

KERALA REPEALING AND SAVING BILL

Whereas it is expedient that the enactments specified in the Schedules I & II having become either obsolete or no longer required since they have served its purpose; be expressly and specifically repealed;

BE it enacted in the 59th year of the Republic of India as follows:—

1. *Short title extent and commencement of the Act.*—(1) This Act may be called the Kerala Repealing and saving Act—

(2) It shall extent to the whole State of Kerala.

(3) It shall come into force at once.

2. *Repealing,* The enactments specified in the Schedules I and II are hereby repealed.

3. *Savings.*—The repeal by this Act of enactments included in Schedules I and II shall not affect any other enactments in which the repealed enactment has been applied, incorporated or referred to, and this Act shall not affect the validity, invalidity effect or consequences of anything already done or suffered, or any right, title, obligation or liability already acquired, accrued or incurred or any remedy or proceedings in respect thereof, or any release or discharge of or from any debt, penalty, obligation, liability, claim or demand or any indemnity already granted or the proof of any past act or thing; nor shall this Act affect any principle or rule of law, or established jurisdiction form or course of pleading, practice, procedure, or existing usage, custom, privilege, restriction, exemption, office or appointment, notwithstanding that the same respectively may have been in any manner affirmed, recognized or derived by, in or from any enactment thereby repealed. Nor shall the repeal by this Act of any enactment revive or restore any jurisdiction, office, custom, liability, right, title, privilege, restriction, exemption, usage, practice, procedure or other matter or thing not now existing or in force.

SCHEDULE I

1. The Gandhiji University (Dissolution of Senate and Syndicate) Act,1988. (Act 13 of 1988)
2. The Madras General Clauses Act 1867
3. The Madras General Clauses Act 1891
4. The Madras Estates, Commercial Forest and Private Lands(Prohibition of Alienation) Act,1947
5. Enfranchisement of Sirkar Pattam Land Proclamation 1040
6. Cochin Amending Act (1 of 1109)
7. The Kerala Agricultural Debtors (Temporary Relief) Act, 2001(Act 19 of 2001)

8. The Kerala Automobiles Limited (Validation of Appointment of Personal) Act 2004 (Act 3 of 2004)
9. The Madras Administration of Estates Regulation 3 of 1802
10. Amending Proclamation of 1118 (Cochin)
11. The Calicut Municipal Corporation (Extension of Time for Reconstitution) Act, 1976 (Act 3 of 1977)
12. The Kerala Debtors (Temporary Relief) Act, 1975 (Act 30 of 1975)
13. The Madras Devadasis Prevention of Dedication Act 1947 (Act 31/47)
14. The Madras Decentralization Act, 1914 (Act 8 of 1914)
15. Cochin Debt Conciliation Act, 1112
16. The Essential Articles Control and Requisitioning (Temporary Powers) Act 1949
17. The Travancore Cochin Entertainment Tax (Validation of Levy and Collection Act 1955 (Act 26/55)
18. The Madras Enfranchised Inam Act, 1862
19. Madras Electricity supply Undertakings (Acquisition) Act (Act 29/54)
20. The Madras Estates, Communal, Forest and Private Lands (Prohibition of Alienation) Act 1947 (Act 14/47)
21. The Kanam Tenancy abolition Act, 1970 (Act 16/70)
22. The Kerala Municipal Councils (Extension of the Term of Office of Councillors) Act, 1976 (Act 9/76)
23. The pattazhi Devaswom Lands (Vesting and Enfranchisement) Act 1961 (Act 21 of 1961)
24. Proclamation extending the period of management over Paliam estate 1 of 1123 – Cochin
25. Pallipurathu Pazhur Illom Assumption of Management proclamation (Cochin)
26. Prevention of Dedication Act 1111 (Act 26/1111)
27. Paliam Proclamation (Cochin only)
28. Paliam Proclamation VIII of 1124
29. Prevention of Cruelty to Animals Act 1095 – Cochin (18 of 1095)
30. Revenue settlement proclamation of 1061 (Travancore)
31. The Madras re-enacting and repealing (No.1) Act 1948
32. The Madras re-enacting (No.II) Act 1948
33. The Madras re-enacting (No.III) Act 1948
34. The Madras re-enacting Act 1949, (Act 10/49)
35. The Madras re-enacting Act 1950, (Act 3/50)
36. The Madras repealing and Amending Act 14 of 1951
37. The Madras repealing and amending Act 1952, (Act 11/52)
38. The Madras repealing and amending Act 1955, (Act 36/55)
39. The supply of paddy and rice to Travancore Palace (Extinguishment of rights and liabilities) Act 1976 (Act 31 of 1976)
40. The Suits for possession and injunction (Re-transfer) Act 1963, (Act 9/63)
41. The Thiruppuram Payment (Abolition) Act 1969 (Act 19 of 1969)

SCHEDULE II

1. The Kerala Co-Operative Societies (Amendment) Act 2002 (Act 3/2002)
2. The Kerala General Sales Tax (Amendment) Act 2002 (Act 4/2002)
3. The Kerala Infrastructure Investment Fund (Amendment) Act 2002 (Act 5/2002)
4. The Kerala Women's Commission (Amendment) Act 2002 (Act 6/2002)
5. The Abkari (Amendment) Act 2003 Act 1/2003
6. The Kerala Court Fees and Suits Valuation (Amendment) Act 2003 (Act 2/2003)
7. The Kerala General Sales Tax Act (Amendment) Act 2003 (Act 3/2003)
8. The Kerala General Sales Tax Act (Second Amendment) Act 2003 (Act 11/2003)
9. The Kerala General Sales Tax Act (Third Amendment) Act 2003.(Act 7/2003)
10. The Kerala Municipality (Amendment) Act 2003 (Act 10/2003)
11. The Kerala Panchayat Raj (Amendment) Act 2003 (Act 9/2003)
12. The Kerala Payment of Pension to Members of Legislature (Amendment) Act 2003 (Act 14/2003)
13. The Payment of Salaries and Allowances (Amendment) Act 2003 (Act 13/2003)
14. The Kerala Preservation of Trees (Amendment) Act 2003 (Act 28/2003)
15. The Kerala Stay of Eviction Proceedings (Amendment) Act 2003 (Act 8/2003)
16. The Kerala Co-Operative Laws (Amendment) Act 2004, Kerala,(Act 16/2004)
17. The Kerala Stamp (Amendment) Act 2004 (Act 1/2004)
18. The Kerala Tolls (Amendment) Act 2004 (Act 4/2004)
19. The Kerala Municipality (Amendment) Act 2005 (Act 4/2005)
20. The Kerala Panchayat Raj (Amendment) Act 2005 (Act 3/2005)
21. The Kerala Panchayat Raj (Second Amendment) Act 2005 (Act 5/2005)
22. The University Laws (Amendment) Act 2005 (Act 2/2005)
23. The Kerala Gaming (Amendment) Act 2005 (Act 19/2005)
24. The Kerala General Sales Tax (Amendment) Act 2005 (Act 40/2005)
25. Local Authorities Entertainments Tax (Amendment) Act 2005.(Act 26/2005)
26. Motor Vehicles Taxation (Amendment) Act 2005 (Act 24/2005)
27. The Kerala Municipality (Third Amendment) Act 2005 (Act 33/2005)
28. The Kerala Municipality (Fourth Amendment) Act 2005 (Act 34/2005)
29. The Kerala Municipality (Sixth Amendment) Act 2005 (Act 35/2005)
30. The Kerala Municipality (Seventh Amendment) Act 2005 (Act 37/2005)
31. The Kerala Panchayat Raj (Fifth Amendment) Act 2005 (Act 30/2005)
32. The Kerala Panchayat Raj (Third Amendment) Act 2005 (Act 31/2005)
33. The Kerala Self Financing Professional Colleges (Prohibition of Capitation Fees and Procedure for Admission and Fixation of Fees) Amendment Act 2005 (Act 28/2005)
34. The Kerala Tax on Luxuries (Amendment) Act 2005 (Act 41/2005)
35. The University Laws (Amendment) Amending Act 2005 (Act 29/2005)
36. The Kerala Agricultural Income Tax (Amendment) Act 2005 (Act 43/2005)
37. The Kerala Ground Water (Control and Regulation) Amendment Act 2005 (Act 22/2005)

38. The Kerala Payment of Pension to Members of Legislature (Amendment) Act 2005 (Act 44/2005)
39. The Kerala Water Supply and Sewerage (Amendment) Act 2005 (Act 45/2005)
40. The Kerala Land Reforms (Third Amendment) Act 2005 (Act 1/2006)
41. Kerala Land Reforms (Amendment) Act 2005 (Act 21/2006)
42. Kerala Panchayat Raj (Amendment) Act 2007 (Act 11/2007)
43. The Kerala Survey and Boundaries (Amendment) Act 2007 (Act 29/2007)
44. The Sree Sankaracharya University of Sanskrit (Amendment) Act 2003 (Act 4/2003)
45. The Kerala Cashew Workers Relief and Welfare Fund (Amendment) Act 2003 (Act 16/2003)
46. The Sree Sankaracharya University of Sanskrit (Amendment) Act 2005 (Act 1/2005)
47. The Kerala Municipality (Second Amendment) Act 2005 (Act 6/2005)
48. The Kerala Contingency Fund (Amendment) Act 2005 (Act 7/2005)
49. The Kerala Tourism (Conservation and Preservation of Areas) Act 2005 (Act 8/2005)
50. The Kerala Motor Transport Workers Welfare Fund (Amendment) Act 2005.(Act 23/2005)
51. The Kerala Tax on Entry of goods into local areas (Amendment) Act 2005.(Act 42/2005)
52. The Kerala Irrigation and Water Conservation (Amendment) Act 2006.(Act 4/2006)
53. The Travancore-Cochin Hindu Religious Institutions (Amendment) Act 2007 (Act 5/2007)
54. The Kerala Public Accountants (Amendment) Act 2007 (Act 6/2007)
55. The University Laws (Amendment) Act 2007 (Act 24/2007)
56. The Kerala Municipality (Amendment) Act 2007 (Act 12/2007)
57. The Kerala promotion of Tree Growth in Non Forest Areas (Amendment) Act 2007 (Act 19/2007)
58. The Kerala Police (Amendment) Act 2007 (Act 21/2007)
59. The Mahatma Gandhi University (Amendment) Act 2007 (Act 23/2007)
60. The Cochin University of Science and Technology (Amendment) Act 2007.(Act 25/2007)
61. The Kerala Sports (Amendment) Act 2007 (Act 26/2007)
62. The Kerala Women's Commission (Amendment) Act 2007 (Act 27 of 2007)
63. The Kerala Revenue Recovery (Amendment) Act 2007 (Act 31/2007)
64. The Edavagai Rights Acquisition (Amendment) Act 2007 (Act 32/2007)
65. The Kerala professional colleges or institutions (Prohibition of Capitation Fee, Regulation of Admission, Fixation of Non-Exploitative Fee and Other Measures to Ensure Equity and Excellence in Professional Education) Amendment Act 2007.(Act 33/2007)
66. The Kerala Anti-social Activities (prevention) Act 2007 (Act 34/2007)

Statement of Object and Reasons

On scrutiny it is found that there are number of enactments which have become either obsolete or are no longer necessary since they have served their purpose. Object and reasons for the Bill is to repeal all such enactment.