

ACT NO. XX OF 1937.

[PASSED BY THE INDIAN LEGISLATURE.]

(Received the assent of the Governor General on the 14th April, 1937.)

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 the 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or have ceased to be in force otherwise than by expressed specific repeal, should be expressly and specifically repealed ;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 Act, 1937. Short title.

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

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 The enactments specified in the Second Schedule are hereby repealed to the extent mentioned in the fourth column thereof.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

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the same respectively may have been in any manner affirmed, recognised or derived by, in or from any enactment hereby repealed ; Savings.

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.

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THE FIRST SCHEDULE.

AMENDMENTS.

(See section 2.)

Year.	No.	Short title.	Amendments.
1	2	3	4
		<i>Acts of the Governor General in Council.</i>	
1911	II	The Indian Patents and Designs Act, 1911.	In sub-section (2) of section 9, for the word "three" the word "four" shall be substituted.
1913	VII	The Indian Companies Act, 1913.	In sub-section (1) of section 93, after clause (p) the following word and clause shall be added, namely:— "and (q) where any part of the sums required for the matters set out in sub-section (2) of section 101 is to be provided out of sources other than share capital particulars of the amount to be so provided and the sources thereof."
		<i>Acts of the Indian Legislature.</i>	
1922	XI	The Indian Income-tax Act, 1922.	In sub-section (2) of section 30, after the words "intimation of the refusal" the words, brackets, figures and letter "to pass an order under sub-section (1) of section 25A, or" shall be inserted.
1923	XXI	The Indian Merchant Shipping Act, 1923.	In section 155, after clause (e) the following clause shall be inserted, namely:— "(ee) in the case of a ship which is to carry more than one hundred unberthed passengers, that she has on board a medical officer licensed in the prescribed manner;". In sub-section (3) of section 176, for the word "steam", wherever it occurs, the word "machinery" shall be substituted.

Year.	No.	Short title.	Amendments.
1	2	3	4
<i>Acts of the Indian Legislature—contd.</i>			
1926	XXIII	The Delhi Joint Water Board Act, 1926.	In sub-clause (iii) of clause (c) of section 2 and in item (e) of Schedule II, for the words "Cantonment Authority, Delhi New Cantonments" the words and brackets "Military Engineer Services, Delhi (New) Cantonments" shall be substituted.
1934	XXXII	The Indian Tariff Act, 1934.	In the First Schedule,— (i) in item No. 72 (1), in the entry in the second column, for the words "Jacquard harness linen cards" the words "Jacquard harness linen cords" shall be substituted; and (ii) in item No. 72 (2), in the entry in the second column, for the words "electric type blocks" the words "electro-type blocks" shall be substituted.
1936	IV	The Payment of Wages Act, 1936.	In section 17,— (i) in sub-section (1), for the word, brackets and figure "sub-section (3)" the words, brackets and figures "sub-section (3) or sub-section (4)" shall be substituted; and (ii) in clause (c) of sub-section (1) and in sub-section (2), for the word, brackets and figure "sub-section (5)" the word, brackets and figure "sub-section (4)" shall be substituted. In section 24, for the words "employed by a railway administration" the words "employed by or under a railway administration" shall be substituted.

THE SECOND SCHEDULE.

THE SECOND SCHEDULE.

REPEALS.

(See section 3.)

Year.	No.	Short title.	Extent of repeal.
1	2	3	4
<i>Acts of the Lieutenant-Governor of Bengal in Council.</i>			
1864	VII	The Salt Act, 1864	So much as has not been repealed.
1873	I	The Bengal Salt Act, 1873	The whole.
<i>Acts of the Governor General in Council.</i>			
1885	XII	The Indian Sea Passengers Act, 1885.	So much as has not been repealed.
1885	XVIII	The Land Acquisition (Mines) Act, 1885.	Section 15.
1908	IX	The Indian Limitation Act, 1908.	Article 4 of Schedule I.
1913	VII	The Indian Companies Act, 1913.	In section 93, sub-section (1C).
1920	XLVII	The Imperial Bank of India Act, 1920.	Section 33.
<i>Acts of the Indian Legislature.</i>			
1923	II	The Malabar (Completion of Trials) Supplementing Act, 1923.	The whole.
1923	XXI	The Indian Merchant Shipping Act, 1923.	Section 146. In clause (e) of section 155 the words "and, if she is to carry more than one hundred passengers to any such port, that she has on board a medical officer licensed in the prescribed manner".
1925	XIII	The Indian Finance Act, 1925.	Schedule III. So much as has not been repealed.
1926	XIX	The Indian Finance Act, 1926.	So much as has not been repealed.
1928	XIII	The Indian Mines (Amendment) Act, 1928.	The whole.

Year.	No.	Short title.	Extent of repeal.
1	2	3	4
<i>Acts of the Indian Legislature—contd.</i>			
1929	V	The Workmen's Compensation (Amendment) Act, 1929.	The whole.
1929	VII	The Trade Disputes Act, 1929.	In clause (k) of section 2, the words "or in the Royal Indian Marine Service".
1930	XV	The Indian Finance Act, 1930.	In the long title and preamble, the words commencing with the words and figures "further to amend the Sea Customs Act, 1878", and ending with the words and figures "the Indian Post Office Act, 1898", and the words commencing with the words "to vary the excise duty" and ending with the words and figures "the Indian Finance Act, 1926". Sub-section (3) of section 1. Sections 2, 3, 5, 7, 8 and 9. Schedule II.
1931	XXI	The Indian Mines (Amendment) Act, 1931.	The whole.
1932	II	The Employers and Workmen (Disputes) Repealing Act, 1932.	The whole.
1932	IV	The Indian Finance (Supplementary and Extending) Amendment Act, 1932.	The whole.
1932	XXII	The Tea Districts Emigrant Labour Act, 1932.	Section 41 and the Schedule.
1933	VI	The Salt Additional Import Duty (Extending) Act, 1933.	The whole.
1933	VII	The Indian Finance Act, 1933.	In the long title and preamble, the words commencing with the words "to fix the duty on salt" and ending with the words and figures "the Indian Post Office Act, 1898" and the words and figures "and further to amend the Indian Paper Currency Act, 1923". Sections 2, 4 and 6. Schedule I.

Year.	No.	Short title.	Extent of repeal.
1	2	3	4
<i>Acts of the Indian Legislature—concl'd.</i>			
1934	II	The Reserve Bank of India Act, 1934.	Sections 59, 60 and 61.
1934	IX	The Indian Finance Act, 1934.	In the long title and preamble, the words commencing with the words "to fix the duty on salt" and ending with the words and figures "the Indian Post Office Act, 1898" and the words commencing with the words "further to amend" and ending with the words, brackets and figures "the Silver (Excise Duty) Act, 1930". Sections 2, 4, 6 and 7. Schedule I.
1934	X	The Salt Additional Import Duty (Extending) Act, 1934.	The whole.
1934	XIII *	The Trade Disputes (Extending) Act, 1934.	The whole.
1934	XXV	The Factories Act, 1934.	Section 82 and the Schedule.
1934	XXVI	The Bengal Criminal Law Amendment Supplementary (Extending) Act, 1934.	The whole.
1934	XXXII	The Indian Tariff Act, 1934.	Section 13. Schedule III.
1935	II	The Indian Tariff (Amendment) Act, 1935.	The whole.
1935	IV	The Salt Additional Import Duty (Extending) Act, 1935.	The whole.
1935	V	The Indian Mines (Amendment) Act, 1935.	The whole.
1935	XII	The Repealing and Amending Act, 1935.	The whole.
1936	III	The Parsi Marriage and Divorce Act, 1936.	Section 53.

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Year.	No.	Short title.	Extent of repeal.
1	2	3	4
<i>Acts of the Governor General.</i>			
1931	..	The Indian Finance Act, 1931.	In the long title and preamble, the words commencing with the words "to fix the duty on salt" and ending with the words, brackets and figures "the Motor Spirit (Duties) Act, 1917" and the words commencing with the words "to vary the excise duty on kerosene" and ending with the words, brackets, and figures "the Silver (Excise Duty) Act, 1930". Sections 2, 5, 6, 8, 9 and 10. Schedule III.
1931	..	The Indian Finance (Supplementary and Extending) Act, 1931.	Sections 6 and 10.
1935	..	The Indian Finance Act, 1935.	In the long title and preamble, the words commencing with the words "to fix the duty on salt" and ending with the words and figures "the Indian Post Office Act, 1898" and the words commencing with the words "and to vary the excise duty" and ending with the words, brackets and figures "the Silver (Excise Duty) Act, 1930". Sections 2, 3, 4 and 6. Schedule I.
1935	..	The Criminal Law Amendment Act, 1935.	The whole.

Applied to the Chittagong Hill Tracts in so far as it affects any enactment at present in force in the said tracts with effect from 1.4.43, see Bengal Govt. Notifi. No. 386 S, 27 25.3.43.