

ACT No. X OF 1927.

[PASSED BY THE INDIAN LEGISLATURE.]

(Received the assent of the Governor General on the 4th
April, 1927.)

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

WHEREAS it is expedient that certain 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 are spent or have
otherwise become unnecessary, or have ceased to be in force
otherwise than by expressed specific repeal, should be expressly
and specifically repealed;

It is hereby enacted as follows:—

1. This Act may be called the Repealing and Amending Short title.
Act, 1927.
2. The enactments specified in the First Schedule are here- Amendment of
by amended to the extent and in the manner mentioned in certain enact-
the fourth column thereof. ments.
3. The enactments specified in the Second Schedule are Repeal of
hereby repealed to the extent mentioned in the fourth column certain enact-
thereof. ments.
4. The repeal by this Act of any enactment shall not Savings.
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

Repealing and Amending.

[ACT X

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the same respectively may have been in any manner affirmed, recognised or derived by, in or from any enactment hereby repealed;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

OF 1927.]

Repealing and Amending.

THE FIRST SCHEDULE.

AMENDMENTS.

(See section 2.)

Year.	No.	Short title.	Amendments.
1856	XI	The European Deserters Act, 1856.	<p>(1) In the title, after the word "Soldiers" the words "and Airmen" shall be inserted, and after the word "Land" the words "and Air" shall be inserted.</p> <p>(2) In the Preamble, after the word "Land" the words "and Air" shall be inserted.</p> <p>(3) In sections 1, 5 and 6, for the words "or soldier", wherever they occur, the words "soldier or airman" shall be substituted.</p> <p>(4) In section 7, for the words "military station" the words "military or air-force station, as the case may be" shall be substituted.</p>
1860	XLV	The Indian Penal Code	<p>(1) In section 5, for the words "and soldiers" the words "soldiers or airmen" shall be substituted.</p> <p>(2) In section 21, in the clause beginning with the word "Second", for the words "or Naval" the words "Naval or Air" shall be substituted.</p> <p>(3) In the heading to Chapter VII, for the words "and Navy" the words "Navy and Air Force" shall be substituted.</p> <p>(4) In section 131—</p> <p>(i) for the words "or sailor", wherever they occur, the words "sailor or airman" shall be substituted;</p> <p>(ii) for the words "or Navy" the words "Navy or Air Force" shall be substituted;</p> <p>(iii) in the <i>Explanation</i>, for the words "and soldier" the words "soldier" and "airman" shall be substituted, and for the words and figures "Articles of War for the better government of Her Majesty's Army, or to the Articles of War contained in Act No. V of 1869" the words "Army Act, the Indian Army Act, 1911, or the Air Force Act, as the case may be" shall be substituted.</p> <p>(5) In sections 132, 133, 134, 135, 136, 138 and 505—</p> <p>(i) for the words "or sailor", wherever they occur, the words "sailor or airman" shall be substituted;</p> <p>(ii) for the words "or Navy", wherever they occur, the words "Navy or Air Force" shall be substituted.</p> <p>(6) In section 137, for the words "or Navy" the words "Navy or Air Force" shall be substituted.</p>

1860

Repealing and Amending.

[ACT X

Year.	No.	Short title.	Amendments. ^[1]
1860	XLV	The Indian Penal Code— <i>contd.</i>	(7) In section 139, for the words "any Articles of War for the Army or Navy of the Queen, or for any part of such Army or Navy" the words and figures "the Army Act, the Indian Army Act, 1911, the Naval Discipline Act or the Air Force Act" shall be substituted. (8) In section 140— (i) after the word "soldier", wherever it occurs, the words "sailor or airman" shall be inserted; (ii) for the words "or Naval" the words "Naval or Air" shall be substituted.
1872	I	The Indian Evidence Act, 1872.	(1) In section 1, after the words "Army Act" the words "or the Air Force Act" shall be inserted. (2) In sub-section (3) of section 57, for the words "or Navy" the words "Navy or Air Force" shall be substituted.
1873	X	The Indian Oaths Act, 1873	In clause (b), of section 4, after the word "military" the words "or air-force" shall be inserted.
1877	I	The Specific Relief Act, 1877.	In section 45, clause (f), the word "or" shall be omitted, and after the word "Bengal" the words "or on the Governor of Burma in Council" shall be added.
1881	XI	The Municipal Taxation Act, 1881.	(1) In the Preamble, after the word "military" the words "or air-force" shall be inserted. (2) In clause (a) of section 3— (i) for the words and figures "Army Discipline and Regulation Act, 1879, or the Indian Articles of War" the words "Army Act, the Indian Army Act, 1911, or the Air Force Act" shall be substituted; (ii) after the word "military" the words "or air-force" shall be inserted. (3) In section 6, after the word "military" the words "or air-force" shall be inserted.
1882	IV	The Transfer of Property Act, 1882.	In clause (g) of section 6, after the word "military" the words "air-force" shall be inserted.
1884	IV	The Indian Explosives Act, 1884.	In clause (b) of section 14, after the word "sailor" the word "airman" shall be inserted.
1890	IX	The Indian Railways Act, 1890.	(1) In sub-section (5) of section 59, after the word "sailor" the word "airman" shall be inserted. (2) In section 79— (i) after the word "soldier", in both places where it occurs, the word "airman" shall be inserted; (ii) after the word "military" the words "or air-force" shall be inserted.
1898	V	The Code of Criminal Procedure, 1898.	(1) In sub-section (1), clause <i>sixthly</i> , of section 54, for the words "Army or Navy" the words "Army, Navy or Air Force" shall be substituted.

of 1927.]

Repealing and Amending.

Year.	No.	Short title.	Amendments.
1898	V	The Code of Criminal Procedure, 1898— <i>contd.</i>	<p>(2) In the second proviso to section 188, for the words and figures "the Foreign Jurisdiction and Extradition Act, 1879" the words and figures "the Indian Extradition Act, 1903" shall be substituted.</p> <p>(3) in section 317—</p> <p>(i) in sub-section (1), after the word "Army" the words "or Air Force" shall be inserted; and</p> <p>(ii) in sub-section (2), for the word "military", in both places where it occurs, the word "official" shall be substituted.</p> <p>(4) In clause (g) of section 320, after the word "Army" the words "or Air Force" shall be inserted.</p> <p>(5) In sub-section (1) of section 549—</p> <p>(i) for the words "Army Act or" the words "Army Act and the Air Force Act and" shall be substituted;</p> <p>(ii) for the words "military law" the words "military or air-force law" shall be substituted;</p> <p>(iii) after the word and figures "section 41" the words and figures "or under the Air Force Act, section 41" shall be inserted;</p> <p>(iv) for the words "military station" the words "military or air-force station, as the case may be," shall be substituted.</p> <p>(6) In Schedule II—</p> <p>(i) in the entries in column 2 against sections 131, 133, 135, 136 and 138, for the words "or sailor" the words "sailor or airman," shall be substituted;</p> <p>(ii) in the entry in column 2 against section 140, after the word "soldier", in both places where it occurs, the words "sailor or airman" shall be inserted.</p>
1899	II	The Indian Stamp Act, 1899.	<p>In Article No. 53 of Schedule I—</p> <p>(i) in clause (d), for the words "or soldiers" the words "soldiers or airmen" shall be substituted, and for the words "Her Majesty's Army or Her Majesty's Indian Army" the words "His Majesty's military or air forces" shall be substituted;</p> <p>(ii) in clause (e), for the words "or soldier" the words "soldier or airman" shall be substituted, and for the words "either of the said Armies" the words "any of the said forces" shall be substituted;</p> <p>(iii) in clause (f), for the words "or soldiers" the words "soldiers or airmen" shall be substituted.</p>
1901	II	The Indian Tolls (Army) Act, 1901.	<p>(1) In the Title, after the word "Army" the words "or Air Force" shall be added.</p>

1901

Repealing and Amending.

[ACT X

Year.	No.	Short title.	Amendments.
1901	II	The Indian Tolls (Army) Act, 1901— <i>contd.</i>	<p>(2) In the Preamble—</p> <p>(i) in the first paragraph, after the word "soldiers" the word "airmen" shall be inserted, after the words "attached to the Army" the words "or to the Air-Force" shall be inserted, and after the words and figures "section 143 of the Army Act" the words and figures "or by section 143 of the Air Force Act" shall be inserted;</p> <p>(ii) in the third paragraph, after the word "Army", where it occurs for the second time, the words "or Air Force" shall be inserted;</p> <p>(iii) in the fourth paragraph, after the words and figures "section 169 of the said Army Act" the words and figures "and by section 169 of the said Air Force Act" shall be inserted, and after the words and figures "section 143 of the said Army Act" the words and figures "and by section 143 of the said Air Force Act" shall be added.</p> <p>(3) In clause (b) of section 2, after the word "includes" the words "His Majesty's Regular Air Force as defined by section 190, clause (3), of the Air Force Act and also" shall be inserted.</p> <p>(4) In section 3—</p> <p>(i) after the word "military", wherever it occurs, the words "or air-force" shall be inserted;</p> <p>(ii) in clause (a), for the words "and soldiers" the words "soldiers and airmen" shall be substituted, and after the words "Regular Forces" the words "and all officers and soldiers of" shall be inserted;</p> <p>(iii) in clause (f), after the word "soldiers" the word "airmen", and after the word "soldier", the word "airman" shall be inserted.</p> <p>(5) In sub-section (1) of section 4, after the word "military" the words "or air-force" shall be inserted.</p>
1908	V	The Code of Civil Procedure, 1908.	<p>(1) In Order V in the First Schedule—</p> <p>(i) in rule 27, for the words "or naval" the words "naval or air" shall be substituted;</p> <p>(ii) in rule 28, after the word "soldier" the words "or airman" shall be inserted.</p> <p>(2) In Order XXVIII in the First Schedule—</p> <p>(i) in the heading, after the words "Military Men" the words "or Airmen" shall be inserted;</p>

1908

Year.	No.	Short title.	Amendments.
1908	V	The Code of Civil Procedure, 1908— <i>contd.</i>	(ii) in rule 1— (a) for the words "or soldier", wherever they occur, the words "soldier or airman" shall be substituted; (b) after the word "military", wherever it occurs, the words "or air-force" shall be inserted; (iii) in rules 2 and 3, for the words "or a soldier" and for the words "or soldier", wherever they occur, the words "soldier or airman" shall be substituted.
1908	IX	The Indian Limitation Act, 1908.	In the First Schedule, Article 162— After the words "by any of" the words "the following Courts, namely," shall be inserted, and for the words "and Bombay or the Chief Court of Sind, or the Chief Court of the Punjab or the Chief Court of Lower Burma" the words "Bombay, Lahore and Rangoon and the Chief Court of Sind" shall be substituted.
1912	IV	The Indian Lunacy Act, 1912.	(1) In section 12, after the words "Army Act" the words "or the Air Force Act" shall be inserted, and after the word "military" the words "or air-force" shall be inserted. (2) In sub-sections (2) and (3) of section 32 after the word "military", wherever it occurs, the words "or air-force" shall be inserted.
1913	III	The Administrator General's Act, 1913.	(1) In the heading to sections 15, 16 and 17, after the words "Army Act" the words "or the Air Force Act" shall be added. (2) In section 17, after the words "Army Act" the words "or the Air Force Act" shall be inserted.
1924	II	The Cantonments Act, 1924	(1) In sub-section (1) of section 51, after the word "Command," the words "the reference being made, save in cases where the Officer Commanding the District is himself the Officer Commanding-in-Chief, the Command, for the purposes of this Act," shall be inserted. (2) In sub-section (1) of section 52, after the word "District" the words "or, where the Officer Commanding the District is himself the Officer Commanding-in-Chief, the Command, for the purposes of this Act, of his own motion," shall be inserted. (3) In sub-section (2) of section 287, for the words "when any application for the registration of a document relating to immoveable property within the cantonment is made, cause a copy thereof to be forwarded" the words "when any document relating to immoveable property within the cantonment is registered, send information of the registration" shall be substituted.
1925	XXXIX	The Indian Succession Act, 1925.	(1) In the <i>Explanation</i> to section 10, for the words "or military" the words "military or air-force" shall be substituted. (2) In sections 63 and 65, after the word "warfare" the words "or an airman so employed or engaged," shall be inserted.

Repealing and Amending. [ACT X OF 1927.]

Year.	No.	Short title.	Amendments.
1925	XXXIX	The Indian Succession Act, 1925— <i>contd.</i>	(3) In clauses (e), (f) and (g) of section 66, after the word "soldier" the word "airman" shall be inserted. (4) In section 157, in the <i>Illustration</i> , for the figures "5,000" the figures "500" shall be substituted.
1926	XXVII	The Transfer of Property (Amendment) Act, 1926.	In section 2, in the definition of the word "attested", after the word "means" the words "and shall be deemed always to have meant" shall be inserted.
1926	XL	The Indian Succession (Amendment) Act, 1926.	In section 1, for the word and brackets "(Amendment)" the words and brackets "(Second Amendment)" shall be substituted.

THE SECOND SCHEDULE.

REPEALS.

(See section 3.)

Year.	No.	Short title.	Repeals.
<i>Acts of the Governor General in Council or of the Indian Legislature.</i>			
1898	V	The Code of Criminal Procedure, 1898.	(1) In sub-section (1) of section 54, at the end of the clause <i>seventieth</i> , the word "and". ✓ (2) In sub-section (1) of section 269, the words "with the like sanction." ✓
1908	XVI	The Indian Registration Act, 1908.	Section 9.
1915	VII	The Delhi Laws Act, 1915	In Schedule II, the entry relating to the Punjab Alienation of Land Act, 1900.
1926	IX	The Insolvency (Amendment) Act, 1926.	In clause (c) of section 11, the words and figures "sub-sections (1), (2) and (3) of".
<i>Regulation by the Governor General in Council.</i>			
1900	I	The Chittagong Hill Tracts Regulation, 1900.	In column 5 of the Schedule in the entry against the Code of Criminal Procedure, 1898, the word "diwans".