



GOVERNMENT OF INDIA

**LAW COMMISSION
OF
INDIA**

Report No. 251

**“Obsolete Laws: Warranting Immediate Repeal”
(Fourth Interim Report)**

November, 2014

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D.O. No.6(3)211/2011-LC(LS)

14 November, 2014

Dear Mr. Sadananda Gowda ji,

A project titled “**Legal Enactments: Simplifications and Streamlining**” (LESS) was undertaken by the Law Commission of India, continuing the initiative taken by the 19th Law Commission to identify obsolete laws and keeping in view the reference received from the then Minister for Law and Justice, Mr. Ravi Shankar Prasad. As part of this Study, the Commission submitted three interim reports (Report Nos.248, 249 and 250) on Obsolete Laws on 12 September 2014 and 13 October 2014 and 29 October 2014. Now the Commission has identified 30 more laws for complete repeal and has put together as Report No.251 with the title “**Obsolete Laws: Warranting Immediate Repeal**” – **Fourth Interim Report** and is submitted herewith for consideration of the Government. It is worth mentioning here that with this report, the Commission has in total recommended repeal of 288 archaic laws till date through four of its interim reports.

With warm regards,

Yours sincerely,

A. Prakash
[Ajit Prakash Shah]

Mr. D.V. Sadananda Gowda
Hon'ble Minister for Law and Justice
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Shastri Bhawan
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**“Obsolete Laws : Warranting Immediate Repeal”
(Fourth Interim Report)**

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CHAPTER 1

INTRODUCTION

This Report forms the fourth instalment of the study undertaken by the Law Commission titled ‘The Legal Enactments: Simplification and Streamlining’. For this Report, a further 54 laws have been studied and 30 of these have been recommended for complete repeal.

1.2 Through the three Interim Reports submitted to the Government, the Law Commission of India recommended repeal of 258 archaic laws. While Report No.248, titled “Obsolete Laws: Warranting Immediate Repeal” – An Interim Report, identified 72 laws as having become obsolete, and were recommended for immediate repeal, the second instalment of this study, which formed Report No. 249, recommended 88 laws for wholesale repeal and 25 for partial repeal. In the third interim report, i.e., Report No.250, Commission identified 73 more laws for complete repeal.

1.3 Recently, the Centre for Civil Society brought out a project report titled “Repeal 100 Laws Project”. The Commission, suo motu, decided to look into the project report and study the laws discussed therein, which have not already been included in its three interim reports mentioned in the preceding paragraph and it was found that 54 such laws needed examination. These were analysed and out of these 54 laws, the Commission found 30 laws to be fit for repeal.

1.4 Thus, Chapter 2 of this Report studies 30 laws recommended for complete repeal, and gives notes and recommendations on each. It must be kept in mind that while recommending the repeal of these laws, the legislature competent to repeal the law must also be established in accordance with Article 372(1) of the Constitution. As explained in Chapter 4 of the 248th Report, pre-Constitutional laws, even where they have been passed by the Centre, can only be repealed by the Centre if the subject matter of the law

now falls within List I or III of the Seventh Schedule to the Constitution. Where a law falls within the domain of List II, it should be referred to the relevant State Governments for repeal. Accordingly, the competent legislature has been indicated in each of the laws being studied for repeal.

1.5 In addition to the efforts put in by the Sub-Committee comprising Justice S N Kapoor, Member, Law Commission, Prof. Mool Chand Sharma, Member, Law Commission, Prof. Yogesh Tyagi, Member (Part Time), Law Commission, Mr. Arghya Sengupta and Ms. Srijoni Sen, Advocates from Vidhi Centre for Legal Policy, the Commission acknowledges the special efforts of Ms. Ritwika Sharma in finalizing this Report.

CHAPTER 2

LAWS RECOMMENDED FOR COMPLETE REPEAL

This Chapter lists 30 statutes that warrant complete repeal, with recommendations and notes on each:

1. Weekly Holidays Act, Act 18 of 1942

Category: Labour Laws

Recommendation: Repeal subject to factual verification

The Act provides for the grant of weekly holidays to persons employed in shops, restaurants and theatres. Section 4 of the Act mandates that every person employed in a position of management in any shop, restaurant or theatre shall be allowed holiday of one whole day. The purpose of this Act has been subsumed by the Shops and Establishments Acts of each State. Hence, this Act can be repealed subject to factual verification that every State has a Shops and Establishment Act.

2. Imperial Library (change of Name) Act, Act 51 of 1948

Category: Institutions of National and Cultural Importance

Recommendation: Repeal

This Act was passed to change the name of the Imperial Library to National Library. The purpose of this Act has been served. Hence, this Act is clearly obsolete and can be repealed.

3. Resettlement of Displaced Persons (Land Acquisition) Act, Act 60 of 1948

Category: Land Laws

Recommendation: Repeal

The Act provided for the speedy acquisition of land for the resettlement of displaced persons. 'Displaced person' has been defined by the Act as any person who, on account of the setting up of the Dominions of India and Pakistan, or on

account of civil disturbances that arose pursuant to partition was displaced from or had left his place of residence after 1st March 1947. This Act was clearly enacted to manage a situation that arose pursuant to the partition of India. The purpose of this Act has now been served and it can be repealed. A suitable savings clause should be inserted in the repealing Act.

4. Drugs (Control) Act, Act 26 of 1950

Category: Public Health

Recommendation: Repeal

The Act provides for the control of the sale, supply and distribution of drugs. It was enacted to ensure that certain essential imported drugs and medicines were sold at reasonable prices. “Drugs” have been included under the Essential Commodities Act, 1955. The purpose of this Act has been subsumed by the Essential Commodities Act, 1955. Hence, this Act should be repealed. A Bill for repealing the Drugs (Control) Act, 1950 was introduced in 2006 but it lapsed. Since circumstances have not changed since 2006, the Government should introduce a Bill to repeal this Act.

5. Telegraph Wires (Unlawful Possession) Act, Act 74 of 1950

Category: Media, Communications and Publishing

Recommendation: Consider for Repeal

The Act regulated the possession of telegraph wires and provides for the punishment of the offence of unlawful possession of telegraph wires. Telegraph services were permanently shut down in India in 2013. Wires of a specific width are included within this Act. Hence, only after factual verification that such wires are not used for other purposes should this Act be considered for repeal.

6. Prize Competitions Act, Act 42 of 1955

Category: Trade and Commerce

Recommendation: Repeal

This Act provides for the control and regulation of prize competitions “in which prizes are offered for the solution of any puzzle based upon the building up, arrangement, combination or permutation, of letters, words or figures” and do not involve use of any skill. It largely applied to competitions involving gambling and betting in the States of Bombay, Madras, Orissa, Uttar Pradesh, Hyderabad, Madhya Pradesh, Patiala and East Punjab and all Part C States. However, each of these states has its own legislation pertaining to regulation of gambling and betting. This Act has fallen into disuse and its purpose has been subsumed by State-specific laws. Hence, this Act can be repealed.

7. Public Wakfs (Extension of Limitation) Act, Act 29 of 1959

Category: Charitable and Religious Institutions; Co-operative Societies

Recommendation: Repeal

The Act extended the period of limitation in certain cases for suits to recover possession of immovable property forming part of public wakfs. The period of limitation for the suits to recover possession was extended up to 31st December 1985. The Act has clearly served its purpose and should be repealed.

8. Sugar (Regulation of Production) Act, Act 55 of 1961

Category: Food and Public Distribution

Recommendation: Repeal

The Act empowers the Government to issue orders fixing the quantity of sugar which may be produced in any factory in a year. If the quantity of sugar produced exceeds the quota fixed, the excess amount will attract an additional excise duty

under the Act. The Act has not been in use in the last few decades, even before the process of deregulation began – the sugar industry is instead regulated through Orders under the Essential Commodities Act, 1955. No rules or orders currently operate under this Act. Subject to verification of its current use, this Act can be repealed.

9. Indian Copper Corporation (Acquisition of Undertaking) Act, Act 58 of 1972

Category: Nationalization

Recommendation: Consider for Repeal

Indian Copper Corporation was nationalised through this Act and merged with Hindustan Copper. The Act provided for the nationalisation of the Indian Copper Corporation and matters connected therewith, such as amount to be paid on transfer of the undertaking of the Company, transfer of service of existing employees, etc. The purpose of this Act has been served insofar the nationalisation of the concerned entity was concerned. The Act does not contain provisions of the management of the nationalised entity. Hence, this Act does not serve any continuing purpose with respect to the nationalised entity. As a matter of abundant caution, a study of all the nationalisation Acts should be done before with a view to consider repeal of these Acts. If necessary, a suitable savings clause should be inserted in the repealing Act.

10. Richardson and Cruddas Limited (Acquisition and Transfer of Undertakings) Act, Act 78 of 1972

Category: Nationalisation

Recommendation: Consider for Repeal

This Act transferred all assets, rights, powers and properties of Richardson Cruddas and Company to the Central Government. The Act provided for the nationalisation of Richardson and Cruddas and for matters connected therewith, such as amount to be paid on transfer of the undertaking of the Company, transfer of service of existing

employees, adjudication of claims relating to the shares of the Company, etc. The purpose of this Act has been served insofar the nationalisation of the concerned entity was concerned. The Act does not contain provisions of the management of the nationalised entity. Hence, this Act does not serve any continuing purpose with respect to the nationalised entity. As a matter of abundant caution, a study of all the nationalisation Acts should be done before with a view to consider repeal of these Acts. If necessary, a suitable savings clause should be inserted in the repealing Act.

11. Esso (Acquisition of Undertakings in India) Act, Act 4 of 1974

Category: Nationalisation

Recommendation: Consider for Repeal

The Act provided for the acquisition of all rights, titles and interests of the Indian undertakings of Esso Eastern Inc. by the Central government. The Indian undertakings of Esso, and another company called Lube India were merged to form the Hindustan Petroleum Corporation Limited (HPCL) under the Companies Act, 1956 in 1974. The Act provided for the nationalisation of the Esso Inc. and matters connected therewith, such as amount to be paid on transfer of the undertaking of the Company, transfer of service of existing employees, etc. The purpose of this Act has been served insofar the nationalisation of the concerned entity was concerned. The Act does not contain provisions of the management of the nationalised entity. Hence, this Act does not serve any continuing purpose with respect to the nationalised entity. As a matter of abundant caution, a study of all the nationalisation Acts should be done before with a view to consider repeal of these Acts. If necessary, a suitable savings clause should be inserted in the repealing Act.

12. Indian Iron and Steel Company (Acquisition of Shares) Act, Act 89 of 1976

Category: Nationalisation

Recommendation: Consider for Repeal

This Act provided for the acquisition of shares of the Indian Iron and Steel Company Limited (IISCO) by the Central Government. It specified that on an appointed date, all shares of this company would be transferred to the Central Government. Later, under the Steel Companies (Restructuring) and Miscellaneous Provisions Act, 1978, IISCO was made a wholly owned subsidiary of the Steel Authority of India (SAIL). IISCO's shares were transferred to SAIL under the 1978 Act. The Act provided for the nationalisation of IISCO and matters connected therewith, such as amount to be paid on transfer of the undertaking of the Company, transfer of service of existing employees, etc. The purpose of this Act has been served insofar as the nationalisation of the concerned entity was concerned. The Act does not contain provisions of the management of the nationalised entity. Hence, this Act does not serve any continuing purpose with respect to the nationalised entity. As a matter of abundant caution, a study of all the nationalisation Acts should be done before with a view to consider repeal of these Acts. If necessary, a suitable savings clause should be inserted in the repealing Act.

13. Burmah Shell (Acquisition of Undertakings in India) Act, Act 2 of 1976

Category: Nationalisation

Recommendation: Consider for Repeal

This Act provided that on the appointed date, the right, title and interest of Burmah Shell undertakings in India would be transferred to the Central Government. It further gave the power to the Central Government to transfer these holdings to a Government Company. The Government acquired at the

same time the Burmah Shell Refineries Limited, and vested all assets of the Company in this company, which was later renamed Bharat Petroleum Corporation Limited (BPCL) in 1977. The Act provided for the nationalisation of Burmah Shell and matters connected therewith, such as amount to be paid on transfer of the undertaking of the Company, transfer of service of existing employees, etc. The purpose of this Act has been served insofar the nationalisation of the concerned entity was concerned. The Act does not contain provisions of the management of the nationalised entity. Hence, this Act does not serve any continuing purpose with respect to the nationalised entity. As a matter of abundant caution, a study of all the nationalisation Acts should be done before with a view to consider repeal of these Acts. If necessary, a suitable savings clause should be inserted in the repealing Act.

**14. Braithwaite and Company (India) Limited
(Acquisition and Transfer of Undertakings) Act, Act
96 of 1976**

Category: Nationalisation

Recommendation: Consider for Repeal

This Act transferred all assets, rights, powers and properties of Braithwaite and Company to the Central Government. Currently, Braithwaite is a subsidiary to the Bharat Bhari Udyog Nigam Limited (BBUNL) and under the administrative control of the Department of Heavy Industries. The Act provided for the nationalisation of Braithwaite and Company and for matters connected therewith, such as amount to be paid on transfer of the undertaking of the Company, transfer of service of existing employees, etc. The purpose of this Act has been served insofar the nationalisation of the concerned entity was concerned. The Act does not contain provisions of the management of the nationalised entity. Hence, this Act does not serve any continuing purpose with respect to the nationalised entity. As a matter of abundant caution, a study

of all the nationalisation Acts should be done before with a view to consider repeal of these Acts. If necessary, a suitable savings clause should be inserted in the repealing Act.

15. Burn Company and Indian Standard Wagon Company (Nationalisation) Act, Act 97 of 1976

Category: Nationalisation

Recommendation: Consider for Repeal

The Act provided that the titles, rights and interests of the Burn Company and the Indian Standard Wagon Company would vest in the Government on the appointed date, free of all encumbrances. After acquisition, the two companies were amalgamated under the Companies Act, 1956 and renamed Burn Standard Company Ltd. The Act provided for the nationalisation of these companies and for matters connected therewith, such as amount to be paid on transfer of the undertaking of the Company, transfer of service of existing employees, etc. The purpose of this Act has been served insofar the nationalisation of the concerned entity was concerned. The Act does not contain provisions of the management of the nationalised entity. Hence, this Act does not serve any continuing purpose with respect to the nationalised entity. As a matter of abundant caution, a study of all the nationalisation Acts should be done before with a view to consider repeal of these Acts. If necessary, a suitable savings clause should be inserted in the repealing Act.

16. Departmentalisation of Union Accounts (Transfer of Personnel) Act, Act 59 of 1976

Category: Government Employees

Recommendation: Repeal

The Act provided for the transfer of officers serving in the Indian Audit and Accounts Department (selected through the Indian Audit and Accounts Service) to any Ministry, Department or office of the Central Government for facilitating the efficient discharge of responsibilities related to

compiling accounts within these offices. This legislation formed part of the process of the creation of Indian Civil Accounts Service (ICAS). ICAS personnel are now recruited through the Civil Services Examination. The Act has fallen into disuse and its purpose has been served. Hence, this Act can now be repealed.

17. Smith, Stanistreet and Company Limited (Acquisition and Transfer of Undertakings) Act, Act 41 of 1977

Category: Nationalisation

Recommendation: Consider for Repeal

The Act transferred all assets, rights, powers and properties of the company to the Central Government, and declared those assets to be free of all encumbrances or obligations. Owing to severe financial losses, the Central Government closed the Company in 2001. This Act provided for the nationalisation of Smith, Stanistreet and Company and for matters connected therewith, such as amount to be paid on transfer of the undertaking of the Company, transfer of service of existing employees, etc. The purpose of this Act has been served insofar the nationalisation of the concerned entity was concerned. The Act does not contain provisions of the management of the nationalised entity. Hence, this Act does not serve any continuing purpose with respect to the nationalised entity. As a matter of abundant caution, a study of all the nationalisation Acts should be done before with a view to consider repeal of these Acts. If necessary, a suitable savings clause should be inserted in the repealing Act.

18. Caltex [Acquisition of Shares of Caltex Oil Refining (India) Limited and of the Undertakings in India of Caltex (India) Limited] Act, Act 17 of 1977

Category: Nationalisation

Recommendation: Consider for Repeal

The Act provided for the acquisition of all rights, titles and interests of the Indian undertakings of Caltex Oil Refining (India) Limited (CORIL) by the Central Government. By means of this acquisition act, CORIL was merged with the Hindustan Petroleum Corporation Limited (HPCL) in 1977. The Act provided for the nationalisation of CORIL and for matters connected therewith, such as amount to be paid on transfer of the undertaking of the Company, transfer of service of existing employees, etc. The purpose of this Act has been served insofar the nationalisation of the concerned entity was concerned. The Act does not contain provisions of the management of the nationalised entity. Hence, this Act does not serve any continuing purpose with respect to the nationalised entity. As a matter of abundant caution, a study of all the nationalisation Acts should be done before with a view to consider repeal of these Acts. If necessary, a suitable savings clause should be inserted in the repealing Act.

19. Disputed Elections (Prime Minister and Speaker) Act, Act 16 of 1977

Category: Delimitation and Elections

Recommendation: Repeal

This law provided that the general procedure for disputing an election by presenting an election petition to the High Court, would not apply where the elected representative went on to become the Prime Minister or Speaker of the Lok Sabha. In such cases, this Act would apply, and election petitions questioning their elections would be heard by a single Judge of the Supreme Court, set up as a separate Authority under this Act. The decisions of the Authority were final. Article 329A was inserted into the Constitution which allowed this distinction to be made. Both the amendment and this law were created during the time the Emergency proclamation was in place. Article 329A was subsequently removed through the 44th Amendment to the Constitution in 1978. Without Article 329A, this law is unconstitutional, since the

Constitution does not allow a distinction to be made between the election disputes of different types of elected representatives. Hence, since the constitutionality of this Act is suspect, this Act should be repealed.

20. Britannia Engineering Company Limited (Mokameh Unit) and the Arthur Butler and Company (Muzaffarpore) Limited (Acquisition and Transfer of Undertakings) Act, Act 41 of 1978

Category: Nationalisation

Recommendation: Consider for Repeal

The Act enabled the nationalisation and subsequent amalgamation of two erstwhile companies, Arthur Butler & Co. located at Muzaffarpur and Britannia Engineering Works located at Mokamah (both places are in Bihar). Both the companies were amalgamated to form Bharat Wagon and Engineering Company Limited (BWEL) which is a 100% subsidiary of Bharat Bhari Udyog Nigam Limited (BBUNL). The Act provided for the nationalisation of these companies and for matters connected therewith, such as amount to be paid on transfer of the undertaking of the Company, transfer of service of existing employees, etc. The purpose of this Act has been served insofar the nationalisation of the concerned entity was concerned. The Act does not contain provisions of the management of the nationalised entity. Hence, this Act does not serve any continuing purpose with respect to the nationalised entity. As a matter of abundant caution, a study of all the nationalisation Acts should be done before with a view to consider repeal of these Acts. If necessary, a suitable savings clause should be inserted in the repealing Act.

21. Hindustan Tractors Limited (Acquisition and Transfer of Undertakings) Act, Act 13 of 1978

Category: Nationalisation

Recommendation: Consider for Repeal

The Act provided for the acquisition and transfer of the undertakings of Hindustan Tractors Limited. In 1999, the Mahindra and Mahindra Group acquired 60% of Hindustan Tractors Limited, and by 2001 the rest of the company was also purchased. It was then renamed to Mahindra Gujarat Tractors Ltd., and is now a Mahindra and Mahindra enterprise. The Act provided for the nationalisation of Hindustan Tractors and for matters connected therewith, such as amount to be paid on transfer of the undertaking of the Company, transfer of service of existing employees, etc. The purpose of this Act has been served insofar the nationalisation of the concerned entity was concerned. The Act does not contain provisions of the management of the nationalised entity. Hence, this Act does not serve any continuing purpose with respect to the nationalised entity. As a matter of abundant caution, a study of all the nationalisation Acts should be done before with a view to consider repeal of these Acts. If necessary, a suitable savings clause should be inserted in the repealing Act.

22. Kosan Gas Company (Acquisition of Undertaking) Act, Act 28 of 1979

Category: Nationalisation

Recommendation: Consider for Repeal

The Act enabled the acquisition of the undertakings of the Kosan Gas Company by the Central Government. In 1979, Kosan Gas Company was merged with Hindustan Petroleum Corporation Limited (HPCL). The purpose of this Act has been served insofar the nationalisation of the concerned entity was concerned. The Act does not contain provisions of the management of the nationalised entity. Hence, this Act does not serve any continuing purpose with respect to the nationalised entity. As a matter of abundant caution, a study of all the nationalisation Acts should be done before with a view to consider repeal of these Acts. If necessary, a suitable savings clause should be inserted in the repealing Act.

23. Jute Companies (Nationalisation) Act, Act 62 of 1980

Category: Nationalisation

Recommendation: Consider for Repeal

This Act was passed to acquire and transfer the undertaking of six jute companies, namely, National Company Limited, Alexandra Jute Mills Limited, Union Jute Company Limited, Khardah Company Limited, Kinnison Jute Mills Company Limited and RBHM Jute Mills Private Limited. The assets of these companies vest in National Jute Manufacturers Corporation Limited (NJMC), with effect from June 1980. The purpose of this Act has been served insofar the nationalisation of the concerned entity was concerned. Hence, this Act does not serve any continuing purpose with respect to the nationalised entity. As a matter of abundant caution, a study of all the nationalisation Acts should be done before with a view to consider repeal of these Acts. If necessary, a suitable savings clause should be inserted in the repealing Act.

24. Amritsar Oil Works (Acquisition and Transfer of Undertakings) Act, Act 50 of 1982

Category: Nationalisation

Recommendation: Consider for Repeal

The Act enabled the complete nationalisation of Amritsar Oil Works. Upon nationalisation, Amritsar Oil Works was taken over by HVOC. HVOC had been suffering severe financial losses and was declared sick by the BIFR in 1999. The purpose of this Act has been served insofar the nationalisation of the concerned entity was concerned. The Act does not contain provisions of the management of the nationalised entity. Hence, this Act does not serve any continuing purpose with respect to the nationalised entity. As a matter of abundant caution, a study of all the nationalisation Acts should be done before with a view to

consider repeal of these Acts. If necessary, a suitable savings clause should be inserted in the repealing Act.

25. Illegal Migrants (Determination by Tribunals) Act, Act 39 of 1983

Category: Citizenship; Admission into, Emigration to, and Expulsion from India; and Cross-border Movement.

Recommendation: Repeal

The Act instituted procedures to determine whether persons suspected to be illegal immigrants from Bangladesh did, in fact, fall under that category, and expel them from India. It was applicable only to the state of Assam (detection of foreigners in other states is done under The Foreigners Act, 1946). The Act established Tribunals for determining whether a person is an illegal migrant. The Court, in *Sarbananda Sonowal v. Union of India* [(2005) 5 SCC 665] struck down the Act and Rules, ordered that the Tribunals under the Act cease to function, and declared that the Foreigners Act and other related Acts would operate in Assam instead. Since the Act has been struck down by the Supreme Court and is not in use, it should be repealed.

26. Chandigarh Disturbed Areas Act, Act 33 of 1983

Category: Criminal Justice

Recommendation: Repeal

An Act to make better provision for the suppression of disorder and for the restoration and maintenance of public order in disturbed areas in Chandigarh. In 2012, the Punjab and Haryana High Court in *Surinder Bhardwaj v. Union Territory of Chandigarh and Anr.* [(2013) 169 PLR 111] removed the 'disturbed area' tag off the city of Chandigarh and it ceased implementation of the notification issued in 1983 during the days of terrorism in Punjab. The Act does not serve any purpose now and hence, it should be repealed.

27. Incheck Tyres Limited and National Rubber Manufacturers Limited (Nationalization) Act, 17 of 1984

Category: Nationalisation

Recommendation: Consider for Repeal

This Act was enacted for the nationalisation of Incheck Tyres Limited and National Rubbers Manufacturers Limited. The process of nationalisation was completed in 1984, and the assets of the Company were vested in the Tyre Corporation of India Limited (TCIL), a Government of India enterprise. The purpose of this Act has been served insofar the nationalisation of the concerned entity was concerned. The Act does not contain provisions of the management of the nationalised entity. Hence, this Act does not serve any continuing purpose with respect to the nationalised entity. As a matter of abundant caution, a study of all the nationalisation Acts should be done before with a view to consider repeal of these Acts. If necessary, a suitable savings clause should be inserted in the repealing Act.

28. Hooghly Docking and Engineering Company Limited (Acquisition and Transfer of Undertakings) Act, Act 55 of 1984

Category: Nationalisation

Recommendation: Consider for Repeal

The Act provides for the acquisition and transfer of the undertakings of the Hooghly Docking and Engineering Company Limited with the Central Government. The purpose of this Act has been served insofar the nationalisation of the concerned entity was concerned. The Act does not contain provisions of the management of the nationalised entity. Hence, this Act does not serve any continuing purpose with respect to the nationalised entity. As a matter of abundant caution, a study of all the nationalisation Acts should be done before with a view to consider repeal of these Acts. If

necessary, a suitable savings clause should be inserted in the repealing Act.

**29. Futwah Islampur Light Railway Line
(Nationalization) Act, Act 83 of 1985**

Category: Nationalisation

Recommendation: Repeal

This Act provided for the acquisition of the Futwah Islampur Light Railway Line – a two feet six inches narrow gauge railway line in Bihar – owned by the Futwah Islampur Light Railway Company. The Act provided for the acquisition of the Futwah Islampur Light Railway Line as it was considered to be hazardous and uneconomical, and Futwah Islampur Railway Company was not in a position to manage the line. The railway line was acquired by Indian Railways and was closed in 1987. The purpose of this Act insofar as the nationalisation of the railway line was concerned has been served and this Act can be repealed. If necessary, a suitable savings clause should be inserted in the repealing Act.

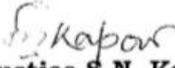
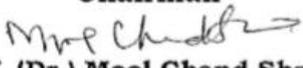
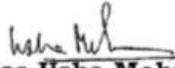
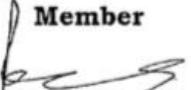
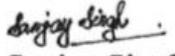
**30. Swadeshi Cotton Mills Company Limited
(Acquisition and Transfer of Undertakings) Act, Act
30 of 1986**

Category: Nationalisation

Recommendation: Consider for Repeal

The Act enabled the acquisition and transfer of certain textiles of the undertakings of the Swadeshi Cotton Mills Company Limited. The management of Swadeshi Cotton Mills was taken over by the Central Government and the National Textile Corporation (NTC) was appointed to manage the affairs of the Mill. The purpose of this Act has been served insofar the nationalisation of the concerned entity was concerned. The Act does not contain provisions of the management of the nationalised entity. Hence, this Act does not serve any continuing purpose with respect to the nationalised entity. As a matter of abundant caution, a study

of all the nationalisation Acts should be done before with a view to consider repeal of these Acts. If necessary, a suitable savings clause should be inserted in the repealing Act.

 [Justice S.N. Kapoor] Member	 [Prof. (Dr.) Mool Chand Sharma] Member	 [Justice Usha Mehra] Member
 [Dr. S.S. Chahar] Member-Secretary	 [P.K. Malhotra] Ex-officio Member	 [Dr. Sanjay Singh] Ex-officio Member