*concl'd.*

AMENDMENTS.

(See section 2.)

1	2	3	4
Year.	No.	Short title.	Amendments.
1912	VI	The Indian Life Assurance Companies Act, 1912.	And in the same section after the words "the preceding year" the words "by every life assurance company" shall be inserted and for the words "such accounts, balance sheets, abstracts, statements or other documents" the words "such summary" shall be substituted.
<i>Regulation by the Governor General in Council.</i>			
1916	I	The Arakan Hill District Laws Regulation, 1916.	In Schedule 1, Part I, for the words "The Indian Airships Act, 1911" the words "The Indian Aircraft Act, 1911" shall be substituted.

THE SECOND SCHEDULE.

REPEALS.

(See section 3.)

1	2	3	4
Year.	No.	Short title.	Extent of repeal.
1872	IX	The Indian Contract Act, 1872.	The second <i>Illustration</i> to section 21.
<i>Regulation by the Governor General in Council.</i>			
1898	IV	The Peshawar Canals Regulation, 1898.	The whole Regulation, with effect from the 19th day of February, 1907.