THE BOMBAY REPEALING AND AMENDING ACT, 1949

[*Text as on 18th July 2024*]

CONTENTS

PREAMBLE.

SECTIONS.

1. Short title.
2. Repeal of certain enactments.
3. Amendment of certain enactments.

SCHEDULES

THE FIRST SCHEDULE

THE SECOND SCHEDULE

ACT NO. LIII OF 1949[1]

[THE BOMBAY REPEALING AND AMENDING ACT, 1949.]

[This Act received the assent of the Governor on the 23rd November ; assent was first published, in the *Bombay Government Gazette*, Part IV, on the 28th November 1949.]

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

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or have ceased to be in force otherwise than by express specific repeal, should be expressly and specifically repealed, and whereas it is also expedient that certain amendments should be made in certain enactments specified in the Second Schedule ; It is hereby enacted as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

1. Short title.— This Act may be called the Bombay Repealing and Amending Act, 1949.

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 Repeal of certain enactments.— The enactments specified in the First Schedule are hereby repealed to the extent mentioned in the fourth column thereof.

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

1 For Statement of Objects and Reasons of the L.A. Bill No. LXVIII, *see Bombay Government Gazette*, 1949, Part V, page 1007.

THE FIRST SCHEDULE

REPEAL

(*See* section 2.)

Year	No.	Short title.	Extent of repeal.
1	2 3	4	
1830	VII …	A Regulations for bringing under the operation of the Regulations the territories comprised in the Southern Maratha Country, belonging to the Honourable Company, and Farming the said territories into a zila.	Section 5.
1831	XVI …	A Regulation for extending the jurisdiction vested in the Political Agent in the Southern Maratha Country, under the provisions of section 5, Regulation VII, A.D. 1830, to the cognizance of civil suits of the nature specified in Regulation I, A.D. 1831, and also for the better defining the extent of jurisdiction therein conferred with respect to persons of the privileged classes.	The whole.
1867	VI …	The Bombay City Sanitary Regulation Act, 1867.	The whole.
1901	I …	The Bombay District Municipal Act, 1901	Clause (*d*) of sub-section (*2*) of section 15.
1925	XII …	The Cotton Ginning and Pressing Factories Act, 1925, as amended by Bombay Act IV of 1936.	In sub-section (*1*) of section 3-A the words “and to which this Act has been extended”
1932	II ..	The Bombay Finance Act, 1932 …	In clause (*ii*) of the entry relating to Article 17 in the first column of Schedule II in section 14, the word “and”.
1939	XII …	The Bombay Revenue Tribunal Act, 1939.	Entry No. 11 in the

Schedule.

1942	XXVIII …	The Bombay Land Improvement Schemes Act, 1942.	(*1*) Clause (*6*) of section 2;
			(*2*) in section 22 the words, brackets and figures "sub-section (*2*) of section 12".

Year	No.	Short title.	Extent of repeal.
1	2 3	4	
1948	LXXI …	The Bombay Children Act, 1948 …	(*i*) In sub-section (*1*) of section 56 the words "provided his wife has attained the age of fourteen years"; and
			(*ii*) in clause (*d*) of sub-section (*2*) od section 109, the word "poor".
1948	LXXIX …	The Bombay Shops and Establishments Act, 1948.	(*i*) In clause (*b*) of sub-section (*1*) of section 10, the words "dealing in goods";
			(*ii*) in clause (*a*) in sub-section (*1*) of section 11, the words "dealing in goods".

THE SECOND SCHEDULE

AMENDMENTS

(*See* section 3.)

Year	No.		Short title.	Extent of repeal.
1	2		3	4
1879	V	…	The Bombay by Land Revenue Code, 1879.	In section 58,— (*i*) in sub-section (*1*) for the words "shall give" the words "shall, at the time when such payment is received by him, give". (*ii*) in sub-section (*2*) for the words "shall give" the words "shall, at the time when such sum is received by him, give", and (*iii*) in sub-section (*3*) for the words "shall give" the words "shall, at the time when such rent or land revenue is received by him, give", shall be substituted.
1889	I	…	The Bombay Village Sanitation Act, 1889.	In clause (*q*) of sub-section (*2*) of section 30 (*B*), for the word "of" the word "or" shall be substituted.
1890	IV	…	The Bombay District Police Act, 1890.	(*i*) In clause (*a*) and (*b*) of section 3 for the words "appointed under this Act" the words and figure "entertained under section 4" shall be substituted ; and (*ii*) new section 65A inserted by sub-section (*12*) of section 3 of Bom. LIX of 1947 shall be renumbered as 65AA.

		form in Schedule D for 1892.	the figures "1891" the figures "1892" shall be substituted.
1902	IV	The City of Bombay Police Act, 1992.	(*i*) In clause (*b*) of section 3, for the words "appointed under this Act" the words and figure "established and entertained under section 4" shall be substituted; and (*ii*) in sub-section (*1*) of section 10, after the words "authorised in this behalf" the words "by the Provincial Government" shall be inserted.

Year	No.	Short title.	Extent of repeal.
1	2	3	4
1920	XVII …	The Bombay Pleaders Act, 1920. …	In section 11 in sub-section (*3*) for the words "shall give" the words "shall, at the time when such fee is received by him, give "shall be substituted.
1925	VII …	The Bombay Co-operative Societies Act, 1925.	(*i*) In section 64, after the figures "50" the word "or" shall be inserted ; (*ii*) in sub-section (*2*) of section 71,— (*a*) in clause (*ff*), for the words "Crop Protection Society" the words "Farming Society", and (*b*) in clause (*kk*), for the words "crop protection scheme" the words "farming scheme" shall be substituted.
1925	XI …	The Cotton Ginning and Pressing Factories Act, 1925 (as amended by Bombay Act IV of 1930).	In sub-section (*4*) of section 5, for the words "the Central Government may direct" the words "it thinks fit" shall be substituted.
1942	XXVIII …	The Bombay Land Improvement Schemes Act, 1942.	In sections 14, 16, 21 and 22 and in sub-section (*4*) of section 25 for the words "the Land Improvement Officer" the words "the Divisional Soil Conversation Officer" shall

				be substituted.
1947	XXVII	…	The Bombay (Emergency Powers) Whipping Act, 1947.	In section 2 for the word "sections" the word "section" shall be substituted.
1947	XXXI	…	The Bombay Money-lenders Act, 1946.	(*i*) In the marginal note to section 38, for the figures and word "XXVIII of 1939" the figures and word "XXVIII of 1947" and (*ii*) in sections 38, for the figures "1939" the figures "1947" shall be substituted.
1947	LVI	…	The Bombay Warehouses Act, 1947.	In section 27, for the words "Every warehouseman an shall" the words "Every warehouseman shall, at the time when goods are received by him for deposit in a warehouse", shall be substituted.

Year	No.		Short title.	Extent of repeal.
1	2		3	4
1947	LVII	…	The Bombay Rents, Hotel and Lodging House Rates Control Act, 1947.	(*i*) In section 26, in sub-section (*1*) after the words "any amount" the words "at the time when such amount is "shall be inserted ; and (*ii*) in the margin note to the said section 26, for word "rent" the words any amount received shall be substituted.
1949	XX	…	The Karnataka University Act, 1949.	(*i*) In sub-section (*2*) of section 31, for the brackets and figure "(*vi*)" the brackets and figures "(*vii*)" shall be substituted ; and (*ii*) in the Schedule, for the brackets and figures "(*14*)" the brackets and figures "(*15*)" shall be substituted.