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**MAHARASHTRA STATE  
LAW COMMISSION**

**SIXTH REPORT**

**ON**

**THE MAHARASHTRA CODE VOLUME NO. VI**

**AUGUST 2002**

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## MAHARASHTRA LAW COMMISSION

(Constituted under Government Resolution No. LAC-1093/566/(122)-19 dated 30.09.1996 and Resolution No. MLC-1400/P.K.39/DESK-19, dated 21.12.2001)

Shri B.G. More	...	Chairman
Shri A.S. Bobde	...	Member
Shri K.M. Dhakephalkar	...	Member
Shri Shrihari Aney	...	Member
Shri Vijay Savant	...	Member
Shri V.B. Bedre	...	Member
Shri J.D. Jaybhawe	...	Member
Shri V.G. Munshi	...	Principal Secretary & R.L.A. Law & Judiciary Dept. (Ex-officio Member)
Smt. P.M. Umarji	...	Principal Secretary (Legislation) Law & Judiciary Dept. (Ex-officio Member)
Kum. I.H. Patel	...	Member Secretary

## MAHARASHTRA LAW COMMISSION

Until this date, the Commission has submitted in all five Reports on the first five Volumes of the Maharashtra Code. This is the Sixth Report on Volume No. VI of the Maharashtra Code.

There are in all 57 enactments in Volume No. VI. Out of them, none is found to be already repealed. The Commission recommends the repeal of 21 enactments and the retention of 34 enactments. 2 enactments are kept back for separate consideration as they pertain to the Watans and Inams Abolition. As we proceed further, we find that less number of enactments are available for repeal because most of them are of recent origin and are required to be retained as they are useful and necessary even now.

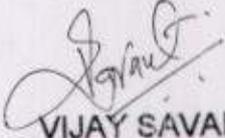
As usual, these enactments were carefully examined by the Office of the Commission and thereafter by the Hon'ble Members of the Commission in its various meetings held during the month of August 2002. The decisions are unanimous.

In this Report also, we have attached Five Annexures. Annexure - I contains the number of enactments contained in Volume No. VI and examined by the Commission. Annexure - II contains the laws already repealed (if any). Annexure - III contains the laws required to be repealed and Annexure - IV contains the laws required to be retained. Annexure - V contains the Watans and Inams Abolition Acts, which need separate consideration and the Report about which is likely to be submitted in the next month. Each Annexure contains brief reasons as to why the Act is recommended to be repealed or retained. Having sent the Sixth Report on the Sixth Volume there remain 3 more Volumes of the Maharashtra Code. The Commission expects to send one Report on one Volume each month and thus, complete the work on the Maharashtra Code by the end of November this year.

*B.G. More*  
(B.G. MORE)  
CHAIRMAN

*K.M. Dhakephalkar*  
K.M. DHAKEPHALKAR  
Member

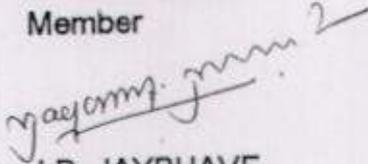
*Shrihari Aney*  
SHRIHARI ANEY  
Member



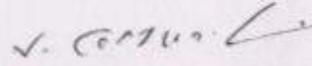
VIJAY SAVANT  
Member



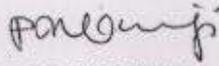
V.B. BEDRE  
Member



J.D. JAYBHAVE  
Member



V.G. MUNSHI  
Ex-officio Member



P.M. UMARJI  
Ex-officio Member



I.H. PATEL  
Member Secretary

MAHARASHTRA LAW COMMISSION

ANNEXURE - I

NAMES OF THE ACTS CONTAINED IN VOLUME- VI OF THE MAHARASHTRA CODE CONSIDERED BY THE COMMISSION FOR REPEAL

<u>SR.NO.</u>	<u>NAME OF THE ACTS</u>
1.	THE CITY OF NAGPUR CORPORATION (AMENDMENT) ACT, 1964 (MAHARASHTRA ACT NO. XIX OF 1964)
2.	THE MAHARASHTRA AGRICULTURAL PRODUCE MARKETING (REGULATION) ACT, 1963 (MAHARASHTRA ACT NO. XX OF 1964)
3.	THE MAHARASHTRA FELLING OF TREES (REGULATION) ACT, 1964 (MAHARASHTRA ACT NO. XXXIV OF 1964)
4.	THE LAND ACQUISITION (MAHARASHTRA EXTENSION AND AMENDMENT) ACT, 1964 (MAHARASHTRA ACT NO. XXXVIII OF 1964)
5.	THE TENANCY AND AGRICULTURAL LANDS LAWS (AMENDMENT) ACT, 1964 (MAHARASHTRA ACT NO. XXXIX OF 1964)
6.	THE BOMBAY MATERNITY BENEFIT, HYDERABAD MATERNITY BENEFIT AND CENTRAL PROVINCES AND BERAR MATERNITY BENEFIT (REPEAL) ACT, 1964 (MAHARASHTRA ACT NO. XL OF 1964)
7.	THE MAHARASHTRA OFFICIAL LANGUAGES ACT, 1964 (MAHARASHTRA ACT NO. V OF 1965)
8.	THE INDIAN FOREST (MAHARASHTRA AMENDMENT) ACT, 1964 (MAHARASHTRA ACT NO. XV OF 1965)
9.	THE BOMBAY STATE GUARANTEES (REPEAL) ACT, 1964 (MAHARASHTRA ACT NO. XXI OF 1965)
10.	THE MAHARASHTRA GRAMDAN ACT, 1964 (MAHARASHTRA ACT NO. XXI OF 1965)
11.	THE LAND ACQUISITION (MAHARASHTRA AMENDMENT AND VALIDATION OF CERTAIN PROCEEDINGS FOR ACQUISITION OF LAND) ACT, 1965 (MAHARASHTRA ACT NO. XXIV OF 1965)
12.	THE SIR COWASJEE JEHANGIR BARONETCY (REPEALING) ACT, 1964 (MAHARASHTRA ACT NO. XXVI OF 1965)
13.	THE BOMBAY PROVINCIAL MUNICIPAL CORPORATIONS AND CITY OF NAGPUR CORPORATION (AMENDMENT) ACT, 1965 (MAHARASHTRA ACT NO. XXXIV OF 1965)
14.	THE AGRICULTURISTS' LOANS (MAHARASHTRA AMENDMENT) ACT, 1965 (MAHARASHTRA ACT NO. XXXVIII OF 1965)
15.	THE MAHARASHTRA MUNICIPALITIES ACT, 1965 (MAHARASHTRA ACT NO. XL OF 1965)
16.	THE MAHARASHTRA SECONDARY EDUCATION BOARDS ACT, 1965 (MAHARASHTRA ACT NO. XLI OF 1965)
17.	THE WAKF (MAHARASHTRA AMENDMENT) ACT, 1965 (MAHARASHTRA ACT NO. XLIII OF 1965)

18. THE MAHARASHTRA GOVERNMENT SERVANTS INQUIRIES (EVIDENCE OF CORRUPTION) ACT, 1965 (MAHARASHTRA ACT NO. XLIV OF 1965)
19. THE HYDERABAD TENANCY AND AGRICULTURAL LANDS (AMENDMENT) ACT, 1965 (MAHARASHTRA ACT NO. XLV OF 1965)
20. THE MAHARASHTRA MEDICAL COUNCIL ACT, 1965 (MAHARASHTRA ACT NO. XLVI OF 1965)
21. THE AMBERNATH INTERIM MUNICIPALITY (CONSTITUTION AND ACTIONS) VALIDATION ACT, 1965 (MAHARASHTRA ACT NO. XLIX OF 1965)
22. THE MAHARASHTRA MISCELLANEOUS ALIENATIONS (IN HYDERABAD ENCLAVES) ABOLITION ACT, 1965 (MAHARASHTRA ACT NO. LVI OF 1965)
23. THE MAHARASHTRA REQUISITIONING AND CONTROL OF MOTOR VEHICLES ACT, 1965 (MAHARASHTRA ACT NO. III OF 1966)
24. THE BOROUGH MUNICIPALITIES (VALIDATION OF CERTAIN TAXES ON BUILDING AND LANDS) ACT, 1965 (MAHARASHTRA ACT NO. III OF 1966)
25. THE POONA MUTHA RIVER FLOOD LIMITS (PROHIBITION OF BUILDING) AND PROVISION FOR ALTERNATIVE BUILDING SITES (REPEAL) AND INDEMNITY ACT, 1965 (MAHARASHTRA ACT NO. X OF 1966)
26. THE PRESIDENCY SMALL CAUSE COURTS (MAHARASHTRA AMENDMENT) ACT, 1966 (MAHARASHTRA ACT NO. XV OF 1966)
27. THE CENTRAL PROVINCES AND BERAR GRANTS-IN-AID TO LOCAL BODIES (REPEAL) ACT, 1966 (MAHARASHTRA ACT NO. XVI OF 1966)
28. THE INDIAN REGISTRATION (MAHARASHTRA AMENDMENT) ACT, 1966 (MAHARASHTRA ACT NO. XXXV OF 1966)
29. THE MAHARASHTRA REGIONAL AND TOWN PLANNING ACT, 1966 (MAHARASHTRA ACT NO. XXXVII OF 1966)
30. THE MAHARASHTRA NURSES ACT, 1966 (MAHARASHTRA ACT NO. XL OF 1966)
31. THE MAHARASHTRA LAND REVENUE CODE, 1966 (MAHARASHTRA ACT NO. XLI OF 1966)
32. THE MADHYA PRADESH HOUSING BOARD (AMENDMENT) ACT, 1966 (MAHARASHTRA ACT NO. I OF 1967)
33. THE MAHARASHTRA EXTENSION OF MUNICIPAL LIMITS (VALIDATION) ACT, 1967 (MAHARASHTRA ACT NO. V OF 1967)
34. THE BOMBAY VILLAGE POLICE (APPOINTMENTS AND DISCIPLINARY ACTION BY SUB-DIVISIONAL MAGISTRATES, VALIDATION) ACT, 1967 (MAHARASHTRA ACT NO. VI OF 1967)
35. THE MAHARASHTRA ADVERTISEMENT TAX ACT, 1967 (MAHARASHTRA ACT NO. XVIII OF 1967)
36. THE MAHARASHTRA PUBLIC LIBRARIES ACT, 1967 (MAHARASHTRA ACT NO. XXXIV OF 1967)

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37. THE MAHARASHTRA MUNICIPAL CORPORATION (AMENDMENT) ACT, 1967 (MAHARASHTRA ACT NO. XXXV OF 1967)
  38. THE BOMBAY TENANCY AND AGRICULTURAL LANDS (VALIDATION OF APPOINTMENT AS MAMLATDAR AND PROCEEDINGS) ACT, 1967 (MAHARASHTRA ACT NO. XLII OF 1967)
  39. THE MAHARASHTRA VILLAGE POLICE ACT, 1967 (MAHARASHTRA ACT NO. XLVI OF 1967)
  40. THE TRADE UNIONS AND BOMBAY INDUSTRIAL RELATIONS (AMENDMENT) ACT, 1967 (MAHARASHTRA ACT NO. III OF 1968)
  41. THE BOMBAY QUEEN VICTORIA STATUE SITE (AND ADJOINING LAND UTILIZATION FOR CONSTRUCTION OF SATELLITE TELECOMMUNICATIONS EXCHANGES OF THE OVERSEAS COMMUNICATIONS SERVICE) ACT, 1968 (MAHARASHTRA ACT NO. V OF 1968)
  42. THE SOCIETIES REGISTRATION (MAHARASHTRA AMENDMENT) ACT, 1968 (MAHARASHTRA ACT NO. XI OF 1968)
  43. THE MAHATMA PHULE VASTU SANGRAHALAYA POONA ACT, 1968 (MAHARASHTRA ACT NO. XVIII OF 1968)
  44. THE CITY OF NAGPUR CORPORATION (AMENDMENT) ACT, 1968 (MAHARASHTRA ACT NO. XXIII OF 1968)
  45. THE INDIAN FOREST (MAHARASHTRA AMENDMENT) ACT, 1968 (MAHARASHTRA ACT NO. XXVII OF 1968)
  46. THE MAHARASHTRA MUNICIPAL CORPORATIONS (AMENDMENT) ACT, 1968 (MAHARASHTRA ACT NO. III OF 1969)
  47. THE MAHARASHTRA (VIDARBHA REGION) AGRICULTURAL DEBTORS RELIEF ACT, 1969 (MAHARASHTRA ACT NO. XXII OF 1969)
  48. THE MAHARASHTRA SALE OF TREES BY OCCUPANTS BELONGING TO SCHEDULED TRIBES (REGULATION) ACT, 1969 (MAHARASHTRA ACT NO. XXIII OF 1969)
  49. THE MAHARASHTRA MATHADI, HAMAL AND OTHER MANUAL WORKERS (REGULATION OF EMPLOYMENT AND WELFARE) ACT, 1969 (MAHARASHTRA ACT NO. XXX OF 1969)
  50. THE BOMBAY CITY (INAMI AND SPECIAL TENURES) ABOLITION AND MAHARASHTRA LAND REVENUE CODE (AMENDMENT) ACT, 1969 (MAHARASHTRA ACT NO. XLIV OF 1969)
  51. THE MAHARASHTRA FRUIT NURSERIES (REGULATION) ACT, 1969 (MAHARASHTRA ACT NO. XLV OF 1969)
  52. THE TENANCY AND AGRICULTURAL LANDS LAWS (AMENDMENT) ACT, 1968 (MAHARASHTRA ACT NO. XLIX OF 1969)
  53. THE MAHARASHTRA MINOR FOREST PRODUCE (REGULATION OF TRADE) ACT, 1969 (MAHARASHTRA ACT NO. LVII OF 1969)
  54. THE SUITS VALUATION AND BOMBAY COURT-FEES (AMENDMENT) AND BOMBAY CITY CIVIL COURT DECREES AND ORDERS (VALIDATING) ACT, 1969 (MAHARASHTRA ACT NO. IX OF 1970)

- 55. THE PREVENTION OF FOOD ADULTERATION (MAHARASHTRA AMENDMENT) ACT, 1969 (MAHARASHTRA ACT NO. XIII OF 1970)
- 56. THE MAHARASHTRA RELIGIOUS ENDOWMENTS (RECONSTRUCTION ON RESETTLEMENT SITES) ACT, - 1970 (MAHARASHTRA ACT NO. XXX OF 1970)
- 57. THE IDENTIFICATION OF PRISONERS (MAHARASHTRA PROVISION FOR UNIFORM APPLICATION AND AMENDMENT) ACT, 1970 (MAHARASHTRA ACT NO. XXXV OF 1970)

SR.NO.40

THE MAHARASHTRA DELETION OF THE TERM  
"FAMINE" (FROM LAWS APPLICABLE TO THE  
STATE) ACT, 1963  
(MAHARASHTRA ACT NO. XL OF 1963)

This Act has been enacted to delete the term "famine" from all laws in the State of Maharashtra. Section 2 of this Act states that from the commencement of this Act, in all enactments relating to any of the matters enumerated in Lists II and III in the Seventh Schedule to the Constitution of India, in their application to the State of Maharashtra (hereinafter referred to as "State Laws") and in all instruments and other documents, the word "famine" shall be deemed to have been deleted. Therefore, eventhough this word may be deleted from the enactments, this Act will have to be retained for the purpose of reference so far as other instruments and documents are concerned.

SR.NO.41

THE PRESIDENCY SMALL CAUSE COURTS  
(MAHARASHTRA AMENDMENT) ACT, 1963  
(MAHARASHTRA ACT NO. XLI OF 1963)

This Act has been passed further to amend the Presidency Small Cause Courts Act, 1882 (Act No. XV of 1882). The Principal Act being the Central Act, the amendments made by the State do not get automatically incorporated in the Principal Act. Therefore, the amendments made will have to be retained so that they can be read alongwith the Principal Act. Hence, this Act will have to be retained.

SR.NO.42

THE MAHARASHTRA OWNERSHIP FLATS  
(REGULATION OF THE PROMOTION OF  
CONSTRUCTION, SALE, MANAGEMENT  
AND TRANSFER) ACT, 1963  
(MAHARASHTRA ACT NO. XLV OF 1963)

This Act has been passed to regulate for a certain period, in the State of Maharashtra, the promotion of the construction of the sale and management, and the transfer of flats on ownership basis. By Maharashtra Act No. XLIX of 2000 the duration of this Act is further extended for a period upto and inclusive of the 31<sup>st</sup> day of March 2005 and therefore, the same will have to be retained on statute book.

MAHARASHTRA LAW COMMISSIONANNEXURE - III

NAMES OF THE ACTS FROM VOLUME NO. VI OF THE MAHARASHTRA CODE WHICH ARE REQUIRED TO BE REPEALED

SR.NO.1                    THE CITY OF NAGPUR CORPORATION (AMENDMENT)  
ACT, 1964  
(MAHARASHTRA ACT NO. XIX OF 1964)

This Act has been passed further to amend the City of Nagpur Corporation Act, 1948 (C.P. & Berar Act No. II of 1950). The amendments made by this Act have been incorporated in the Principal Act and therefore, this Act may be repealed.

SR.NO.2                    THE TENANCY AND AGRICULTURAL LANDS LAWS  
(AMENDMENT) ACT, 1964  
(MAHARASHTRA ACT NO. XXXIX OF 1964)

This Act has been passed further to amend the Bombay Tenancy and Agricultural Lands Act, 1948 (Bom. Act No. LXVII of 1948), the Hyderabad Tenancy and Agricultural Lands Act, 1950 (Hyd. Act No. XXI of 1950) and the Bombay Tenancy and Agricultural Lands (Vidarbha Region) Act, 1958 (Bom. Act No. XCIX of 1958). All the amendments made by this Act have been incorporated in the respective Principal Acts and therefore, this Act may be repealed.

SR.NO.3                    THE BOMBAY MATERNITY BENEFIT, HYDERABAD  
MATERNITY BENEFIT AND CENTRAL PROVINCES  
AND BERAR MATERNITY BENEFIT (REPEAL)  
ACT, 1964  
(MAHARASHTRA ACT NO. XL OF 1964)

This is a repealing Act, repealing the Bombay Maternity Benefit Act, 1929 (Bom. Act No. VII of 1929), the Hyderabad Maternity Benefit Act, 1349 (Hyd. Act No. VII of 1349 Fasil) and the Central Provinces and Berar Maternity Benefit Act, 1930 (C.P. & Berar Act No. VI of 1930), on the application of the Maternity Benefit Act, 1961 (Act No. 53 of 1961) to the factories in the Maharashtra State. The 1961 Act has been made applicable to the factories in the Maharashtra State in 1965 and therefore, the above three Acts stand repealed. Thus, the repealing Act having served its purpose may itself be repealed.

SR.NO.4                    THE BOMBAY STATE GUARANTEES (REPEAL)  
ACT, 1964  
(MAHARASHTRA ACT NO. XXI OF 1965)

This Act has been passed to repeal the Bombay State Guarantees Act, 1958 (Bom. Act No. LIII of 1958). This is a repealing Act and its purpose is over. Therefore, this Act may also be repealed.

SR.NO.5                    THE SIR COWASJEE JEHANGIR BARONETCY  
(REPEALING) ACT, 1964  
(MAHARASHTRA ACT NO. XXVI OF 1965)

By this Act the Trust created under the Sir Cowasjee Jehangir Baronetcy Act, 1911 (Act No. XIX of 1911) is revoked and extinguished and other necessary consequential provisions have been made. This being a repealing Act and the repeal having taken place long back, it appears that this repealing Act may not be necessary and therefore, it may be repealed.

SR.NO.6                    THE BOMBAY PROVINCIAL MUNICIPAL  
CORPORATIONS AND CITY OF NAGPUR  
CORPORATION (AMENDMENT) ACT, 1965  
(MAHARASHTRA ACT NO. XXXIV OF 1965)

This Act has been passed further to amend the Bombay Provincial Municipal Corporations Act, 1949 (Bom. Act NO. LIX of 1949) and the City of Nagpur Corporation Act, 1948 (C.P. & Berar Act No. II of 1950). All the amendments made by this Act have been incorporated in the respective Principal Acts and therefore, this Act may be repealed.

SR.NO.7                    THE AGRICULTURISTS' LOANS (MAHARASHTRA  
AMENDMENT) ACT, 1965  
(MAHARASHTRA ACT NO. XXXVIII OF 1965)

This Act has been passed to amends the Agriculturists' Loans Act, 1884 (Act No. XII of 1884). We have advised the State Government to repeal Agriculturists' Loans Act, 1884 and hence, there is no necessity to keep this amending Act on the statute book. It may be repealed after that Act is repealed.

SR.NO.8                    THE WAKF (MAHARASHTRA AMENDMENT) ACT, 1965  
(MAHARASHTRA ACT NO. XLIII OF 1965)

This Act has been passed to amend the Wakf Act, 1954 (Act No. XXIX of 1954), in its application to the State of Maharashtra. The Wakf Act, 1954 has been repealed by the Wakf Act, 1995 (Act No. 43 of 1995) Section 112. Hence, this amending Act may be repealed.

SR.NO.9                    THE HYDERABAD TENANCY AND AGRICULTURAL  
LANDS (AMENDMENT) ACT, 1965  
(MAHARASHTRA ACT NO. XLV OF 1965)

This Act has been passed further to amend the Hyderabad Tenancy and Agricultural Lands Act, 1950 (Hyd. Act No. XXI of 1950). The amendments made by this Act have been incorporated in the Principal Act and hence, this Act may be repealed.

SR.NO.10                    THE AMBERNATH INTERIM MUNICIPALITY  
(CONSTITUTION AND ACTIONS) VALIDATION  
ACT, 1965  
(MAHARASHTRA ACT NO. XLIX OF 1965)

This Act has been passed to validate the constitution of an interim municipality for Ambernath Municipal District and to make certain consequential provisions upon conversion of Village Panchayat into a Municipality. The purpose of this Act is over and therefore, this Act may be repealed.

SR.NO.11            THE BOROUGH MUNICIPALITIES (VALIDATION OF CERTAIN TAXES ON BUILDING AND LANDS) ACT, 1965  
(MAHARASHTRA ACT NO. III OF 1966)

This Act has been passed to validate the levy and collection of taxes on buildings and lands, levied and collected by certain Borough Municipalities, and for matters connected therewith. Section 4 of this Act validates past levy and collection of taxes by certain Borough Municipalities in respect of Mills, Factories and connected buildings and lands and in respect of vacant lands, while Section 5 authorises to recover sums due on account of such taxes to be paid to and recovered by municipal authority concerned. Thus, this Act validates the past actions of certain Borough Municipalities and therefore, having served its purpose it may be repealed.

SR.NO.12            THE POONA MUTHA RIVER FLOOD LIMITS (PROHIBITION OF BUILDING) AND PROVISION FOR ALTERNATIVE BUILDING SITES (REPEAL) AND INDEMNITY ACT, 1965  
(MAHARASHTRA ACT NO. X OF 1966)

This Act has been passed to repeal the Poona Mutha River Flood Limits (Prohibition of Building) and provisions for alternative Building Sites Act, 1961 (Act No. XXXVII of 1961) and Indemnify Authorities and persons who have acted in pursuance of the said Act. This being a repealing Act and the repeal having taken place long back, it is no longer necessary to keep this repealing Act on the statute book and therefore, it may be repealed.

SR.NO.13            THE CENTRAL PROVINCES AND BERAR GRANTS-IN-AID TO LOCAL BODIES (REPEAL) ACT, 1966  
(MAHARASHTRA ACT NO. XVI OF 1966)

By this Act the Central Provinces and Berar Grants-in-Aid to Local Bodies Act, 1939 (C.P. & Berar Act No. XXXV of 1939) has been repealed. Now this repealing Act has served its purpose and therefore, it may also be repealed.

SR.NO.14            THE MADHYA PRADESH HOUSING BOARD (AMENDMENT) ACT, 1966  
(MAHARASHTRA ACT NO. I OF 1967)

This Act has been enacted to amend the Madhya Pradesh Housing Board Act, 1950 (M.P. Act No. XLIII of 1950). The Principal Act itself is repealed by Section 188 of the Maharashtra Housing and Area Development Act, 1976 (Mah. Act No. XXVIII of 1977) and therefore, this amending Act is no longer necessary to continue on the statute book and hence, it may be repealed.

SR.NO.15            THE BOMBAY VILLAGE POLICE (APPOINTMENTS AND DISCIPLINARY ACTION BY SUB-DIVISIONAL MAGISTRATES, VALIDATION) ACT, 1967  
(MAHARASHTRA ACT NO. VI OF 1967)

The main section of this Act is Section 2, which amends the Bombay Village Police Act, 1867 (Bom. Act No. VIII of 1867). However, this Act of 1867 itself is repealed by Section 18 of the Maharashtra Village Police Act, 1967 (Act No. XLVI of 1967). Therefore, this amending Act is redundant now and therefore, it may be repealed.

**SR.NO.16**      **THE MAHARASHTRA MUNICIPAL CORPORATION**  
**(AMENDMENT) ACT, 1967**  
**(MAHARASHTRA ACT NO. XXXV OF 1967)**

This Act has been passed further to amend the Bombay Municipal Corporation Act, Bombay Provincial Municipal Corporations Act, 1949 (Bom. Act No. LIX of 1949) and City of Nagpur Corporation Act, 1948 (C.P. & Berar Act No. II of 1950). The amendments made by this Act have been incorporated in the respective Principal Acts. Thus, the purpose of the Act is served and hence, it may be repealed.

**SR.NO.17**      **THE BOMBAY TENANCY AND AGRICULTURAL LANDS**  
**(VALIDATION OF APPOINTMENT AS MAMLATDAR AND**  
**PROCEEDINGS) ACT, 1967**  
**(MAHARASHTRA ACT NO. XLII OF 1967)**

This Act has been passed to establish the validity of the appointment of the certain officer as Mamlatdar and of his proceedings, certificates and other Acts under the Bombay Tenancy and Agricultural Lands Act, 1948 (Act No. LXVII of 1948). The Act is passed for limited purpose for validation of appointment of certain officer as Mamlatdar and of his proceedings during the period from 24<sup>th</sup> January 1959 to the 1<sup>st</sup> April 1959 (both inclusive). The purpose for which the Act was enacted is over and hence, this Act may be repealed.

**SR.NO.18**      **THE CITY OF NAGPUR CORPORATION (AMENDMENT)**  
**ACT, 1968**  
**(MAHARASHTRA ACT NO. XXIII OF 1968)**

This Act is enacted further to amend the City of Nagpur Corporation Act, 1948 (C.P. & Berar Act No. II of 1948). By Section 2 a small amendment is made to Section 410 of the above Act. This amendment has been incorporated in the Principal Act and therefore, this Act may be repealed.

**SR.NO.19**      **THE MAHARASHTRA MUNICIPAL CORPORATIONS**  
**(AMENDMENT) ACT, 1968**  
**(MAHARASHTRA ACT NO. III OF 1969)**

This Act has been passed further to amend the Bombay Municipal Corporation Act, Bombay Provincial Municipal Corporations Act, 1949 (Bom. Act No. LIX of 1949) and City of Nagpur Corporation Act, 1948 (C.P. & Berar Act No. II of 1950). The amendments made by this Act have been incorporated in the respective Principal Acts. Thus, the purpose of the Act is served and hence, it may be repealed.

**SR.NO.20**      **THE MAHARASHTRA (VIDARBHA REGION)**  
**AGRICULTURAL DEBTORS RELIEF ACT, 1969**  
**(MAHARASHTRA ACT NO. XXII OF 1969)**

This Act has been passed to provide for the relief of certain Agricultural debtors in the Vidarbha Region of the State of Maharashtra. The proceedings under the Sections of this Act were required to be taken before the prescribed dates and the debts in respect of which the proceedings were not initiated before those dates were to be extinguished. Thus, a time limit set out for starting the proceedings under this Act is over. This Act has been passed nearly 30 years ago and therefore, all the proceedings under this Act may have been by this time finished. If that is so, the purpose of this Act must be said to be over and therefore, it may be repealed.

A reference was made to the Revenue Department to give its opinion regarding the repeal of this Act. The reply received from it shows that the subject is under their consideration. No final reply is received. Therefore, the Commission advises the State Government to repeal this Act on verifying that all the proceedings under this Act have been completed.

SR.NO.21

THE TENANCY AND AGRICULTURAL LANDS LAWS  
(AMENDMENT) ACT, 1968  
(MAHARASHTRA ACT NO. XLIX OF 1969)

This Act has been passed further to amend the Bombay Tenancy and Agricultural Lands Act, 1948 (Bom. Act No. LXVII of 1948), the Hyderabad Tenancy and Agricultural Lands Act, 1950 (Hyd. Act No. XXI of 1950) and the Bombay Tenancy and Agricultural Lands (Vidarbha Region) Act, 1958 (Bom. Act No. XCIX of 1958). The amendments made by this Act have been incorporated in the respective Principal Acts. The purpose of this Act is over and hence, this Act may be repealed.

MAHARASHTRA LAW COMMISSIONANNEXURE - IVNAMES OF THE ACTS FROM VOLUME NO. VI OF THE MAHARASHTRA  
CODE WHICH ARE REQUIRED TO BE RETAINED

SR.NO.1                    THE MAHARASHTRA AGRICULTURAL PRODUCE  
MARKETING (REGULATION) ACT, 1963  
(MAHARASHTRA ACT NO. XX OF 1964)

This Act has been passed to regulate the marketing of agricultural and certain other produce in market areas and markets to be established therefor in the State ; to confer powers upon Market Committees to be constituted in connection with or acting for purposes connected with such market ; to establish market funds for the purposes of the Market Committees and to provide for purposes connected with the matters aforesaid. The Act is in force and is necessary for the purpose for which it is enacted and therefore, the same will have to be retained.

SR.NO.2                    THE MAHARASHTRA FELLING OF TREES  
(REGULATION) ACT, 1964  
(MAHARASHTRA ACT NO. XXXIV OF 1964)

This Act has been passed to make better provision for regulating the felling of the certain trees in the State of Maharashtra, for the purpose of the preservation thereof, and for the protection of the soil against erosion and to provide matters connected therewith. This Act is useful even today and is being administered whenever the occasion arises and therefore, it will have to be retained.

SR.NO.3                    THE LAND ACQUISITION (MAHARASHTRA EXTENSION  
AND AMENDMENT) ACT, 1964  
(MAHARASHTRA ACT NO. XXXVIII OF 1964)

This Act has been passed to extend the Land Acquisition Act, 1894 (Act No. I of 1894) to the whole of the State of Maharashtra, to provide as far as practicable for uniformity in the provisions of the Act in its application to the whole of the State and for those purposes further to amend that Act. However, the Principal Act being the Central Act, the amendments made by the State cannot get automatically incorporated in the Principal Act. Therefore, the amendments will have to be retained, so that they could be read alongwith the Principal Act. Hence, this Act will have to be retained.

SR.NO.4                    THE MAHARASHTRA OFFICIAL LANGUAGES ACT, 1964  
(MAHARASHTRA ACT NO. V OF 1965)

This Act has been passed to provide for the adoption of languages which may be used for the official purposes of the State including purposes of the Legislature of the State. The provisions of this Act are necessary and must continue.



SR.NO.9                    THE MAHARASHTRA SECONDARY EDUCATION  
BOARDS ACT, 1965  
(MAHARASHTRA ACT NO. XLI OF 1965)

This Act has been passed to provide for the establishment of a State Board and Divisional Boards which regulate certain matters pertaining to Secondary and Higher Secondary Education in the State. The provisions of this Act are useful even now and therefore, the same will have to be continued. However, it may be noted that this Act has now been renamed as Maharashtra Secondary and Higher Education Boards Act, 1965 (Mah. Act No. XLI of 1965).

SR.NO.10                    THE MAHARASHTRA GOVERNMENT SERVANTS  
INQUIRIES (EVIDENCE OF CORRUPTION) ACT, 1965  
(MAHARASHTRA ACT NO. XLIV OF 1965)

This Act has been passed to make better provisions for dealing with corruption among public servants. The provisions of this Act are necessary and therefore, this Act may be retained.

SR.NO.11                    THE MAHARASHTRA MEDICAL COUNCIL ACT, 1965  
(MAHARASHTRA ACT NO. XLVI OF 1965)

This Act has been passed to unify, consolidate and make better provision in the law regulating the registration of persons practicing modern scientific medicine in the State of Maharashtra. This Act is in force today and is being administered by the Medical Department. The provisions of this Act are necessary and useful even today and therefore, this Act will have to be retained.

SR.NO.12                    THE MAHARASHTRA REQUISITIONING AND CONTROL  
OF MOTOR VEHICLES ACT, 1965  
(MAHARASHTRA ACT NO. III OF 1966)

This Act has been passed to provide for the requisitioning and control of motor vehicles in certain emergent circumstances. The provisions of this Act are useful and therefore, this Act may be retained.

SR.NO.13                    THE PRESIDENCY SMALL CAUSE COURTS  
(MAHARASHTRA AMENDMENT) ACT, 1966  
(MAHARASHTRA ACT NO. XV OF 1966)

This Act is passed further to amend the Presidency Small Cause Courts Act, 1882 (Act No. XV of 1882) in its application to the State of Maharashtra. By this Act a small amendment is made in Section 7 of the Principal Act. However, the Principal Act being the Central Act, the amendment made by the State cannot get automatically incorporated in the Principal Act. Therefore, the amendment will have to be retained, so that it could be read alongwith the Principal Act. Hence, this Act will have to be retained.

SR.NO.14                    THE INDIAN REGISTRATION (MAHARASHTRA  
AMENDMENT) ACT, 1966  
(MAHARASHTRA ACT NO. XXXV OF 1966)

This is an amending Act, amending the Indian Registration Act, 1908 (Act No. XVI of 1908), in its application to the State of Maharashtra. By this Act a new Section 80A has been inserted in the Principal Act. However, the Principal Act being Central Act, the amendment made by the State cannot get automatically incorporated in the Principal Act. Therefore, the amendment will have to be retained, so that it could be read along with the Principal Act. Hence, this Act will have to be retained.

SR.NO.15                    THE MAHARASHTRA REGIONAL AND TOWN PLANNING  
ACT, 1966  
(MAHARASHTRA ACT NO. XXXVII OF 1966)

This Act is passed to make provision for planning the development and use of land in Regions established for that purpose and for the Constitution of Regional Planning Board therefor ; to make better provisions for the preparation of development plans with a view to ensuring that town planning schemes are made in a proper manner and their execution is made effective ; to provide for the creation of new towns by means of Development Authorities to make provisions for the compulsory acquisition of land required for public purposes in respect of the plans and for purposes connected with the matters aforesaid. This Act is in force today and is administered by the Urban Development Department. The provisions of this Act are useful and necessary and therefore, this Act will have to be retained.

SR.NO.16                    THE MAHARASHTRA NURSES ACT, 1966  
(MAHARASHTRA ACT NO. XL OF 1966)

This Act has been passed to unify and make better provision in law regulating the registration and training of nurses in the State of Maharashtra and to provide for matters connected with the purposes aforesaid. This Act is in force today and the provisions of this Act are necessary and are useful and therefore, this Act will have to be retained.

SR.NO.17                    THE MAHARASHTRA LAND REVENUE CODE, 1966  
(MAHARASHTRA ACT NO. XLI OF 1966)

This Act has been passed to unify and amend the law relating to land and land revenue in the State of Maharashtra and to provide for the matters connected therewith. The provisions of this Act are necessary and are useful and hence, this Act may be retained.

SR.NO.18                    THE MAHARASHTRA EXTENSION OF MUNICIPAL  
LIMITS (VALIDATION) ACT, 1967  
(MAHARASHTRA ACT NO. V OF 1967)

This Act has been passed to remove doubts as to the validity of certain changes made in the areas comprising the limits of certain local authorities and for matters connected therewith. The provisions of this Act are necessary to confirm the legal constitution of municipal bodies mentioned in the Schedule and hence, this Act will have to be continued.

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SR.NO.19                      THE MAHARASHTRA ADVERTISEMENT TAX  
ACT, 1967  
(MAHARASHTRA ACT NO. XVIII OF 1967)

This Act has been enacted to provide for the levy of a tax on advertisement exhibited by cinematograph at certain places of entertainment in the State of Maharashtra and for matters connected with the purposes aforesaid. The provisions of this Act are necessary as it is one of the sources of revenue to the State Government. Therefore, this Act will have to be retained.

SR.NO.20                      THE MAHARASHTRA PUBLIC LIBRARIES ACT, 1967  
(MAHARASHTRA ACT NO. XXXIV OF 1967)

This Act has been passed to provide for the establishment, maintenance, organisation and development of public libraries in the State of Maharashtra and for purposes connected with the matters aforesaid. The provisions of this Act are necessary and useful and therefore, it will have to be retained.

SR.NO.21                      THE MAHARASHTRA VILLAGE POLICE ACT, 1967  
(MAHARASHTRA ACT NO. XLVI OF 1967)

This Act has been passed to consolidate and amend the law for the regulation of village police in the State of Maharashtra. The provisions of this Act are necessary and therefore, it will have to be retained.

SR.NO.22                      THE TRADE UNIONS AND BOMBAY INDUSTRIAL  
RELATIONS (AMENDMENT) ACT, 1967  
(MAHARASHTRA ACT NO. III OF 1968)

This Act has been passed further to amend the Trade Unions Act, 1926 (Act No. XVI of 1926), in its application to the State of Maharashtra and also further to amend the Bombay Industrial Relations Act, 1946 (Bom. Act No. XI of 1947). The amendment made in Section 87 of the Bombay Industrial Relations Act, 1946 is incorporated in the Principal Act. The amendments made to the Trade Unions Act, 1926 is the State amendment to the Central Act. However, the Principal Act being the Central Act, the amendments made by the State cannot get automatically incorporated in the Principal Act. Therefore, the amendments will have to be retained, so that they could be read alongwith the Principal Act. Hence, this Act will have to be retained.

SR.NO.23                      THE BOMBAY QUEEN VICTORIA STATUE SITE (AND  
ADJOINING LAND UTILIZATION FOR CONSTRUCTION  
OF SATELLITE TELECOMMUNICATIONS EXCHANGES,  
OF THE OVERSEAS COMMUNICATIONS SERVICE)  
ACT, 1968  
(MAHARASHTRA ACT NO. V OF 1968)

An Act to make provision for placing the Queen Victoria Statue Site at Bombay and certain land adjacent thereto at the disposal of Government of India for setting up of satellite telecommunications exchanges of the overseas communications service and for that purpose to amend the Bombay Municipal Corporation Act and to take power to make certain changes in the development plan, development control rules and building regulations, etc. The provisions of this Act are necessary to enable the Government to exercise the powers taken up by the State Government under Section 3 of this Act and therefore, this Act will have to be retained.

SR.NO.24

THE SOCIETIES REGISTRATION (MAHARASHTRA  
AMENDMENT) ACT, 1968  
(MAHARASHTRA ACT NO. XI OF 1968)

This Act amends the Societies Registration Act, 1860 (Act No. XXI of 1860), in its application to the State of Maharashtra. There are in all 9 amendments made by this amending Act to the Principal Act. However, the Principal Act being the Central Act, the amendments made by the State cannot get automatically incorporated in the Principal Act. Therefore, the amendments will have to be retained, so that they could be read alongwith the Principal Act. Hence, this Act will have to be retained.

SR.NO.25

THE MAHATMA PHULE VASTU SANGRAHALAYA  
POONA ACT, 1968  
(MAHARASHTRA ACT NO. XVIII OF 1968)

This Act has been enacted to extend the activities of the museum then known as the Lord Reay Maharashtra Industrial Museum at Poona, and to rename it as Mahatma Phule Vastu Sangrahalaya, Poona and to make better provision for the management and maintenance thereof and to provide for the matters connected with the purposes aforesaid. This Act is useful even now for the management and maintenance of the above Vastu Sangrahalaya and therefore, it may be retained.

SR.NO.26

THE INDIAN FOREST (MAHARASHTRA AMENDMENT)  
ACT, 1968  
(MAHARASHTRA ACT NO. XXVII OF 1968)

By this Act a small amendment is made in Section 2 of the Principal Act as applicable to the State of Maharashtra. However, the Principal Act being the Central Act, the amendment made by the State cannot get automatically incorporated in the Principal Act. Therefore, the amendment will have to be retained, so that they could be read alongwith the Principal Act. Hence, this Act will have to be retained.

SR.NO.27

THE MAHARASHTRA SALE OF TREES BY OCCUPANTS  
BELONGING TO SCHEDULED TRIBES (REGULATION)  
ACT, 1969  
(MAHARASHTRA ACT NO. XXIII OF 1969)

This Act has been passed to regulate the disposal of trees standing in the holdings of persons belonging to scheduled tribes in the State of Maharashtra. The provisions of this Act appears to be useful and hence, this Act may be retained.

SR.NO.28

THE MAHARASHTRA MATHADI, HAMAL AND OTHER  
MANUAL WORKERS (REGULATION OF EMPLOYMENT  
AND WELFARE) ACT, 1969  
(MAHARASHTRA ACT NO. XXX OF 1969)

This Act has been enacted for regulating the employment of unprotected manual workers such as, Mathadi, Hamal etc. engaged in certain employments. The Act also make better provision for their terms and conditions of employment, and to provide for their welfare, and for health and safety measures where such employments require these measures. The Act further make provision for ensuring an adequate supply to, and full and proper utilisation of, such workers in such employments to prevent avoidable unemployment ; for these and similar purposes, provide for establishment of Boards in respect of these employments and (where necessary) in different areas of the State. The provisions of this Act are necessary and useful for improving conditions of employment of Mathadi, Hamal and other manual workers and hence, it may be retained.

SR.NO.29

THE MAHARASHTRA FRUIT NURSERIES  
(REGULATION) ACT, 1969  
(MAHARASHTRA ACT NO. XLV OF 1969)

This Act has been enacted to provide for the licensing and regulation of fruit nurseries in the State of Maharashtra and for matters connected therewith. The provisions of this Act are useful and necessary and therefore, this Act may be retained.

SR.NO.30

THE MAHARASHTRA MINOR FOREST PRODUCE  
(REGULATION OF TRADE) ACT, 1969  
(MAHARASHTRA ACT NO. LVII OF 1969)

This Act has been passed to make provision for regulating in the public interest the trade of certain minor forest produce by creation of the State monopoly in such trade in the State and for matters connected therewith. The provisions of this Act are useful and necessary and hence, this Act may be retained.

SR.NO.31

THE SUITS VALUATION AND BOMBAY COURT-FEES  
(AMENDMENT) AND BOMBAY CITY CIVIL COURT  
DECREES AND ORDERS (VALIDATING) ACT, 1969  
(MAHARASHTRA ACT NO. IX OF 1970)

This Act has been passed further to amend the Suits Valuation Act, 1887 (Act No. VII of 1887) and Bombay Court-Fees Act, 1959 (Bom. Act No. XXXVI of 1959) and to validate certain decrees and orders of the Bombay City Civil Courts. The amendments made by Section 4 and 5 of this Act in the respective State Acts have been incorporated in the said Acts. The amendment is also made to Section 9 of the Suits Valuation Act, 1887 which is Central Act. However, the Principal Act being the Central Act, the amendment made by the State cannot get automatically incorporated in the Principal Act. Therefore, the amendment will have to be retained, so that they could be read alongwith the Principal Act. Hence, this Act will have to be retained.

SR.NO.32

THE PREVENTION OF FOOD ADULTERATION  
(MAHARASHTRA AMENDMENT) ACT, 1969  
(MAHARASHTRA ACT NO. XIII OF 1970)

This Act has been passed further to amend the Prevention of Food Adulteration Act, 1954 (Act No. XXXVII of 1954), in its application to the State of Maharashtra. There is small amendment to Clause (vi) of Section 2 of the Principal Act. However, the Principal Act being the Central Act, the amendment made by the State cannot get automatically incorporated in the Principal Act. Therefore, the amendment will have to be retained, so that they could be read alongwith the Principal Act. Hence, this Act will have to be retained.

SR.NO.33

THE MAHARASHTRA RELIGIOUS ENDOWMENTS  
(RECONSTRUCTION ON RESETTLEMENT SITES)  
ACT, 1970  
(MAHARASHTRA ACT NO. XXX OF 1970)

This Act has been passed to provide for reconstruction of religious endowments acquired for any project on resettlement sites provided by the State Government and for matters connected therewith. The provisions of this Act are necessary and therefore, this Act may be retained.

SR.NO.34

THE IDENTIFICATION OF PRISONERS (MAHARASHTRA  
PROVISION FOR UNIFORM APPLICATION AND  
AMENDMENT) ACT, 1970  
(MAHARASHTRA ACT NO. XXXV OF 1970)

This Act has been passed to provide for uniformity in the provisions of the Identification of Prisoners Act, 1920 (Act No. XXXIII of 1920) in its application to the State of Maharashtra and further to amend that Act in its application to the whole State. For the purpose of providing for the uniform application of the above Act throughout the State of Maharashtra, the provisions of the Acts mentioned in the Schedule, which amend the Identification of Prisoners Act, 1920, in its application to Greater Bombay or the Bombay area of the State, are extended to, and shall by virtue of such extension be in force throughout the State. By Sections 4, 5 and 6, some amendments were made to the above Principal Act. However, the Principal Act being the Central Act, the amendments made by the State cannot get automatically incorporated in the Principal Act. Therefore, the amendments will have to be retained, so that they could be read alongwith the Principal Act. Hence, this Act will have to be retained.

MAHARASHTRA LAW COMMISSIONANNEXURE - V

NAMES OF THE WATANS AND INAMS ABOLITION ACTS FROM VOLUME NO. VI OF THE MAHARASHTRA CODE WHICH ARE KEPT FOR SEPARATE CONSIDERATION.

1. THE MAHARASHTRA MISCELLANEOUS ALIENATIONS (IN HYDERABAD ENCLAVES) ABOLITION ACT, 1965  
(MAHARASHTRA ACT NO. LVI OF 1965)
2. THE BOMBAY CITY (INAMI AND SPECIAL TENURES) ABOLITION AND MAHARASHTRA LAND REVENUE CODE (AMENDMENT) ACT, 1969  
(MAHARASHTRA ACT NO. XLIV OF 1969)