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**MAHARASHTRA STATE  
LAW COMMISSION**

**EIGHTH REPORT**

**ON**

**THE MAHARASHTRA CODE VOLUME NO. VIII**

**NOVEMBER 2002**

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B.G.MORE  
Chairman



*Maharashtra State Law Commission*  
Govt. Barrack No.13,  
Free Press Journal Road,  
Opp. Mantralaya,  
Mumbai - 400 021.

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Ref. No. MLC - 786 / 2002

18<sup>th</sup> November, 2002

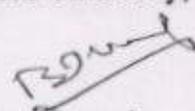
Dear Sir,

It gives me great pleasure in forwarding herewith the Eighth Report of the Law Commission on the repeal of the State Laws contained in Volume No. VIII of the Maharashtra Code.

Until now, the Commission has submitted in all seven Reports on the first seven Volumes of the Maharashtra Code. The last Report, namely, the Seventh Report (dated 5<sup>th</sup> October, 2002) was submitted on the 23<sup>rd</sup> October, 2002. After this Report, there remains only one Volume, namely, the 9<sup>th</sup> Volume to be considered by the Commission. We expect to send our Report on the 9<sup>th</sup> Volume in the next month. Thereafter, a special Report on the repeal of all the Watan and Inam Abolition Acts will be sent in the month of December 2002.

With kind regards,

Yours Sincerely,

  
(B.G. MORE)

Hon'ble Shri Vilasrao Balkrishna Patil  
Minister,  
Law and Judiciary,  
Mantralaya,  
Mumbai-400 032.

## 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 K.M. Dhakephalkar	...	Member
Shri Shrihari Aney	...	Member
Shri V.B. Bedre	...	Member
Shri Vijay Savant	...	Member
Shri J.D. Jaybhavne	...	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

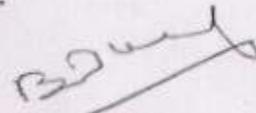
Until this date, the Commission has submitted in all seven Reports on the first seven Volumes of the Maharashtra Code. This is the 8<sup>th</sup> Report on Volume No.VIII of the Maharashtra Code.

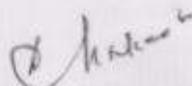
There are highest number of enactments, namely, 107 in this Volume. Out of them, 15 are found to be already repealed and therefore, the Commission has advised the Government to remove those laws from the statute book. Out of the remaining Acts, the Commission has advised the Government to repeal 20 Acts and retain the remaining, namely, 72 Acts as they are still necessary for the administration of the State.

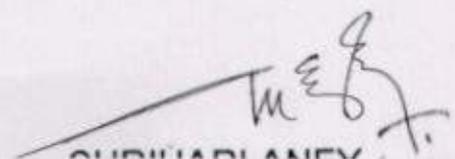
As usual, these enactments were carefully examined by the Office of the Commission and thereafter, by the Hon'ble Members of the Commission in its various meetings held in the month of October 2002. The decisions are unanimous.

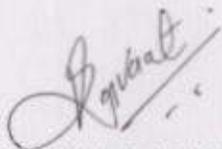
In this Report, we have attached four Annexures. Annexure – I contains the number of enactments found in Volume No. VIII and examined by the Commission. Annexure – II contains the laws found to have been already repealed, Annexure – III contains the enactments advised to be repealed and Annexure – IV contains the laws advised to be retained. Each Annexure contains brief reasons as to why the Act is required to be retained or repealed.

After this Report, there remains only one Volume, namely, the 9<sup>th</sup> Volume of the Maharashtra Code. The Office of the Commission is examining the enactments contained in this Volume and after the Hon'ble Members of the Commission examine them, the 9<sup>th</sup> Report on the 9<sup>th</sup> Volume would be submitted in the next month. Thereafter, as mentioned in the earlier Report, the Commission expects to send a special Report on all Watan and Inam Abolition Acts in the month of December 2002.

  
(B.G.MORE)  
CHAIRMAN



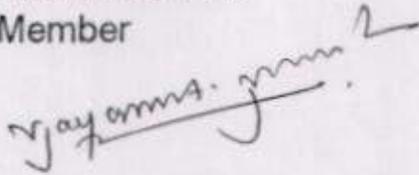
  
SECRETARY



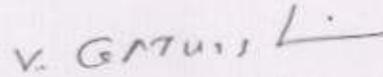
VIJAY SAVANT  
Member



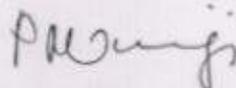
V.B. BEDRE  
Member



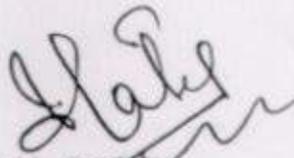
J.D. JAYBHAVE  
Member



V.G. MUNSHI  
Ex-officio Member



P.M. UMARJI  
Ex-officio Member



I.H. PATEL  
Member Secretary

MAHARASHTRA LAW COMMISSIONANNEXURE - INAMES OF THE ACTS CONTAINED IN VOLUME- VIII 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, 1974 (MAHARASHTRA ACT NO. III OF 1975)
2	THE BOMBAY METROPOLITAN REGION DEVELOPMENT AUTHORITY ACT, 1974 (MAHARASHTRA ACT NO. IV OF 1975)
3	THE MAHARASHTRA PROVISION OF FACILITIES FOR AGRICULTURAL CREDIT BY BANKS ACT, 1974 (MAHARASHTRA ACT NO. V OF 1975)
4	THE MAHARASHTRA RESTORATION OF LANDS TO SCHEDULED TRIBES ACT, 1974 (MAHARASHTRA ACT NO. XIV OF 1975)
5	THE MAHARASHTRA STATE TAX ON PROFESSIONS, TRADES CALLINGS AND EMPLOYMENTS ACT, 1975 (MAHARASHTRA ACT NO. XVI OF 1975)
6	THE MOTOR VEHICLES (MAHARASHTRA AMENDMENT) ACT, 1975 (MAHARASHTRA ACT NO. XIX OF 1975)
7	THE MAHARASHTRA PRIVATE FORSTS (ACQUISITION) ACT, 1975 (MAHARASHTRA ACT NO. XXIX OF 1975)
8	THE INDIAN CRIMINAL LAW AMENDMENT (MAHARASHTRA AMENDMENT) ACT, 1975 (MAHARASHTRA ACT NO. XXXVIII OF 1975)
9	THE RECOVERY AND PENALTY PROVISIONS OF MAHARASHTRA ORDINANCE NO. III OF 1975 CONTINUANCE ACT, 1975 (MAHARASHTRA ACT NO. XXXIX OF 1975)
10	THE MAHARASHTRA (URBAN AREAS) PRESERVATION OF TREES ACT, 1975 (MAHARASHTRA ACT NO. XLIV OF 1975)
11	THE REGISTRATION (MAHARASHTRA AMENDMENT) ACT, 1975 (MAHARASHTRA ACT NO. XLIX OF 1975)
12	THE PREVENTION OF FOOD ADULTERATION (MAHARASHTRA AMENDMENT) ACT, 1974 (MAHARASHTRA ACT NO. L OF 1975)
13	THE MAHARASHTRA VACANT LANDS (PROHIBITION OF UNAUTHORISED OCCUPATION AND SUMMARY EVICTION) ACT, 1975 (MAHARASHTRA ACT NO. LXVI OF 1975)
14	THE ESSENTIAL COMMODITIES (MAHARASHTRA AMENDMENT) ACT, 1975 (MAHARASHTRA ACT NO. I OF 1976)
15	THE MAHARASHTRA DEBT RELIEF ACT, 1975 (MAHARASHTRA ACT NO. III OF 1976)
16	THE MAHARASHTRA REPEALING AND AMENDING ACT, 1976 (MAHARASHTRA ACT NO. XI OF 1976)
17	THE MAHARASHTRA EDUCATIONAL INSTITUTIONS (MANAGEMENT)

- 18 THE MAHARASHTRA UNEMPLOYMENT ALLOWANCE PAYMENT TO WORKMEN IN FACTORIES (FOR TEMPORARY PERIOD) ACT, 1976 (MAHARASHTRA ACT NO. XIV OF 1976)
- 19 THE PRESIDENCY SMALL CAUSE COURTS (MAHARASHTRA AMENDMENT) ACT, 1976 (MAHARASHTRA ACT NO. XIX OF 1976)
- 20 THE INDUSTRIAL DISPUTES (MAHARASHTRA AMENDMENT) ACT, 1976 (MAHARASHTRA ACT NO. XXII OF 1976)
- 21 THE CODE OF CRIMINAL PROCEDURE (MAHARASHTRA AMENDMENT) ACT, 1976 (MAHARASHTRA ACT NO. XXII OF 1976)
- 22 MAHARASHTRA TAXATION LAWS AMENDMENT (INAPPLICABILITY OF LIMITATION) ACT, 1976 (MAHARASHTRA ACT NO. XXIV OF 1976)
- 23 THE MINIMUM WAGES (MAHARASHTRA AMENDMENT) ACT, 1975 (MAHARASHTRA ACT NO. XXV OF 1976)
- 24 THE MAHARASHTRA CASINOS (CONTROL AND TAX) ACT, 1976 (MAHARASHTRA ACT NO. XXXI OF 1976)
- 25 THE MAHARASHTRA SPECIAL PROVISION FOR PAYMENT OF COURT-FEES ACT, 1976 (MAHARASHTRA ACT NO. XXXII OF 1976)
- 26 THE MAHARASHTRA DOG RACE-COURSES LICENSING ACT, 1976 (MAHARASHTRA ACT NO. XXXIII OF 1976)
- 27 THE MAHARASHTRA IRRIGATION ACT, 1976 (MAHARASHTRA ACT NO. XXXVIII OF 1976)
- 28 THE INDIAN ELECTRICITY (MAHARASHTRA AMENDMENT) ACT, 1976 (MAHARASHTRA ACT NO. XLIV OF 1976)
- 29 THE MAHARASHTRA KEEPING AND MOVEMENT OF CATTLE IN URBAN AREAS (CONTROL) ACT, 1976 (MAHARASHTRA ACT NO. XLV OF 1976)
- 30 THE MOTOR VEHICLES (MAHARASHTRA AMENDMENT) ACT, 1976 (MAHARASHTRA ACT NO. XLVII OF 1976)
- 31 THE MAHARASHTRA WATER SUPPLY AND SEWERAGE BOARD ACT, 1976 (MAHARASHTRA ACT NO. XLVIII OF 1976)
- 32 THE MAHARASHTRA LEGISLATURE MEMBERS' PENSION ACT, 1976 (MAHARASHTRA ACT NO. I OF 1977)
- 33 THE MAHARASHTRA TRIBAL ECONOMIC CONDITION (IMPROVEMENT) ACT, 1976 (MAHARASHTRA ACT NO. V OF 1977)
- 34 THE MAHARASHTRA ANIMAL PRESERVATION ACT, 1976 (MAHARASHTRA ACT NO. IX OF 1977)
- 35 THE MAHARASHTRA HOUSING AND AREA DEVELOPMENT ACT, 1976 (MAHARASHTRA ACT NO. XXVIII OF 1977)
- 36 THE LAND ACQUISITION (MAHARASHTRA AMENDMENT) ACT, 1976 (MAHARASHTRA ACT NO. XXIX OF 1977)
- 37 THE MAHARASHTRA MUNICIPAL CORPORATIONS (AMENDMENT) ACT, 1977 (MAHARASHTRA ACT NO. XLII OF 1977)
- 38 THE MAHARASHTRA TAXATION LAWS OFFENCES (EXTENSION OF PERIOD OF LIMITATION) ACT, 1977

- 39 THE MAHARASHTRA CIVIL COURTS (ENHANCEMENT OF PECUNIARY JURISDICTION AND AMENDMENT) ACT, 1977 (MAHARASHTRA ACT NO. XLVI OF 1977)
- II 40 THE MAHARASHTRA MUNICIPAL COUNCILS AND MUNICIPAL CORPORATIONS (POSTPONEMENT OF ELECTIONS DUE TO ENSUING GENERAL ELECTIONS TO THE STATE LEGISLATIVE ASSEMBLY) ACT, 1977 (MAHARASHTRA ACT NO. XLVIII OF 1977)
- II 41 THE MAHARASHTRA CO-OPERATIVE SUGAR FACTORIES (UNDER ERECTION AND CERTAIN OTHERS) (POSTPONEMENT OF ELECTIONS) ACT, 1977 (MAHARASHTRA ACT NO. XLIX OF 1977)
- II 42 THE MAHARASHTRA VILLAGE PANCHAYATS (POSTPONEMENT OF ELECTIONS DUE TO ENSUING GENERAL ELECTIONS OF THE STATE LEGISLATIVE ASSEMBLY, ZILLA PARISHADS AND PANCHAYAT SAMITIS) ACT, 1977 (MAHARASHTRA ACT NO. LI OF 1977)
- 43 THE PRESIDENCY SMALL CAUSE COURTS (MAHARASHTRA AMENDMENT) ACT, 1977 (MAHARASHTRA ACT NO. LIX OF 1977)
- 44 THE CODE OF CIVIL PROCEDURE (MAHARASHTRA AMENDMENT) ACT, 1977 (MAHARASHTRA ACT NO. LXV OF 1977)
- 45 THE CODE OF CRIMINAL PROCEDURE (MAHARASHTRA AMENDMENT) ACT, 1977 (MAHARASHTRA ACT NO. I OF 1978)
- 46 THE MAHARASHTRA EMPLOYEES OF PRIVATE SCHOOLS (CONDITIONS OF SERVICE REGULATION ACT, 1977 (MAHARASHTRA ACT NO. III OF 1978)
- II 47 THE BOMBAY MUNICIPAL CORPORATION (REVISION OF ELECTION ROLL AND FURTHER EXTENSION OF TERM) ACT, 1978 (MAHARASHTRA ACT NO. XVII OF 1978)
- 48 THE LEADERS OF OPPOSITION IN MAHARASHTRA LEGISLATURE SALARIES AND ALLOWANCES ACT, 1978. (MAHARASHTRA ACT NO. VIII OF 1978).
- 49 THE MAHARASHTRA EMPLOYMENT GUARANTEE ACT, 1977 (MAHARASHTRA ACT NO. XX OF 1978)
- 50 THE KAZIS (MAHARASHTRA AMENDMENT) ACT, 1978 (MAHARASHTRA ACT NO. XXI OF 1978)
- II 51 THE MAHARASHTRA MUNICIPALITIES (POSTPONEMENT OF ELECTIONS DUE TO ENSUING GENERAL ELECTIONS TO MUNICIPAL COUNCILS) ACT, 1978 (MAHARASHTRA ACT NO. XXVI OF 1978)
- II 52 THE MAHARASHTRA ZILLA PARISHADS AND PANCHAYAT SAMITIS (POSTPONEMENT OF ELECTIONS TO ZILLA PARISHADS AND PANCHAYAT SAMITIS AND AMENDMENT) ACT, 1979 (MAHARASHTRA ACT NO. X OF 1979)
- 53 THE MAHARASHTRA KHAR LANDS DEVELOPMENT ACT, 1979 (MAHARASHTRA ACT NO. XI OF 1979)
- III 54 THE MAHARASHTRA SALES TAX ACT, 1979 (MAHARASHTRA ACT NO. XVII OF 1979)
- III 55 THE BOMBAY PROVINCIAL MUNICIPAL CORPORATIONS AND CITY OF NAGPUR CORPORATION (AMENDMENT) ACT, 1979 (MAHARASHTRA ACT NO. XXI OF 1979)

- 56 THE MAHARASHTRA TAX ON BUILDINGS (WITH LARGER RESIDENTIAL PREMISES) (RE-ENACTED) ACT, 1979 (MAHARASHTRA ACT NO. XXIX OF 1979)
- 9 III 57 THE MAHARASHTRA SINHASTHA FAIR PILGRIM TAX ACT, 1980 (MAHARASHTRA ACT NO. II OF 1980)
- II 58 THE MAHARASHTRA VILLAGE PANCHAYATS (TEMPORARY POSTPONEMENT OF ELECTIONS DUE TO ELECTIONS TO LOK SABHA) ACT, 1980 (MAHARASHTRA ACT NO. III OF 1980)
- III 59 THE MAHARASHTRA MUNICIPAL CORPORATIONS (AMENDMENT) ACT, 1980 (MAHARASHTRA ACT NO. VI OF 1980)
- 60 THE ERADICATION OF UNFAIR ACTIVITIES AT PANDHARPUR TEMPLES (FOR PROVIDING BETTER FACILITIES FOR WORSHIP) ACT, 1980 (MAHARASHTRA ACT NO. XI OF 1980)
- II 61 THE MAHARASHTRA VILLAGE PANCHAYATS (TEMPORARY FURTHER POSTPONEMENT OF ELECTIONS DUE TO ELECTIONS TO MAHARASHTRA LEGISLATIVE ASSEMBLY) ACT, 1980 (MAHARASHTRA ACT NO. XIV OF 1980)
- 62 THE MAHARASHTRA (CHANGE OF SHORT TITLES OF CERTAIN BOMBAY ACTS) ACT, 1980 (MAHARASHTRA ACT NO. XV OF 1980)
- II 63 THE MAHARASHTRA VACANT LANDS (FURTHER INTERIM PROTECTION TO OCCUPIERS FROM EVICTION AND RECOVERY OF ARREARS OF RENT) ACT, 1980 (MAHARASHTRA ACT NO. XVI OF 1980)
- II 64 THE DISSOLUTION OF OSMANABAD AND PARBHANI ZILLA PARISHADS AND TEMPORARY POSTPONEMENT OF ELECTIONS ACT, 1980 (MAHARASHTRA ACT NO. XIX OF 1980)
- 65 THE MAHARASHTRA MUNICIPAL CORPORATIONS AND MUNICIPALITIES (AMENDMENT) ACT, 1980 (MAHARASHTRA ACT NO. XX OF 1980)
- 66 SHRI SIDDHI VINAYAK GANPATI TEMPLE TRUST (PRABHADEVI) ACT, 1980 (MAHARASHTRA ACT NO. VI OF 1981)
- 67 THE MAHARASHTRA PREVENTION OF COMMUNAL, ANTI-SOCIAL AND OTHER DANGEROUS ACTIVITIES ACT, 1980 (MAHARASHTRA ACT NO. VII OF 1981)
- III 68 THE BOMBAY PROVINCIAL MUNICIPAL CORPORATIONS, CITY OF NAGPUR CORPORATION AND MAHARASHTRA MUNICIPALITIES (AMENDMENT) ACT, 1981 (MAHARASHTRA ACT NO. XII OF 1981)
- 69 THE INDUSTRIAL DISPUTES AND THE MAHARASHTRA UNEMPLOYMENT ALLOWANCES PAYMENT TO WORKMEN IN FACTORIES (FOR TEMPORARY PERIOD) (AMENDMENT) ACT, 1981 (MAHARASHTRA ACT NO. XXII OF 1981)
- III 70 THE MAHARASHTRA PREVENTION OF WATER POLLUTION (REPEAL) ACT, 1981 (MAHARASHTRA ACT NO. XXXI OF 1981)
- 71 THE CODE OF CRIMINAL PROCEDURE (MAHARASHTRA AMENDMENT) ACT, 1981 (MAHARASHTRA ACT NO. XXXIV OF 1981)
- 72 THE INDIAN ELECTRICITY (MAHARASHTRA AMENDMENT) ACT, 1981 (MAHARASHTRA ACT NO. XLV OF 1981)

- 73 THE MAHARASHTRA ZILLA PARISHADS AND PANCHAYAT SAMITIS (AMENDMENT AND VALIDATION) ACT, 1981 (MAHARASHTRA ACT NO. XLVI OF 1981)
- 74 THE MAHARASHTRA MARINE FISHING REGULATION ACT, 1981 (MAHARASHTRA ACT NO. LIV OF 1981)
- 75 THE MAHARASHTRA PREVENTION OF DANGEROUS ACTIVITIES OF SLUMLORDS, BOOTLEGGERS AND DRUG-OFFENDERS ACT, 1981 (MAHARASHTRA ACT NO. LV OF 1981)
- 76 THE MAHARASHTRA PRIVATE SECURITY GUARDS (REGULATION OF EMPLOYMENT AND WELFARE) ACT, 1981 (MAHARASHTRA ACT NO. LVIII OF 1981)
- 77 THE CODE OF CRIMINAL PROCEDURE (MAHARASHTRA SECOND AMENDMENT) ACT, 1981 (MAHARASHTRA ACT NO. LX OF 1981)
- 78 THE MAHARASHTRA ADVOCATES WELFARE FUND ACT, 1981 (MAHARASHTRA ACT NO. LXI OF 1981)
- 79 THE BOMBAY PROVINCIAL MUNICIPAL CORPORATIONS, CITY OF NAGPUR CORPORATION AND MAHARASHTRA MUNICIPALITIES (SECOND AMENDMENT) ACT, 1981 (MAHARASHTRA ACT NO. LXVIII OF 1981)
- 80 THE BOMBAY PROVINCIAL MUNICIPAL CORPORATIONS, CITY OF NAGPUR CORPORATION AND MAHARASHTRA MUNICIPALITIES (SECOND AMENDMENT) ACT, 1981 (MAHARASHTRA ACT NO. LXIX OF 1981)
- 81 THE INDUSTRIAL DISPUTES (MAHARASHTRA AMENDMENT) ACT, 1981 (MAHARASHTRA ACT NO. III OF 1982)
- 82 THE BOMBAY MOTOR VEHICLES (TAXATION OF PASSENGERS) (AMENDMENT AND VALIDATION) ACT, 1981 (MAHARASHTRA ACT NO. IV OF 1982)
- 83 THE MAHARASHTRA TENANCY LAWS AND MAHARASHTRA LAND REVENUE CODE (AMENDMENT AND VALIDATION OF APPOINTMENTS OF CERTAIN OFFICERS AND PROCEEDINGS) ACT, 1981 (MAHARASHTRA ACT NO. V OF 1982)
- 84 THE MAHARASHTRA LUXURY-CUM-ENTERTAINMENT AND AMUSEMENT TAX ON HOLDERS OF TELEVISION SETS (REPEAL) ACT, 1985 (MAHARASHTRA ACT NO. V OF 1985)
- 85 THE MAHARASHTRA TAXATION LAWS OFFENCES (EXTENSION OF PERIOD OF LIMITATION) ACT, 1981 (MAHARASHTRA ACT NO. XXII OF 1982)
- 86 THE MAHARASHTRA PREVENTION OF MALPRACTICES AT UNIVERSITY, BOARD AND OTHER SPECIFIED EXAMINATIONS ACT, 1982 (MAHARASHTRA ACT NO. XXXI OF 1982)
- 87 THE MAHARASHTRA TEXTILE COMPANIES (ACQUISITION AND TRANSFER OF UNDERTAKINGS) ACT, 1982 (MAHARASHTRA ACT NO. XXXIII OF 1982)
- 88 THE PULGAON COTTON MILLS LIMITED (ACQUISITION OF SHARES) ACT, 1982 (MAHARASHTRA ACT NO. XXXIV OF 1982)
- 89 THE MAHARASHTRA KIDNEY TRANSPLANTATION ACT, 1982 (MAHARASHTRA ACT NO. XII OF 1983)

- 90 THE ADMINISTRATORS - GENERAL AND OFFICIAL TRUSTEES (MAHARASHTRA AMENDMENT) ACT, 1982 (MAHARASHTRA ACT NO. XIV OF 1983)
- 91 THE MAHARASHTRA SUPPLY OF FOREST-PRODUCE BY GOVERNMENT (REVISION OF AGREEMENTS) ACT, 1982 (MAHARASHTRA ACT NO. XVI OF 1983)
- 92 THE MAHARASHTRA DRINKING WATER SUPPLY REQUISITION ACT, 1983 (MAHARASHTRA ACT NO. XX OF 1983)
- 93 THE MAHARASHTRA FOREST DEVELOPMENT (TAX ON SALES OF FOREST - PRODUCE BY GOVERNMENT OR FOREST DEVELOPMENT CORPORATION) (CONTINUANCE) ACT, 1983 (MAHARASHTRA ACT NO. XXII OF 1983)
- 94 THE POLICE (INCITEMENT TO DISAFFECTION) (MAHARASHTRA AMENDMENT) ACT, 1983 (MAHARASHTRA ACT NO. XXIII OF 1983)
- 95 THE BOMBAY PROVINCIAL MUNICIPAL CORPORATIONS, CITY OF NAGPUR CORPORATION AND THE MAHARASHTRA MUNICIPALITIES (AMENDMENT) ACT, 1983 (MAHARASHTRA ACT NO. XXVII OF 1983)
- 96 THE MAHARASHTRA SPECIFIED CO - OPERATIVE SOCIETIES (POSTPONEMENT OF ELECTIONS DUE TO DROUGHT CONDITIONS IN THE STATE) ACT, 1983 (MAHARASHTRA ACT NO. XXVIII OF 1983)
- 97 THE MAHARASHTRA PUBLIC SERVICES (SUBORDINATE) SELECTION BOARDS (REPEAL) ACT, 1983 (MAHARASHTRA ACT NO. XXXIV OF 1983)
- 98 THE MAHARASHTRA LAND REVENUE CODE (AMALGAMATION OF BOMBAY AND KONKAN DIVISIONS) ACT, 1983 (MAHARASHTRA ACT NO. XXXIX OF 1983)
- 99 THE LEPERS (MAHARASHTRA REPEAL) ACT, 1983 (MAHARASHTRA ACT NO. XL OF 1983)
- 100 THE MAHARASHTRA AGRICULTURAL UNIVERSITIES (KRISHI VIDYAPEETHS) ACT, 1983 (MAHARASHTRA ACT NO. XLI OF 1983)
- 101 THE BOMBAY METROPOLITAN REGION COMMODITIES MARKETS (REGULATION OF LOCATION) ACT, 1983 (MAHARASHTRA ACT NO. XLII OF 1983)
- 102 THE MAHARASHTRA VILLAGE PANCHAYATS (TEMPORARY POSTPONEMENT OF ELECTIONS DUE TO PREPARATION OF REVISED ASSEMBLY ROLL) ACT, 1983 (MAHARASHTRA ACT NO. XLVI OF 1983)
- 103 THE BOMBAY MUNICIPAL CORPORATION, BOMBAY PROVINCIAL MUNICIPAL CORPORATIONS, CITY OF NAGPUR CORPORATION AND MAHARASHTRA MUNICIPALITIES (AMENDMENT) ACT, 1984 (MAHARASHTRA ACT NO. VII OF 1984)
- 104 THE INDIAN FORST (MAHARASHTRA SECOND AMENDMENT) ACT, 1984 (MAHARASHTRA ACT NO. XXIII OF 1984)
- 105 THE PROVINCIAL SMALL CAUSE COURTS AND PRESIDENCY SMALL CAUSE COURTS (MAHARASHTRA AMENDMENT) ACT, 1984 (MAHARASHTRA ACT NO. XXIV OF 1984)
- 106 THE INDIAN PARTNERSHIP (MAHARASHTRA AMENDMENT) ACT, 1984 (MAHARASHTRA ACT NO. XXIX OF 1984)
- 107 THE SHIVRAJ FINE ART LITHO WORKS (ACQUISITION AND TRANSFER OF UNDERTAKING) ACT, 1984 (MAHARASHTRA ACT NO. XXXVI OF 1984)

MAHARASHTRA LAW COMMISSIONANNEXURE - II

NAMES OF THE ACTS FROM VOLUME NO. VIII OF THE MAHARASHTRA CODE WHICH ARE ALREADY REPEALED OR WHICH HAVE ALREADY EXPIRED AND THEREFORE REQUIRED TO BE REMOVED FROM THE STATUTE BOOK.

SR.NO.1                    THE MOTOR VEHICLES (MAHARASHTRA AMENDMENT)  
ACT, 1975  
(MAHARASHTRA ACT NO. XIX OF 1975)

This Act has been enacted to amend the Motor Vehicles Act, 1939 (Act No. IV of 1939), in its application to the State of Maharashtra. However, the Motor Vehicles Act, 1939 has been repealed by the Motor Vehicles Act, 1988 (Act No. LIX of 1988). In view of this, this amending Act may be removed from the statute book.

SR.NO.2                    THE MOTOR VEHICLES (MAHARASHTRA AMENDMENT)  
ACT, 1976  
(MAHARASHTRA ACT NO. XLVII OF 1976)

This Act has been enacted to amend the Motor Vehicles Act, 1939 (Act No. IV of 1939), in its application to the State of Maharashtra. The Motor Vehicles Act, 1939, which is a Central Act, has been repealed by Motor Vehicles Act, 1988 (Act No. of 1988). In view of this, this Amending Act may be removed from the statute book.

SR.NO.3                    THE MAHARASHTRA MUNICIPAL COUNCILS AND  
MUNICIPAL CORPORATIONS (POSTPONEMENT OF  
ELECTIONS DUE TO ENSUING GENERAL ELECTIONS  
TO THE STATE LEGISLATIVE ASSEMBLY) ACT, 1977  
(MAHARASHTRA ACT NO. XLVIII OF 1977)

This Act has been enacted to provide for further postponement of elections to certain Municipal Councils and Municipal Corporations for a short period on account of ensuing general elections to the State Legislative Assembly. It may be seen from the Sub-section (1) of Section 3 of this Act that the provisions of this Act are intended to remain in force from the date of commencement of this Act upto and inclusive of the 31<sup>st</sup> day of May 1978. From this, it appears that this Act has spent itself and therefore, it may be removed from the statute book.

SR.NO.4                    THE MAHARASHTRA CO-OPERATIVE SUGAR  
FACTORIES (UNDER ERECTION AND CERTAIN  
OTHERS) (POSTPONEMENT OF ELECTIONS)  
ACT, 1977  
(MAHARASHTRA ACT NO. XLIX OF 1977)

This Act has been enacted to provide for postponement of elections to committees of certain Co-operative Sugar Factories under erection, for facilitating early completion of their erection programmes and starting of trial crushing seasons, and of certain other Co-operative Sugar Factories, whose elections could not be held due to the rainy season. It may be seen from Section 3 of this Act that this is a temporary legislation which would remain in force upto and inclusive of the 20<sup>th</sup> October, 1978. This, therefore, is a spent Act and may be removed from the statute book.

SR.NO.5

THE MAHARASHTRA VILLAGE PANCHAYATS  
(POSTPONEMENT OF ELECTIONS DUE TO ENSUING  
GENERAL ELECTIONS OF THE STATE LEGISLATIVE  
ASSEMBLY, ZILLA PARISHADS AND PANCHAYAT  
SAMITIS) ACT, 1977  
(MAHARASHTRA ACT NO. LI OF 1977)

This Act has been enacted to provide for further postponement of elections to certain village panchayats for a short period on account of ensuing general elections to the State Legislative Assembly, Zilla Parishads and Panchayat Samitis. It may be seen from Section 3 of this Act that the purpose for which this Act was enacted is achieved and therefore, this Act is a Spent Act. Therefore, it may be removed from the statute book.

SR.NO.6

THE BOMBAY MUNICIPAL CORPORATION (REVISION  
OF ELECTION ROLL AND FURTHER EXTENSION OF  
TERM) ACT, 1978  
(MAHARASHTRA ACT NO. XVII OF 1978)

This Act has been enacted to provide for further revision of the municipal election roll and extension of the term of office of the Councillors of the Municipal Corporation of Greater Bombay. This Act was enacted to meet an emergent situation arising as a result of examinations of schools and colleges, rainy season and want of an up-to-date Municipal Election Roll. In view of this position Municipal elections could not be held. In order to meet this situation it was considered necessary to enact this Act for the purpose of extending the terms of Councillors of the Municipal Corporation upto the 15<sup>th</sup> day of November 1978. This Act has spent itself and therefore, it may be removed from the statute book.

SR.NO.7

THE MAHARASHTRA MUNICIPALITIES  
(POSTPONEMENT OF ELECTIONS DUE  
TO ENSUING GENERAL ELECTIONS TO  
MUNICIPAL COUNCILS) ACT, 1978  
(MAHARASHTRA ACT NO. XXVI OF 1978)

This Act has been enacted to provide for the postponement of elections to certain Municipal Councils and of certain Presidents and Councillors for a short period on account of ensuing general elections to the majority of the Municipal Councils in the State. From Sub-section (3) of this Act, it may be seen that this Act was to remain in force upto and inclusive of 31<sup>st</sup> day of May 1980 and thereafter it shall expire. In view of this position, it is clear that the Act has spent itself and therefore, it may be removed from the statute book.

SR.NO.8

THE MAHARASHTRA ZILLA PARISHADS AND  
PANCHAYAT SAMITIS (POSTPONEMENT OF  
ELECTIONS TO ZILLA PARISHADS AND  
PANCHAYAT SAMITIS AND AMENDMENT)  
ACT, 1979  
(MAHARASHTRA ACT NO. X OF 1979)

This Act has been enacted to provide for postponement of elections to certain Zilla Parishads and Panchayat Samitis in the State and further to amend the Maharashtra Zilla Parishads and Panchayat Samitis Act, 1961 (Mah. Act No. V of 1962). From Section 3 of this Act, it may be seen that this Act is a temporary legislation which would remain in force only upto and inclusive of 30<sup>th</sup> day of June 1979. Thus, this Act has spent itself and therefore, it may be removed from the statute book.

SR.NO.9

THE MAHARASHTRA SINHASTHA FAIR PILGRIM TAX  
ACT, 1980  
(MAHARASHTRA ACT NO. II OF 1980)

This Act has been enacted to provide for levy and collection of a tax on pilgrims visiting Trimbak Municipal area during the period of Sinhastha Fair in 1979-80. From Sub-section (3) of Section 1 of this Act, it may be seen that this Act shall remain in force during the period beginning from 29<sup>th</sup> August 1979 and ending on 26<sup>th</sup> September 1980 and then the Act shall cease to have effect. In view of the position of self-expiry of this Act, it may be removed from the statute book.

SR.NO.10

THE MAHARASHTRA VILLAGE PANCHAYATS  
(TEMPORARY POSTPONEMENT OF ELECTIONS DUE  
TO ELECTIONS TO LOK SABHA) ACT, 1980  
(MAHARASHTRA ACT NO. III OF 1980)

This Act has been enacted to provide for temporary postponement of elections to village panchayats due to ensuing elections to Lok Sabha. This is a temporary legislation enacted for a limited period. Sub-section (3) of Section 1 of this Act inter-alia provides that the Act shall remain in operation upto and inclusive of 30.03.1980 and then shall expire. In view of the position of self-expiry of this Act, it may be removed from the statute book.

SR.NO.11

THE MAHARASHTRA VILLAGE PANCHAYATS  
(TEMPORARY FURTHER POSTPONEMENT OF  
ELECTIONS DUE TO ELECTIONS TO MAHARASHTRA  
LEGISLATIVE ASSEMBLY) ACT, 1980  
(MAHARASHTRA ACT NO. XIV OF 1980)

This Act has been enacted to provide for temporary further postponement of elections to village panchayats due to elections to the Maharashtra Legislative Assembly. This is a temporary legislation and by virtue of provisions made in Sub-section (3) of Section 1, the Act shall remain in force only upon 31.03.1981 and then shall expire. In view of the position of self-expiry of this Act, it may be removed from the statute book.

SR.NO.12

THE MAHARASHTRA VACANT LANDS (FURTHER  
INTERIM PROTECTION TO OCCUPIERS FROM  
EVICITION AND RECOVERY OF ARREARS OF RENT)  
ACT, 1980  
(MAHARASHTRA ACT NO. XVI OF 1980)

This Act has been enacted to provide for further interim protection to occupiers of vacant lands in the State of Maharashtra from eviction and recovery of arrears of rent or compensation and for matters incidental or connected therewith. From Sub-section (3) of Section 1 of this Act, it may be seen that the said Act was to remain in force upto and inclusive of 30.09.1985. Thus, the Act has expired itself and therefore, it may be removed from the statute book.

SR.NO.13

THE DISSOLUTION OF OSMANABAD AND PARBHANI  
ZILLA PARISHADS AND TEMPORARY POSTPONEMENT  
OF ELECTIONS ACT, 1980  
(MAHARASHTRA ACT NO. XIX OF 1980)

This Act has been enacted to provide for dissolution of Osmanabad and Parbhani Zilla Parishads' temporary postponement of elections and appointment of administrators. From Sub-section (3) of Section 1 of this Act, it may be seen that the said Act was to remain in force upto and inclusive of 30.03.1992 and was then to expire. Thus, the Act has expired and therefore, it may be removed from the statute book.

SR.NO.14

THE MAHARASHTRA SPECIFIED CO - OPERATIVE  
SOCIETIES (POSTPONEMENT OF ELECTIONS DUE TO  
DROUGHT CONDITIONS IN THE STATE) ACT, 1983  
(MAHARASHTRA ACT NO. XXVIII OF 1983)

This Act has been enacted to provide for the postponement of Elections to Committees of Specified Co-operative Societies because of widespread drought conditions in the State. It may be seen from the provisions of sub-section (3) of Section 1 that the Act shall remain in force upto and inclusive of 31<sup>st</sup> December 1983 and then shall expire. Thus, this Act has expired and therefore, it may be removed from the statute book.

SR.NO.15

THE MAHARASHTRA VILLAGE PANCHAYATS  
(TEMPORARY POSTPONEMENT OF ELECTIONS DUE  
TO PREPARATION OF REVISED ASSEMBLY ROLL)  
ACT, 1983  
(MAHARASHTRA ACT NO. XLVI OF 1983)

This Act has been enacted to provide for temporary postponement of elections to village panchayats. This Act was enacted for temporary period. Sub-section (3) of Section 1 provides that it shall remain in operation upto and inclusive of 31<sup>st</sup> March 1984 and shall then expire. Thus, the Act has expired and therefore, it may be removed from the statute book.

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MAHARASHTRA LAW COMMISSION

ANNEXURE - III

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

SR.NO.1                      THE CITY OF NAGPUR CORPORATION (AMENDMENT) ACT, 1974  
(MAHARASHTRA ACT NO. III OF 1975)

This Act has been enacted to amend the City of Nagpur Corporation Act, 1948 (C.P. & Berar Act No. II of 1950). Since the Law & Judiciary Department has brought out Reprint of the City of Nagpur Corporation Act, 1948, which is brought up-to-date by incorporating in it amendments made upto and inclusive of Mah. Act No. 20 of 1995, it is not necessary to retain this amending Act on the statute book. This amending Act may therefore, be repealed.

SR.NO.2                      THE RECOVERY AND PENALTY PROVISIONS OF MAHARASHTRA ORDINANCE NO. III OF 1975 CONTINUANCE ACT, 1975  
(MAHARASHTRA ACT NO. XXXIX OF 1975)

This Act has been enacted to provide for the continuance of certain provisions of the Maharashtra Unemployment Allowance Payment to Workmen in Factories (for Temporary Period) Ordinance, 1975 (Mah. Ord. III of 1975). Section 2 of this Act is as follows :-

"2(1) : Notwithstanding the expiry of the Maharashtra Unemployment Allowance Payment to Workmen in Factories (for Temporary Period) Ordinance, 1975, on the 31<sup>st</sup> day of July 1975, that Ordinance shall continue and shall be deemed always to have continued to have effect for the purposes of recovery of any money by way of unemployment allowance due, for the purpose of any penalty incurred, on or before the said date or for any other purpose connected with, or incidental to, any of the purposes aforesaid."

From the above Section, it appears that the provisions of the above-mentioned Ordinance expired on 31<sup>st</sup> July, 1975 and till then the dues were not recovered and therefore, this Act is passed to enable to recover those dues thereafter. The dues to be recovered were for the period on or before 31<sup>st</sup> July, 1975. The dues recoverable in this Act relate to matters arising under the aforesaid Ordinance of 1975. All proceedings, that may have commenced under the said Ordinance and which may still be pending, would stand protected under the provisions of the General Clauses Act as well as other laws. The present enactment may therefore, be repealed with the appropriate saving clause.

SR.NO.3                      THE MAHARASHTRA SPECIAL PROVISION FOR PAYMENT OF COURT-FEES ACT, 1976  
(MAHARASHTRA ACT NO. XXXII OF 1976)

This Act has been enacted to make temporary provisions for the collection of fees charged or chargeable under the Bombay Court - fees Act, 1959 (Bom. Act No. XXVI of 1959), otherwise than by stamps. Section 1 (3) of this Act says that this Act shall remain in force for a period of two years commencing on the date on which this Act has been brought into force under sub-section (2) and shall then expire. It appears that this Act has not been brought in force till date. It is nearly 25 years since this Act is enacted. Therefore, we may request the

SR.NO.4                      THE MAHARASHTRA DOG RACE-COURSES LICENSING  
ACT, 1976  
(MAHARASHTRA ACT NO. XXXIII OF 1976)

This Act has been enacted to provide for regulation, control and management of dog-racing in the State of Maharashtra and for matters connected therewith. However, the Commission is of the view that there are no dog-races in Maharashtra. There is no point in continuing this Act on statute book. However, the Government may consider and decide to repeal this Act.

SR.NO.5                      THE MAHARASHTRA MUNICIPAL CORPORATIONS  
(AMENDMENT) ACT, 1977  
(MAHARASHTRA ACT NO. XLII OF 1977)

This Act has been enacted to amend the Bombay Municipal Corporation Act, 1888 (Bom. Act No. III of 1888), 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). The amendments made to the Bombay Municipal Corporation Act, and Bombay Provincial Municipal Corporations Act, 1949 have been incorporated in the Principal Act. Further, in view of the fact that the 'Reprint' of the City of Nagpur Corporation Act published by the Law & Judiciary Department contains amendments made upto and inclusive of Mah. Act No. 20 of 1995, this Amending Act may be repealed.

SR.NO.6                      THE MAHARASHTRA SALES TAX ACT, 1979  
(MAHARASHTRA ACT NO. XVII OF 1979)

This Act has been enacted to consolidate and amend the law relating to the levy and collection of tax on the sale or purchase of certain goods in the State of Maharashtra. It may be noted here that at present for the purpose of levying and collection of tax on the sale or purchase of certain goods in the State of Maharashtra the law applicable is the Bombay Sales Tax Act, 1959 (Bom. Act No. LI of 1959) and not the Maharashtra Sales Tax Act, 1979. The Maharashtra Sales Tax Act, 1979 was not brought into force as was required under Sub-section (3) of Section 1 of the said Act. It is more than 20 years now that this Act has been passed but not brought in force. Therefore, the Government may consider whether they want to bring it in force. Otherwise, it may be repealed.

SR.NO.7                      THE BOMBAY PROVINCIAL MUNICIPAL  
CORPORATIONS AND CITY OF NAGPUR  
CORPORATION (AMENDMENT) ACT, 1979  
(MAHARASHTRA ACT NO. XXI OF 1979)

This Act has been enacted 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). It may be seen that the amendments made to the Bombay Provincial Municipal Corporations Act, 1949 have been incorporated in the Principal Act. The amendments made by this Act to the City of Nagpur Corporation Act, 1948 have also been incorporated in the reprint published by the Law and Judiciary Department. Therefore, this Act may be repealed.

SR.NO.8THE MAHARASHTRA MUNICIPAL CORPORATIONS  
(AMENDMENT) ACT, 1980  
(MAHARASHTRA ACT NO. VI OF 1980)

This Act has been enacted to amend the Bombay Municipal Corporation Act, 1888 (Bom. Act NO. III of 1888), 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). The amendments made to the Bombay Municipal Corporation Act, and the Bombay Provincial Municipal Corporations Act, 1949 have already been incorporated in the respective Principal Acts and it may be seen from the reprint (modified upto 31<sup>st</sup> December 1995) of the City of Nagpur Corporation Act, 1948 that the amendments made by the Maharashtra Act No. VI of 1980 have also been incorporated in the said Act as seen from the reprint. This Act may, therefore, be repealed.

SR.NO.9THE MAHARASHTRA MUNICIPAL CORPORATIONS AND  
MUNICIPALITIES (AMENDMENT) ACT, 1980  
(MAHARASHTRA ACT NO. XX OF 1980)

This Act has been enacted to amend the Bombay Municipal Corporation Act, 1888 (Bom. Act No. III of 1888), the Bombay Provincial Municipal Corporations Act, 1949 (Bom. Act No. LIX of 1949), the City of Nagpur Corporation Act, 1948 (C.P. & Berar Act No. II of 1950) and the Maharashtra Municipalities Act, 1965 (Mah. Act No. XL of 1965). The amendments made to the Bombay Municipal Corporation Act, 1888, the Bombay Provincial Municipal Corporations Act, 1949 and the Maharashtra Municipalities Act, 1965 have been carried out in the Principal Acts. The amendments made by this Act to the City of Nagpur Corporation Act, 1948 have also been carried out in the Principal Act as seen from the reprint (modified upto 31<sup>st</sup> December 1995) published by the Law & Judiciary Department. This Act may therefore, be repealed.

SR.NO.10THE BOMBAY PROVINCIAL MUNICIPAL  
CORPORATIONS, CITY OF NAGPUR CORPORATION  
AND MAHARASHTRA MUNICIPALITIES (AMENDMENT)  
ACT, 1981 (MAHARASHTRA ACT NO. XII OF 1981)

This Act has been enacted to amend the Bombay Provincial Municipal Corporations Act, 1949 (Bom. Act No. LIX of 1949), the City of Nagpur Corporation Act, 1948 (C.P. & Berar Act No. II of 1950) and the Maharashtra Municipalities Act, 1965 (Mah. Act No. XL of 1965). The amendments made to the Bombay Municipal Corporation Act, 1888, the Bombay Provincial Municipal Corporations Act, 1949 and the Maharashtra Municipalities Act, 1965 have been carried out in the Principal Acts and the amendments made to the City of Nagpur Corporation Act, 1948 have been incorporated in the Principal Act as seen from the reprint (modified upto 31<sup>st</sup> December 1995) of the said Act published by the Law & Judiciary Department. Therefore, this Amendment Act may be repealed.

SR.NO.11THE MAHARASHTRA PREVENTION OF WATER  
POLLUTION (REPEAL) ACT, 1981  
(MAHARASHTRA ACT NO. XXXI OF 1981)

This Act has been enacted to repeal the Maharashtra Prevention of Water Pollution Act, 1969 (Mah. Act No. XVI of 1970). Thus, the repeal having taken place, the repealing Act may also be repealed. Here, it may be noted that the Central Acts namely, the Water (Prevention and Control of Pollution) Act, 1974 (Act No.VI of 1974) and the Water (Prevention and Control of Pollution) Amendment Act, 1978 (Act No.XLIV of 1978), were made applicable to the State of Maharashtra by passing a Resolution by both the Houses of the State Legislature under Article 252 of Constitution of India.

SR.NO.12

THE MAHARASHTRA ZILLA PARISHADS AND  
PANCHAYAT SAMITIS (AMENDMENT AND  
VALIDATION) ACT, 1981  
(MAHARASHTRA ACT NO. XLVI OF 1981)

This Act has been enacted to amend the Maharashtra Zilla Parishads and Panchayat Samitis Act, 1961 (Mah. Act No. V of 1962) and to validate the levy and collection of a cess on lands on the basis of royalty on minerals therein. By this Act besides amending Section 156 of the Maharashtra Zilla Parishads and Panchayat Samitis Act, 1961 two Sections validating the levy of collection of cess were also provided in it. The said amendment has been incorporated in the Principal Act, except Sections 4 and 5 of the said Act, which provides for validation of levy and collection of the cess. However, in view of the provisions of Section 156 conferring the said powers with retrospective effect, it is not necessary to retain Sections 4 and 5 also. This Act may, therefore, be repealed.

SR.NO.13

THE BOMBAY PROVINCIAL MUNICIPAL  
CORPORATIONS, CITY OF NAGPUR  
CORPORATION AND MAHARASHTRA  
MUNICIPALITIES (SECOND AMENDMENT)  
ACT, 1981  
(MAHARASHTRA ACT NO. LXVIII OF 1981)

SR.NO.14

THE BOMBAY PROVINCIAL MUNICIPAL  
CORPORATIONS, CITY OF NAGPUR  
CORPORATION AND MAHARASHTRA  
MUNICIPALITIES (SECOND AMENDMENT)  
ACT, 1981  
(MAHARASHTRA ACT NO. LXIX OF 1981)

The above mentioned two Acts have been enacted to amend the Bombay Provincial Municipal Corporations Act, 1949 (Bom. Act No. LIX of 1949), the City of Nagpur Corporation Act, 1948 (C.P. & Berar Act No. II of 1950) and the Maharashtra Municipalities Act, 1965 (Mah. Act No. XL of 1965). The amendments made to the Bombay Provincial Municipal Corporations Act, 1949 and the Maharashtra Municipalities Act, 1965 have been incorporated in the respective Principal Acts and the amendments made to the City of Nagpur Corporation Act, 1948 have been incorporated in the Principal Act as seen from the reprint (modified upto 31<sup>st</sup> December 1995) of the said Act published by the Law & Judiciary Department. Therefore, this Act may be repealed.

SR.NO.15

THE BOMBAY MOTOR VEHICLES (TAXATION OF  
PASSENGERS) (AMENDMENT AND VALIDATION)  
ACT, 1981  
(MAHARASHTRA ACT NO. IV OF 1982)

This Act has been enacted to amend the Bombay Motor Vehicles (Taxation of Passengers) Act, 1958 (Bom. Act No. LXVII of 1958), and to validate the levy and collection of the tax on passengers carried in private service vehicles. The amendments made to the Principal Act i.e. the Bombay Motor Vehicles (Taxation of Passengers) Act, 1958 have been incorporated in the Principal Act. Sections 7 and 8 of this Act, which make provision, *inter alia*, relating to validation of levy and assessment and collection of tax under the said Act for the period prior to commencement of this Act, and the compliance of the action thereunder was to be made within specified period, which is now over long back. This Act may, therefore, be repealed.

SR.NO.16

THE MAHARASHTRA LUXURY-CUM-ENTERTAINMENT  
AND AMUSEMENT TAX ON HOLDERS OF TELEVISION  
SETS (REPEAL) ACT, 1985  
(MAHARASHTRA ACT NO. V OF 1985)

This Act was enacted to repeal the Maharashtra Luxury-cum-Entertainment and Amusement Tax on Holders of Television Sets Act, 1982 (Mah. Act No. XIX of 1982). It may be seen from the provisions of Section 3 that besides repealing the 1982 Act, it also provides that the holder of a television sets who has paid tax were entitled to claim refund of the tax paid under the 1982 Act. Presuming that refund process has been over, this Act may be repealed.

SR.NO.17

THE MAHARASHTRA KIDNEY TRANSPLANTATION  
ACT, 1982  
(MAHARASHTRA ACT NO. XII OF 1983)

This Act has been enacted to make provisions for use of kidneys of deceased persons, and for donation of kidneys, for therapeutic purposes. This law was passed in the State in 1982 and was further amended in 1992. However, in 1994 the Parliament has passed a law on the transplantation of human organs under Article 252 of the Constitution of India. What is important is that our State Government was party to make request to the Center to pass such law which shall be applicable to the State of Maharashtra. Accordingly, such law is passed by the Parliament and is made applicable to our State from 4<sup>th</sup> February 1995.

The question therefore is whether in view of the Central Act, the present State Act should remain on the statute book. On close examination of provisions of both the Acts it appears that the provisions of the Central Act are more comprehensive, more in detail and more in taking precautions for removal of human organs and their transplantation. Since, the Central Law is made applicable to the State Government it appears that it will over-ride the provisions of the State Law and therefore, that law will have to be observed in all the cases covered by that Act. In the circumstances, it clearly appears that the provisions of the State Act are not necessary and therefore, it may be repealed.

SR.NO.18

THE BOMBAY PROVINCIAL MUNICIPAL  
CORPORATIONS, CITY OF NAGPUR CORPORATION  
AND THE MAHARASHTRA MUNICIPALITIES  
(AMENDMENT) ACT, 1983  
(MAHARASHTRA ACT NO. XXVII OF 1983)

This Act has been enacted to amend the Bombay Provincial Municipal Corporations Act, 1949 (Bom. Act No. LIX of 1949), the City of Nagpur Corporation Act, 1948 (C.P. & Berar Act No. II of 1950) and the Maharashtra Municipalities Act, 1965 (Mah. Act No. XL of 1965). The amendments made to the Bombay Provincial Municipal Corporation Act, 1949 and the Maharashtra Municipalities Act, 1965 have been incorporated in the said Principal Acts and the amendments made to the City of Nagpur Corporation Act, 1948 have been incorporated in the Principal Act as seen from the reprint (modified upto 31<sup>st</sup> December 1995) of the said Act published by the Law & Judiciary Department. Therefore, this Act may be repealed.

SR.NO.19THE LEPERS (MAHARASHTRA REPEAL) ACT, 1983  
(MAHARASHTRA ACT NO. XL OF 1983)

This Act has been enacted to repeal the Lepers Act, 1898 (Act No. III of 1898), in its application to the State of Maharashtra. The Central Act 1898 has not been repealed by the Parliament but the State Government has repealed the said Act in so far as the State of Maharashtra is concerned. In view of the said position, this Maharashtra Act may also be repealed.

SR.NO.20THE BOMBAY MUNICIPAL CORPORATION, BOMBAY  
PROVINCIAL MUNICIPAL CORPORATIONS, CITY OF  
NAGPUR CORPORATION AND MAHARASHTRA  
MUNICIPALITIES (AMENDMENT) ACT, 1984  
(MAHARASHTRA ACT NO. VII OF 1984)

This Act has been enacted to provide for postponement of elections to certain Municipal Corporations and Municipal Councils and further to amend the Bombay Municipal Corporation Act, 1888 (Bom. Act NO. III of 1888), the Bombay Provincial Municipal Corporations Act, 1949 (Bom. Act No. LIX of 1949), the City of Nagpur Corporation Act, 1948 (C.P. & Berar Act No. II of 1950) and the Maharashtra Municipalities Act, 1965 (Mah. Act No. XL of 1965). Since, the amendments made to the Sections mentioned in the above Acts have been incorporated in the respective Principal Acts and therefore, this amending Act may be repealed.

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

SR.NO.1                    THE BOMBAY METROPOLITAN REGION  
DEVELOPMENT AUTHORITY ACT, 1974  
(MAHARASHTRA ACT NO. IV OF 1975)

This Act has been enacted for forming Greater Bombay and certain areas round about into a Bombay Metropolitan Region, to provide for the establishment of an Authority for the purpose of planning, co-ordinating and supervising the proper, orderly and rapid development of the area in that Region and of executing plans, projects and schemes for such development, and to provide for matters connected therewith. The provisions of this Act are necessary and useful and therefore, this Act may be retained.

SR.NO.2                    THE MAHARASHTRA PROVISION OF FACILITIES FOR  
AGRICULTURAL CREDIT BY BANKS ACT, 1974  
(MAHARASHTRA ACT NO. V OF 1975)

This Act has been enacted to make better provision for the adequate supply of credit for increasing agricultural production and development in the State ; and for that purpose to remove any restrictions on alienation of certain agricultural lands, so that banks may provide credit on such agricultural lands ; to provide for the speedy recovery of the dues of such banks which provide credit ; and to provide for matters connected with and incidental to the purposes aforesaid. The provisions of this Act are useful and necessary and therefore, this Act may be retained.

SR.NO.3                    THE MAHARASHTRA RESTORATION OF LANDS TO  
SCHEDULED TRIBES ACT, 1974  
(MAHARASHTRA ACT NO. XIV OF 1975)

This Act has been enacted to provide for the restoration of certain lands to persons belonging to the Scheduled Tribes. The provisions of this Act are beneficial to the Scheduled Tribes and they should continue so as to help them in future also. Therefore, the provisions of this Act should be retained.

SR.NO.4                    THE MAHARASHTRA STATE TAX ON PROFESSIONS,  
TRADES CALLINGS AND EMPLOYMENTS ACT, 1975  
(MAHARASHTRA ACT NO. XVI OF 1975)

This Act has been enacted to provide for the levy and collection of a tax on professions, trades, callings and employments for the benefit of the State. The provisions of this Act are necessary and useful and therefore, this Act may be retained.

SR.NO.5                    THE MAHARASHTRA PRIVATE FORESTS  
(ACQUISITION) ACT, 1975  
(MAHARASHTRA ACT NO. XXIX OF 1975)

This Act has been enacted to acquire private forests in the State and to provide for certain other matters. This Act is necessary and useful and therefore, the same may be retained.

SR.NO.6                    THE INDIAN CRIMINAL LAW AMENDMENT  
(MAHARASHTRA AMENDMENT) ACT, 1975  
(MAHARASHTRA ACT NO. XXXVIII OF 1975)

This Act has been enacted to amend the Indian Criminal Law Amendment Act, 1908 (Act No. XIV of 1908), in its application to the State of Maharashtra. The Indian Criminal Law Amendment Act, 1908 being a Central Act, the amendments made by the State do not get automatically incorporated in the said Principal Act and therefore, the amendments made will have to be retained, so that the same can be read alongwith the Principal Act.

SR.NO.7                    THE MAHARASHTRA (URBAN AREAS) PRESERVATION  
OF TREES ACT, 1975  
(MAHARASHTRA ACT NO. XLIV OF 1975)

This Act has been enacted to make better provision for trees in urban areas in the State by regulating felling of trees and providing for planting of adequate number of new trees in those areas. The provisions of this Act are necessary and useful and therefore, the same may be retained.

SR.NO.8                    THE REGISTRATION (MAHARASHTRA AMENDMENT)  
ACT, 1975  
(MAHARASHTRA ACT NO. XLIX OF 1975)

This Act has been enacted to amend the Registration Act, 1908 (Act No. XVI of 1908), in its application to the State of Maharashtra. Since, the Registration Act, 1908 is a Central Act, the amendments made by the State do not get automatically incorporated in it. Therefore, this Act will have to be retained, so that the same can be read alongwith the Principal Act.

SR.NO.9                    THE PREVENTION OF FOOD ADULTERATION  
(MAHARASHTRA AMENDMENT) ACT, 1974  
(MAHARASHTRA ACT NO. L OF 1975)

This Act has been enacted to amend the Prevention of Food Adulteration Act, 1954 (Act No. 37 of 1954), in its application to the State of Maharashtra. The Prevention of Food Adulteration Act, 1954 being a Central Act, the amendments made by the State do not get automatically incorporated in it. Therefore, the amendments made will have to be retained so that they can be read alongwith the Principal Act.

SR.NO.10                    THE MAHARASHTRA VACANT LANDS (PROHIBITION  
OF UNAUTHORISED OCCUPATION AND SUMMARY  
EVICTON) ACT, 1975  
(MAHARASHTRA ACT NO. LXVI OF 1975)

This Act has been enacted to prohibit unauthorised occupation of vacant lands in the urban areas in the State, to provide for summary eviction of persons from such lands and for matters connected therewith. This Act is necessary and useful and therefore, the same may be retained.

SR.NO.11                    THE ESSENTIAL COMMODITIES (MAHARASHTRA  
AMENDMENT) ACT, 1975  
(MAHARASHTRA ACT NO. I OF 1976)

This Act has been enacted to amend the Essential Commodities Act, 1955 (Act No. X of 1955), in its application to the State of Maharashtra. The Essential Commodities Act, 1955 being the Central Act, the amendments made by the State do not get automatically incorporated in it. Therefore, the amendments made will have to be retained so that they can be read alongwith the Principal

SR.NO.12THE MAHARASHTRA DEBT RELIEF ACT, 1975  
(MAHARASHTRA ACT NO. III OF 1976)

This Act has been enacted to provide for relief from indebtedness to certain farmers, rural artisans, rural labourers and workers. The provisions of this Act show that the outstanding debts on the appointed day of certain categories of persons were to stand discharged and further for adjustment of debts of the certain farmers and workers. The debts to which this Act applied were of the time on or before the Chapter V of this Act applied. Certain time limit is provided to start proceedings under this Act and thereafter, a procedure is laid down for adjustment of those debts. Chapter V came in force in 1979. Eventhough 20 years have passed since then it is just possible that some of the proceedings under this Act may be pending and therefore, to facilitate the conclusions of the proceedings, this Act may be retained.

SR.NO.13THE MAHARASHTRA REPEALING AND AMENDING  
ACT, 1976  
(MAHARASHTRA ACT NO. XI OF 1976)

This Act has been enacted to repeal certain Acts and to amend certain other enactments. This is a repealing and amending Act which may be retained on the statute book for the purpose of future reference.

SR.NO.14THE MAHARASHTRA EDUCATIONAL INSTITUTIONS  
(MANAGEMENT) ACT, 1976  
(MAHARASHTRA ACT NO. XIII OF 1976)

This Act has been enacted to provide for taking over management of the property of certain educational institutions for a limited period. The provisions of this Act appear to be necessary and useful and therefore, the same may be retained.

SR.NO.15THE MAHARASHTRA UNEMPLOYMENT ALLOWANCE  
PAYMENT TO WORKMEN IN FACTORIES (FOR  
TEMPORARY PERIOD) ACT, 1976  
(MAHARASHTRA ACT NO. XIV OF 1976)

This Act has been enacted to provide for employers to pay unemployment allowance to certain workmen who, due to short working of factories on account of shortage of power, cannot be given employment therein on certain days during certain temporary period and to provide for matters connected therewith. The provisions of this Act are beneficial to the workers and are required to be continued further and therefore, they will have to be retained.

SR.NO.16THE PRESIDENCY SMALL CAUSE COURTS  
(MAHARASHTRA AMENDMENT) ACT, 1976  
(MAHARASHTRA ACT NO. XIX OF 1976)

This Act has been enacted to amend the Presidency Small Cause Courts Act, 1882 (Act No. XV of 1882), in its application to the State of Maharashtra. Since the Presidency Small Cause Courts Act, 1882 is a Central Act, the amendments made by the State do not get automatically incorporated in it. Therefore, this Act will have to be retained so that it can be read alongwith the Principal Act.

SR.NO.17

THE INDUSTRIAL DISPUTES (MAHARASHTRA  
AMENDMENT) ACT, 1976  
(MAHARASHTRA ACT NO. XXII OF 1976)

This Act has been enacted to amend the Industrial Disputes Act, 1947 (Act No. XIV of 1947), in its application to the State of Maharashtra. Since the Industrial Disputes Act, 1947 is a Central Act, the amendments made by the State do not get automatically incorporated in it. Therefore, this Amendment Act made will have to be retained so that it can be read alongwith the Principal Act.

SR.NO.18

THE CODE OF CRIMINAL PROCEDURE  
(MAHARASHTRA AMENDMENT) ACT, 1976  
(MAHARASHTRA ACT NO. XXII OF 1976)

This Act has been enacted to amend the Code of Criminal Procedure, 1973 (Act No. 2 of 1974), in its application to the State of Maharashtra. Since the Code of Criminal Procedure, 1973 is a Central enactment, the amendments made by the State do not get automatically incorporated in it. Therefore, this Amendment Act made will have to be retained so that it can be read alongwith the Principal Act.

SR.NO.19

MAHARASHTRA TAXATION LAWS AMENDMENT  
(INAPPLICABILITY OF LIMITATION) ACT, 1976  
(MAHARASHTRA ACT NO. XXIV OF 1976)

This Act has been enacted to provide for the inapplicability of the provisions of Chapter XXXVI of the Code of Criminal Procedure, 1973 (Act No. 2 of 1974) to offences under certain taxation laws of the State of Maharashtra. Section 2 of this Act says that nothing in Chapter XXXVI of the Code of Criminal Procedure, 1973 shall apply to -

- (i) any offences punishable under any of the enactments specified in the Schedule ; or
- (ii) any other offence, which under the provisions of that Code, may be tried alongwith such offence, and every offence referred to in clause (i) or clause (ii) may be taken cognizance of by the Court having jurisdiction as if the provisions of that Chapter were not enacted.

The Acts mentioned in the Schedule are five in number and they are Taxation Acts. All of them are in force and therefore, this Act will have to be continued.

SR.NO.20

THE MINIMUM WAGES (MAHARASHTRA AMENDMENT)  
ACT, 1975  
(MAHARASHTRA ACT NO. XXV OF 1976)

This Act has been enacted to amend the Minimum Wages Act, 1948 (Act No. XI of 1948), in its application to the State of Maharashtra. Since the Minimum Wages Act, 1948 is a Central Act, the amendments made by the State do not get automatically incorporated in it. Therefore, the amendments made will have to be retained so that they can be read alongwith the Principal Act.

SR.NO.21

THE MAHARASHTRA CASINOS (CONTROL AND TAX)  
ACT, 1976  
(MAHARASHTRA ACT NO. XXXI OF 1976)

This Act has been enacted to provide for the control and regulation of casinos, and to impose a tax on betting on casinos, in the State of Maharashtra. This Act is necessary and is useful and therefore, the same may be retained.

SR.NO.22

THE MAHARASHTRA IRRIGATION ACT, 1976  
(MAHARASHTRA ACT NO. XXXVIII OF 1976)

This Act has been enacted to unify and amend the law relating to irrigation in the State of Maharashtra. The provisions of this Act are necessary and useful and therefore, this Act may be retained.

SR.NO.23

THE INDIAN ELECTRICITY (MAHARASHTRA  
AMENDMENT) ACT, 1976  
(MAHARASHTRA ACT NO. XLIV OF 1976)

This Act has been enacted to amend the Indian Electricity Act, 1910 (Act No. IX of 1910), in its application to the State of Maharashtra. Since the Indian Electricity Act, 1910 is a Central Act, the amendments made by the State do not get automatically incorporated in it. Therefore, the amendments made by this Act will have to be retained so that they can be read alongwith the Principal Act.

SR.NO.24

THE MAHARASHTRA KEEPING AND MOVEMENT OF  
CATTLE IN URBAN AREAS (CONTROL) ACT, 1976  
(MAHARASHTRA ACT NO. XLV OF 1976)

This Act has been enacted to provide, in the public interest, for licensing and regulating or prohibiting keeping and movement of cattle in urban areas in the State of Maharashtra. The urban areas, as defined in this Act, are the areas comprised of Greater Bombay and that part of Thane District which are contiguous to Greater Bombay and are bounded by the Thane and Vasai Creek. The provisions of this Act are necessary for this urban area and therefore, the Act may be retained.

SR.NO.25

THE MAHARASHTRA WATER SUPPLY AND SEWERAGE  
BOARD ACT, 1976  
(MAHARASHTRA ACT NO. XLVIII OF 1976)

This Act has been enacted to provide for establishment of a Water supply and Sewerage Board, for rapid development and proper regulation of water supply and sewerage services in the State of Maharashtra. The provisions of this Act are necessary and useful and therefore, the same may be retained.

SR.NO.26

THE MAHARASHTRA LEGISLATURE MEMBERS'  
PENSION ACT, 1976  
(MAHARASHTRA ACT NO. I OF 1977)

This Act has been enacted to provide for payment of pension to person who have served as members of any State Legislature in Maharashtra. The provisions of this Act are necessary and useful and therefore, this Act may be retained.

SR.NO.27                    THE MAHARASHTRA TRIBAL ECONOMIC CONDITION  
(IMPROVEMENT) ACT, 1976  
(MAHARASHTRA ACT NO. V OF 1977)

This Act has been enacted to provide for promoting improvement in the economic condition of the Tribals in the State of Maharashtra. The provisions of this Act are necessary and useful and therefore, this Act may be retained.

SR.NO.28                    THE MAHARASHTRA ANIMAL PRESERVATION  
ACT, 1976  
(MAHARASHTRA ACT NO. IX OF 1977)

This Act has been enacted to provide for the prohibition of slaughter of cows and for the preservation of certain other animals suitable for milch, breeding, draught or agricultural purposes. The provisions of this Act are necessary and useful. Therefore, the same may be retained.

SR.NO.29                    THE MAHARASHTRA HOUSING AND AREA  
DEVELOPMENT ACT, 1976  
(MAHARASHTRA ACT NO. XXVIII OF 1977)

This Act has been enacted to unify, consolidate and amend the laws relating to housing, repairing and reconstructing dangerous buildings and carrying out improvement works in slum areas. The provisions of this Act are necessary and useful and therefore, this Act may be retained.

SR.NO.30                    THE LAND ACQUISITION (MAHARASHTRA  
AMENDMENT) ACT, 1976  
(MAHARASHTRA ACT NO. XXIX OF 1977)

This Act has been enacted to amend the Land Acquisition Act, 1894 (Act No. I of 1894), in its application to the State of Maharashtra. Since the Land Acquisition Act, 1894 is a Central Act, the amendments made by the State do not get automatically incorporated in it. Therefore, the amendments made will have to be retained so that they can be read alongwith the Principal Act.

SR.NO.31                    THE MAHARASHTRA TAXATION LAWS OFFENCES  
(EXTENSION OF PERIOD OF LIMITATION) ACT, 1977  
(MAHARASHTRA ACT NO. XLIV OF 1977)

This Act has been enacted to provide for extension of period of limitation for taking cognizance of offences under certain taxation laws of the State of Maharashtra. By Section 2 of this Act the provisions of sub-section (2) of Section 468 of the Code of Criminal Procedure, 1973 (Act No.2 of 1974) are made inapplicable to the Acts mentioned in the Schedule. They are Taxation Laws. The provisions of this Act are necessary and therefore, the same will have to be continued.

SR.NO.32

THE MAHARASHTRA CIVIL COURTS (ENHANCEMENT  
OF PECUNIARY JURISDICTION AND AMENDMENT)  
ACT, 1977  
(MAHARASHTRA ACT NO. XLVI OF 1977)

This Act has been enacted to provide for the enhancement of pecuniary jurisdiction of the Civil Courts in the State of Maharashtra and certain other matters. For that purpose amendments were made to the Bombay City Civil Court Act, 1948 (Bom. Act No. XL of 1948), and to the Presidency Small Cause Courts Act, 1882 (Act No. XV of 1882) in its application to the State of Maharashtra. The amendments made by this Act to the Bombay City Civil Court Act, 1948 have been incorporated in said principal Act. But the amendments made to the Presidency Small Cause Courts Act, 1882, being a Central Act, do not automatically get incorporated in the Act. It is therefore, necessary to retain this Act so that these amendments can be read alongwith the principal Act. This Act may therefore, be retained.

SR.NO.33

THE PRESIDENCY SMALL CAUSE COURTS  
(MAHARASHTRA AMENDMENT) ACT, 1977  
(MAHARASHTRA ACT NO. LIX OF 1977)

This Act has been enacted to amend the Presidency Small Cause Courts Act, 1882 (Act No. XV of 1882), in its application to the State of Maharashtra and the Bombay Court-Fees Act, 1959 (Bom. Act No. XXXVI of 1959). The said two Acts were amended with a view to make provisions, inter-alia, for the purpose of Court fees and process fees. The Presidency Small Cause Courts Act, 1882 is a Central Act, the amendments made by the State do not automatically get incorporated in it. Therefore, the same may be retained so that they can be read alongwith the Principal Act.

SR.NO.34

THE CODE OF CIVIL PROCEDURE (MAHARASHTRA  
AMENDMENT) ACT, 1977  
(MAHARASHTRA ACT NO. LXV OF 1977)

This Act has been enacted to amend the Code of Civil Procedure, 1908 (Act No. V of 1908), in its application to the State of Maharashtra. The Code of Civil Procedure, 1908 is a Central Legislation, the amendments made by the State do not get automatically incorporated in it. Therefore, the amendments made will have to be retained so that they can be read alongwith the Principal Act. This Act may therefore, be retained.

SR.NO.35

THE CODE OF CRIMINAL PROCEDURE  
(MAHARASHTRA AMENDMENT) ACT, 1977  
(MAHARASHTRA ACT NO. I OF 1978)

This Act has been enacted to amend the Code of Criminal Procedure, 1973 (Act No. 2 of 1974), in its application to the State of Maharashtra. This Central Act was amended for the purpose of making provisions to deal with the cases relating to disputes as to immovable property in the areas in the State of Maharashtra. The Code of Criminal Procedure, 1973 is a Central Legislation, the amendments made by the State do not get automatically incorporated in it. Therefore, the amendments made will have to be retained so that they can be read alongwith the Principal Act.

SR.NO.36

THE MAHARASHTRA EMPLOYEES OF PRIVATE  
SCHOOLS (CONDITIONS OF SERVICE REGULATION  
ACT, 1977  
(MAHARASHTRA ACT NO. III OF 1978)

This Act has been enacted to regulate recruitment and conditions of service of employees in certain private schools. This Act is useful and necessary and therefore, the same may be retained.

SR.NO.37

THE LEADERS OF OPPOSITION IN MAHARASHTRA  
LEGISLATIVE SALARIES AND ALLOWANCES ACT, 1976  
(MAHARASHTRA ACT NO. VIII OF 1978)

This Act has been enacted to provide for salaries and allowances of Leaders of opposition in Maharashtra State Legislature. The provisions of this Act are necessary and useful and therefore, this Act may be retained.

SR.NO.38

THE MAHARASHTRA EMPLOYMENT GUARANTEE  
ACT, 1977  
(MAHARASHTRA ACT NO. XX OF 1978)

This Act has been enacted to make effective provision for securing the right to work by guaranteeing employment to all adult persons who volunteer to do unskilled manual work in rural areas in the State of Maharashtra. This Act is necessary and useful and therefore, the same may be retained.

SR.NO.39

THE KAZIS (MAHARASHTRA AMENDMENT) ACT, 1978  
(MAHARASHTRA ACT NO. XXI OF 1978)

This Act has been enacted to amend the Kazis Act, 1880 (Act No. XII of 1880), in its application to the State of Maharashtra. The Kazis Act, 1880 is a Central Legislation, the amendments made by the State do not get automatically incorporated in it. Therefore, the amendments made will have to be retained so that they can be read alongwith the Principal Act. This Act may therefore, be retained.

SR.NO.40

THE MAHARASHTRA KHAR LANDS DEVELOPMENT  
ACT, 1979  
(MAHARASHTRA ACT NO. XI OF 1979)

This Act has been enacted to make better provision for protection, development and control of Khar lands, and reclamation of tidal lands, by construction and maintenance of embankments and other works by the State Government itself, for facilitating growing more food crops thereon and for certain other matters. This Act is necessary and useful and therefore, the same may be retained.

SR.NO.41

THE MAHARASHTRA TAX ON BUILDINGS (WITH  
LARGER RESIDENTIAL PREMISES) (RE-ENACTED)  
ACT, 1979  
(MAHARASHTRA ACT NO. XXIX OF 1979)

This Act has been enacted to provide for levy of tax on buildings in Corporation areas in the State of Maharashtra, which contain larger residential premises. The provisions of this Act are necessary and useful. Therefore, this Act may be retained.

SR.NO.42                    THE ERADICATION OF UNFAIR ACTIVITIES AT  
PANDHARPUR TEMPLES (FOR PROVIDING BETTER  
FACILITIES FOR WORSHIP) ACT, 1980  
(MAHARASHTRA ACT NO. XI OF 1980)

This Act has been enacted to eradicate certain unfair activities at Pandharpur Temples in Maharashtra. The provisions of this Act are necessary and useful. Therefore, this Act may be retained.

SR.NO.43                    THE MAHARASHTRA (CHANGE OF SHORT TITLES OF  
CERTAIN BOMBAY ACTS) ACT, 1980  
(MAHARASHTRA ACT NO. XV OF 1980)

This Act has been enacted to amend certain enactments to change their short titles from "Bombay Acts" to "Maharashtra Acts". In particular this Act amends the short title of Bombay Act No.XLVI of 1956, Bom. Act No.XLVII of 1956, Bom. Act No. XLVIII of 1956, Bom. Act No. XLIX of 1956 and Bom. Act No. LII of 1956. The amendments made by this Act have already been carried out in the respective Principal Acts. Even then these amendments apply to other enactments not mentioned in the Schedule, to any rules, regulations, by-laws, notifications or orders issued under any enactments or in any instruments and therefore, this Act will have to be retained for reference in relation to those enactments, rules, etc.

SR.NO.44                    SHRI SIDDHI VINAYAK GANPATI TEMPLE TRUST  
(PRABHADEVI) ACT, 1980  
(MAHARASHTRA ACT NO. VI OF 1981)

This Act has been enacted to reconstitute the trust popularly known as "Shri Siddhi Vinayak Ganpati Temple Trust of Prabhadevi" and to provide for management by a Committee to enable the Trust to undertake wider welfare activities for the public. The provisions of this Act are necessary and useful. Therefore, the same may be retained.

SR.NO.45                    THE MAHARASHTRA PREVENTION OF COMMUNAL,  
ANTI-SOCIAL AND OTHER DANGEROUS ACTIVITIES  
ACT, 1980  
(MAHARASHTRA ACT NO. VII OF 1981)

This Act has been enacted to provide for prevention of communal, anti-social and other dangerous activities in Maharashtra and for matters connected therewith. This Act is necessary and useful. Therefore, the same may be retained.

SR.NO.46                    THE INDUSTRIAL DISPUTES AND THE MAHARASHTRA  
UNEMPLOYMENT ALLOWANCES PAYMENT TO  
WORKMEN IN FACTORIES (FOR TEMPORARY PERIOD)  
(AMENDMENT) ACT, 1981  
(MAHARASHTRA ACT NO. XXII OF 1981)

This Act has been enacted to amend the Industrial Disputes Act, 1947 (Act No. XIV of 1947) and the Maharashtra Unemployment Allowance Payment to Workmen in Factories (for Temporary Period) Act, 1976 (Mah. Act No. XIV of 1976). The Industrial Disputes Act, 1947 being the Central Act, the amendments made by the State do not automatically get incorporated in it. Therefore, the amendments made to the said Central Act will have to be retained so that they can be read alongwith the Principal Act.

SR.NO.47                    THE CODE OF CRIMINAL PROCEDURE  
(MAHARASHTRA AMENDMENT) ACT, 1981  
(MAHARASHTRA ACT NO. XXXIV OF 1981)

This Act has been enacted to amend the Code of Criminal Procedure, 1973 (Act No. II of 1974), in its application to the State of Maharashtra. Since the Code of Criminal Procedure is a Central Legislation, the amendments made by the State do not get automatically incorporated in it. Therefore, the amendments made will have to be retained so that they can be read alongwith the Principal Act.

SR.NO.48                    THE INDIAN ELECTRICITY (MAHARASHTRA  
AMENDMENT) ACT, 1981  
(MAHARASHTRA ACT NO. XLV OF 1981)

This Act has been enacted to amend the Indian Electricity Act, 1910 (Act No. IX of 1910), in its application to the State of Maharashtra. The Indian Electricity Act, 1910 being the Central Act, the amendments made by the State do not get automatically incorporated in it. Therefore, the amendments made will have to be retained so that they can be read alongwith the Principal Act.

SR.NO.49                    THE MAHARASHTRA MARINE FISHING REGULATION  
ACT, 1981  
(MAHARASHTRA ACT NO. LIV OF 1981)

This Act has been enacted to provide for the regulation of fishing by fishing vessels in the sea along the coast line of the State of Maharashtra. This Act is necessary and useful. Therefore, the same may be retained.

SR.NO.50                    THE MAHARASHTRA PREVENTION OF DANGEROUS  
ACTIVITIES OF SLUMLORDS, BOOTLEGGERS AND  
DRUG-OFFENDERS ACT, 1981  
(MAHARASHTRA ACT NO. LV OF 1981)

This Act has been enacted to provide for preventive detention of Slumlords, Bootleggers and Drug-offenders, for preventing their dangerous activities prejudicial to the maintenance of public order. This Act is necessary and useful. Therefore, the same may be retained.

SR.NO.51                    THE MAHARASHTRA PRIVATE SECURITY GUARDS  
(REGULATION OF EMPLOYMENT AND WELFARE)  
ACT, 1981  
(MAHARASHTRA ACT NO. LVIII OF 1981)

This Act has been enacted for regulating the employment of private Security Guards employed in factories and establishments in the State of Maharashtra and for making better provisions for their terms and conditions of employment and welfare, through the establishment of a Board therefor, and for matters connected therewith. This Act is necessary and useful. Therefore, the same may be retained.

SR.NO.52                    THE CODE OF CRIMINAL PROCEDURE  
(MAHARASHTRA SECOND AMENDMENT)  
ACT, 1981  
(MAHARASHTRA ACT NO. LX OF 1981)

This Act has been enacted to amend the Code of Criminal Procedure, 1973 (Act No. II of 1974), in its application to the State of Maharashtra. The Code of Criminal Procedure being a Central Legislation, the amendments made by the State do not get automatically incorporated in it. Therefore, the amendments made will have to be retained so that they can be read alongwith

SR.NO.53                      THE MAHARASHTRA ADVOCATES WELFARE FUND  
ACT, 1981  
(MAHARASHTRA ACT NO. LXI OF 1981)

This Act has been enacted to provide for the constitution of an Advocates Welfare Fund and utilization thereof for payment of certain retirement and other benefits to the Advocates in Maharashtra. This Act is necessary and is useful. Therefore, the same may be retained.

SR.NO.54                      THE INDUSTRIAL DISPUTES (MAHARASHTRA  
AMENDMENT) ACT, 1981  
(MAHARASHTRA ACT NO. III OF 1982)

This Act has been enacted to amend the Industrial Disputes Act, 1947 (Act No. XIV of 1947), in its application to the State of Maharashtra. The Industrial Disputes Act, 1947 being a Central Act, the amendments made by the State do not get automatically incorporated in it. Therefore, the amendments made will have to be retained so that they can be read alongwith the Principal Act.

SR.NO.55                      THE MAHARASHTRA TENANCY LAWS AND  
MAHARASHTRA LAND REVENUE CODE (AMENDMENT  
AND VALIDATION OF APPOINTMENTS OF CERTAIN  
OFFICERS AND PROCEEDINGS) ACT, 1981  
(MAHARASHTRA ACT NO. V OF 1982)

This Act has been enacted 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), the Bombay Tenancy and Agricultural Lands (Vidarbha Region) Act, 1958 (Bom. Act No. XCIX of 1958) and the Maharashtra Land Revenue Code, 1966 (Mah. Act No. XLI of 1966), and to establish the validity of the appointments of certain officers to exercise powers of the Tribunal or the Collector and of their proceedings under the Hyderabad Tenancy and Agricultural Lands Act, 1950, or as the case may be, the Maharashtra Land Revenue Code, 1966. The amendments made by this Act, in the above-mentioned Acts except in the Hyderabad Tenancy and Agricultural Lands Act, 1950, have been incorporated in the respective Principal Acts. Therefore, the amendments made to the Hyderabad Tenancy and Agricultural Lands Act, 1950 may be retained for the purpose of future reference, till the Government enacts a law unifying all the tenancy laws, as intended by it.

SR.NO.56                      THE MAHARASHTRA TAXATION LAWS OFFENCES  
(EXTENSION OF PERIOD OF LIMITATION) ACT, 1981  
(MAHARASHTRA ACT NO. XXII OF 1982)

This Act has been enacted to provide for extension of the period of limitation for taking cognizance of offences under certain taxation laws of the State of Maharashtra. . Since the amendment made by this Act refers to the period of limitation, different from the period of limitation provided in Section 468 under Chapter XXXVI (limitation for taking cognizance for certain offences) of Code of Criminal Procedure, 1973, this Act will have to be retained.

SR.NO.57                      THE MAHARASHTRA PREVENTION OF MALPRACTICES  
AT UNIVERSITY, BOARD AND OTHER SPECIFIED  
EXAMINATIONS ACT, 1982  
(MAHARASHTRA ACT NO. XXXI OF 1982)

This Act has been enacted to provide for preventing malpractices at University, Board and other specified examinations. This Act is necessary and is useful. Therefore, the same may be retained.

SR.NO.58

THE MAHARASHTRA TEXTILE COMPANIES  
(ACQUISITION AND TRANSFER OF UNDERTAKINGS)  
 ACT, 1982  
(MAHARASHTRA ACT NO. XXXIII OF 1982)

This Act has been enacted to provide for the acquisition of undertakings of two textile companies for the purpose of ensuring continued and increased production of goods essential to the needs of the country and for matters connected therewith or incidental thereto. It may be seen that the purpose of this Act is to take over two companies, namely, Messrs. Vijay Manufacturing Company (Private) Limited, Badnera, and Messrs. Western India Spinning and Manufacturing Company Limited, Bombay. Section 3 thereof says that on the appointed day undertakings of both textile companies shall vest absolutely in the State Government. Eventhough these undertakings have been vested in the Government, further proceedings, as mentioned in the subsequent sections of this Act, are likely to be pending till today and therefore, to enable those proceedings to be completed this Act will have to be retained.

SR.NO.59

THE PULGAON COTTON MILLS LIMITED (ACQUISITION  
OF SHARES) ACT, 1982  
(MAHARASHTRA ACT NO. XXXIV OF 1982)

This Act has been enacted to provide for the acquisition of shares of the Pulgaon Cotton Mills Limited with a view to securing proper management of the affairs of the company and the continuity and development of the production of articles which are vital to the needs of the general public and for matters connected therewith or incidental thereto. The Pulgaon Cotton Mills Ltd. was taken over by the Central Government for Management in exercise of the powers conferred under Section 18AA of the Industries (Development and Regulation) Act, 1951. In order to exercise effective control over the affairs of the said Company, the State Government acquired shares of the said Company. This Act makes provision for various types of shareholder's rights and the rights and liabilities of the State Government with reference to the shares acquired by the State Government. Therefore, it is necessary to retain this Act.

SR.NO.60

THE ADMINISTRATORS - GENERAL AND OFFICIAL  
TRUSTEES (MAHARASHTRA AMENDMENT) ACT, 1982  
(MAHARASHTRA ACT NO. XIV OF 1983)

This Act has been enacted to amend the Administrators-General Act, 1963 (Act No. XLV of 1963) and the Official Trustees Act, 1913 (Act No. II of 1913), in their application to the State of Maharashtra. The Administrators-General Act, 1963 and the Official Trustees Act, 1913 being the Central Acts, the amendments made by the State do not get automatically incorporated in it. Therefore, the amendments made by this Act will have to be retained so that it can be read alongwith the Principal Acts. This Act may, therefore, be retained.

SR.NO.61

THE MAHARASHTRA SUPPLY OF FOREST-PRODUCE  
BY GOVERNMENT (REVISION OF AGREEMENTS)  
 ACT, 1982  
(MAHARASHTRA ACT NO. XVI OF 1983)

This Act has been enacted to take powers to revise certain agreements to get fair price for forest-produce supplied by Government to purchasers for long term periods and for certain other matters. This Act is necessary and is useful. Therefore, the same may be retained.

SR.NO.62                    THE MAHARASHTRA DRINKING WATER SUPPLY  
REQUISITION ACT, 1983  
(MAHARASHTRA ACT NO. XX OF 1983)

This Act has been enacted to provide for requisitioning of water supply during Scarcity for drinking purposes from any wells, tanks and storages of water. This Act was enacted to meet with the emergent situation of scarcity of water then prevailing and may be required to meet such situation in future too. This Act may therefore, be retained.

SR.NO.63                    THE MAHARASHTRA FOREST DEVELOPMENT (TAX ON  
SALES OF FOREST – PRODUCE BY GOVERNMENT OR  
FOREST DEVELOPMENT CORPORATION)  
(CONTINUANCE) ACT, 1983  
(MAHARASHTRA ACT NO. XXII OF 1983)

This Act has been enacted to levy and collect forest development tax on sales of forest-produce by or on behalf of the State Government or the Forest Development Corporation. The provisions of this Act are necessary and useful. Therefore, this Act may be retained.

SR.NO.64                    THE POLICE (INCITEMENT TO DISAFFECTION)  
(MAHARASHTRA AMENDMENT) ACT, 1983  
(MAHARASHTRA ACT NO. XXIII OF 1983)

This Act has been enacted to amend the Police (Incitement to Disaffection) Act, 1922 (Act No. XXII of 1922) in its application to the State of Maharashtra. Since, the Police (Incitement to Disaffection) Act, 1922 being the Central Act, the amendments made by the State do not get automatically incorporated in the Central Act. Therefore, the amendments made will have to be retained so that they can be read alongwith the said Central Act.

SR.NO.65                    THE MAHARASHTRA PUBLIC SERVICES  
(SUBORDINATE) SELECTION BOARDS  
(REPEAL) ACT, 1983  
(MAHARASHTRA ACT NO. XXXIV OF 1983)

This Act has been enacted to repeal the Maharashtra Public Services (Subordinate) Selection Boards Act, 1973, (Mah. Act No. XXI of 1973), and to provide for certain matters incidental thereto. Since, this Act besides repealing the Mah. Act No. XXI of 1973, also regularises the conditions of service of the employees of the local authorities like Zilla Parishad, Municipalities etc. This Act may be retained for the purpose of future reference as to the validation of the said appointments.

SR.NO.66                    THE MAHARASHTRA LAND REVENUE CODE  
(AMALGAMATION OF BOMBAY AND KONKAN  
DIVISIONS) ACT, 1983  
(MAHARASHTRA ACT NO. XXXIX OF 1983)

This Act has been enacted to amalgamate Bombay Division and Konkan Division into a single division under the Maharashtra Land Revenue Code, 1966 (Mah. Act No. XLI of 1966). Though the purpose of unification of the two divisions has been achieved, this Act may be retained because it authorises transfer of matters pertaining to the City of Bombay and Bombay Suburban District to Commissioner of Konkan Division. This Act may, therefore, be retained.

SR.NO.67                    THE MAHARASHTRA AGRICULTURAL UNIVERSITIES  
(KRISHI VIDYAPEETHS) ACT, 1983  
(MAHARASHTRA ACT NO. XLI OF 1983)

This Act has been enacted to consolidate and amend the law relating to the four Agricultural Universities in Maharashtra. By this Act four different agricultural universities were brought under one Act as a measure of unification of different laws on the same subject. This Act is necessary and useful. This Act may, therefore, be retained.

SR.NO.68                    THE BOMBAY METROPOLITAN REGION COMMODITIES  
MARKETS (REGULATION OF LOCATION) ACT, 1983  
(MAHARASHTRA ACT NO. XLII OF 1983)

This Act has been enacted to regulate location of market areas and wholesale markets in respect of specified commodities in the Bombay Metropolitan Region and to establish market committees to manage and control different markets established in different market areas for different commodities and to provide for matters connected therewith or supplemental or incidental thereto. This Act is necessary and useful. Therefore, the same may be retained.

SR.NO.69                    THE INDIAN FORST (MAHARASHTRA SECOND  
AMENDMENT) ACT, 1984  
(MAHARASHTRA ACT NO. XXIII OF 1984)

This Act has been enacted to amend the Indian Forest Act, 1927 (Act No. XVI of 1927), in its application to the State of Maharashtra. The Indian Forest Act, 1927 being the Central Act, the amendments made by the State do not get automatically incorporated in it. Therefore, the amendments made by State will have to be retained so that they can be read alongwith the said Principal Act.

SR.NO.70                    THE PROVINCIAL SMALL CAUSE COURTS AND  
PRESIDENCY SMALL CAUSE COURTS  
(MAHARASHTRA AMENDMENT) ACT, 1984  
(MAHARASHTRA ACT NO. XXIV OF 1984)

This Act has been enacted to amend the Provincial Small Cause Courts Act, 1887 (Act No. IX of 1887) and the Presidency Small Cause Courts Act, 1882 (Act No. XV of 1882), in their application to the State of Maharashtra. The Provincial Small Cause Courts Act, 1887 and the Presidency Small Cause Courts Act, 1882 being the Central Acts, the amendments made by the State do not get automatically incorporated in it. Therefore, the amendments made by State will have to be retained so that they can be read alongwith the respective Principal Acts.

SR.NO.71                    THE INDIAN PARTNERSHIP (MAHARASHTRA  
AMENDMENT) ACT, 1984  
(MAHARASHTRA ACT NO. XXIX OF 1984)

This Act has been enacted to amend the Indian Partnership Act, 1932 (Act No. IX of 1932), in its application to the State of Maharashtra. The Indian Partnership Act, 1932 being the Central Act, the amendments made by the State do not get automatically incorporated in it. Therefore, the amendments made by the State Act will have to be retained so that they can be read alongwith the Principal Act.

SR.NO.72

THE SHIVRAJ FINE ART LITHO WORKS (ACQUISITION  
AND TRANSFER OF UNDERTAKING) ACT, 1984  
(MAHARASHTRA ACT NO. XXXVI OF 1984)

This Act has been enacted to provide for the acquisition and transfer of the undertaking of the Shivraj Fine Art Litho Works, Nagpur, with a view to securing the proper management of such undertaking so as to subserve the interests of the general public and the employees of the undertaking by ensuring the continued manufacture, production and distribution of printed lithographic material which are essential to the needs of the economy of the State and country and for matters connected therewith or incidental thereto. This Act is necessary and useful. Therefore, the same may be retained.