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**THE KERALA REPEALING AND SAVING  
BILL, 2021**

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Kerala Legislature Secretariat  
2021

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**Fifteenth Kerala Legislative Assembly**  
**Bill No. 44**

[Translation in English of “2021 -ലെ കേരള ന്യായനാലം ഔദ്യോഗികമായി ”  
published under the authority of the Governor.]

**THE KERALA REPEALING AND SAVING BILL, 2021**

A

*BILL*

*to repeal certain enactments which are obsolete or no longer needed.*

*Preamble.*— WHEREAS, it is expedient to repeal certain enactments which are obsolete or no longer needed;

BE it enacted in the Seventy-second Year of the Republic of India as follows:—

1. *Short title and commencement.*—(1) This Act may be called the Kerala Repealing and Saving Act, 2021.

(2) It shall come into force at once.

2. *Repeal of certain enactments.*— The enactments specified in the Schedule to this Act are hereby repealed.

3. *Saving.*—(1) The repeal by this Act of any enactment specified in the Schedule shall not affect any other enactment in which the repealed enactment has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 proceeding 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 or procedure, or existing usage, custom, privilege, restriction, exemption, office or appointment, notwithstanding that the same respectively may have been in any manner affirmed, recognised or derived by, in or from any enactment hereby repealed;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.

(2) The provisions of section 4 of the Kerala Interpretation and General Clauses Act, 1125 (VII of 1125) shall be applicable in respect of repeal of an enactment by this Act.

THE SCHEDULE  
(See section 2)

<i>Sl.No</i>	<i>Year &amp; Act/Regulation</i>		<i>Short title</i>
(1)	<i>No.</i> (2)		(3)
<b>Travancore Acts</b>			
1	1040		Enfranchisement of Sirkar Pattom Land Proclamation, 1040 (Travancore)
2	1061		Revenue Settlement Proclamation, 1061 (Travancore)
<b>Cochin Acts</b>			
3	1118	XII	The Pallippurath Pazhur Illom Assumption of Management Proclamation (Cochin), 1118
4			Palam Proclamation (Cochin only)
5	1095	XVIII	The Prevention of Cruelty to Animals Act, 1095 (Cochin)
6	1109	I	The Cochin Amending Act, 1109
7	1111	XXVI	The Prevention of Dedication Act, 1111
8	1112	XXVI	The Cochin Debt Conciliation Act, 1112
9	1118	XV	Amending Proclamation of 1118
10	1123	I	Proclamation Extending the period of Management over Paliam Estate, 1123 (Cochin)
11	1124	VIII	Palam Proclamation of 1124
<b>Travancore-Cochin Act</b>			
12	1955	XXVI	The Travancore Cochin Entertainments Tax (Validation of Levy and Collection) Act, 1955

### **Madras Acts and Regulations Applicable to Malabar Area**

13	1802	III	The Madras Administration of Estates Regulation, 1802
14	1862	IV	The Madras Enfranchised Inams Act, 1862
15	1867	I	The Madras General Clauses Act, 1867
16	1891	I	The Madras General Clauses Act, 1891
17	1914	VIII	The Madras Decentralisation Act, 1914
18	1947	XIV	The Madras Estates, Communal, Forest and Private Lands (Prohibition of Alienation) Act, 1947
19	1947	XXXI	The Madras Devadasis (Prevention of Dedication) Act, 1947
20	1948	VII	The Madras Re-enacting and Repealing (No.1) Act, 1948
21	1948	VIII	The Madras Re-enacting (No.II) Act, 1948
22	1948	IX	The Madras Re-enacting (No.III) Act, 1948
23	1949	X	The Madras Re-enacting Act, 1949
24	1949	XXIX	The Madras Essential Articles Control and Requisitioning (Temporary Powers) Act, 1949
25	1950	III	The Madras Re-enacting Act, 1950
26	1951	XIV	The Madras Repealing and Amending Act, 1951
27	1952	XI	The Madras Repealing and Amending Act, 1952
28	1954	XXIX	The Madras Electricity Supply Undertakings (Acquisition) Act, 1954
29	1955	XXXVI	The Madras Repealing and Amending Act, 1955

**Central Acts**

30	1863	XXIII	The Waste-Lands (Claims) Act, 1863
31	1867	XXII	The Sarais Act, 1867
32	1871	IV	The Coroner's Act, 1871
33	1874	XV	The Laws Local Extent Act, 1874
34	1981	53	The Kerala Appropriation (No. 4) Act, 1981
35	1982	9	The Kerala Appropriation (Vote on Account) Act, 1982
36	1982	10	The Kerala Appropriation Act, 1982

**Kerala Acts**

37	1963	9	The Suits for Possession and Injunction (Re-transfer) Act, 1963
38	1969	19	The Thiruppuvaram Payment (Abolition) Amendment Act, 1969
39	1975	30	The Kerala Debtors (Temporary Relief) Act, 1975
40	1976	9	The Kerala Municipal Councils (Extension of Term of Office of Councillors) Act, 1976
41	1976	31	The Supply of Paddy and Rice to Travancore Palace (Extinguishment of Rights and Liabilities) Act, 1976
42	1977	3	The Calicut Municipal Corporation (Extension of Time for Reconstitution) Act, 1976
43	1988	13	The Gandhiji University (Dissolution of the Senate and the Syndicate) Act, 1988
44	2001	19	The Kerala Agricultural Debtors (Temporary Relief) Act, 2001

45	2004	3	The Kerala Automobiles Limited (Validation of Appointment of Personnel) Act, 2004
46	2005	8	The Kerala Tourism (Conservation and Preservation of Areas) Act, 2005

### **Amendment Acts**

47	2002	4	The Kerala General Sales Tax (Amendment) Act, 2002
48	2002	5	The Kerala Infrastructure Investment Fund (Amendment) Act, 2002
49	2002	6	The Kerala Women's Commission (Amendment) Act, 2002
50	2003	1	The Abkari (Amendment) Act, 2003
51	2003	2	The Kerala Court Fees and Suits Valuation (Amendment) Act, 2003
52	2003	3	The Kerala General Sales Tax (Amendment) Act, 2003
53	2003	4	The Sree Sankaracharya University of Sanskrit (Amendment) Act, 2003
54	2003	7	The Kerala General Sales Tax (Third Amendment) Act, 2003
55	2003	8	The Kerala Stay of Eviction Proceedings (Amendment) Act, 2003
56	2003	9	The Kerala Panchayat Raj (Amendment) Act, 2003
57	2003	10	The Kerala Municipality (Amendment) Act, 2003
58	2003	11	The Kerala General Sales Tax (Second Amendment) Act, 2003



59	2003	16	The Kerala Cashew Workers' Relief and Welfare Fund (Amendment) Act, 2003
60	2003	28	The Kerala Preservation of Trees (Amendment) Act, 2003
61	2004	1	The Kerala Stamp (Amendment) Act, 2004
62	2004	4	The Kerala Tolls (Amendment) Act, 2004
63	2004	16	The Kerala Co-operative Laws (Amendment) Act, 2004
64	2005	1	The Sree Sankaracharya University of Sanskrit (Amendment) Act, 2005
65	2005	2	The University Laws (Amendment) Act, 2005
66	2005	3	The Kerala Panchayat Raj (Amendment) Act, 2005
67	2005	4	The Kerala Municipality (Amendment) Act, 2005
68	2005	5	The Kerala Panchayat Raj (Second Amendment) Act, 2005
69	2005	6	The Kerala Municipality (Second Amendment) Act, 2005
70	2005	7	The Kerala Contingency Fund (Amendment) Act, 2005
71	2005	19	The Kerala Gaming (Amendment) Act, 2005
72	2005	22	The Kerala Ground Water (Control and Regulation) Amendment Act, 2005
73	2005	23	The Kerala Motor Transport Workers Welfare Fund (Amendment) Act, 2005
74	2005	24	The Kerala Motor Vehicles Taxation (Amendment) Act, 2005
75	2005	26	The Kerala Local Authorities Entertainments Tax (Amendment) Act, 2005

76	2005	28	The Kerala Self Financing Professional Colleges (Prohibition of Capitation Fees and Procedure for Admission and Fixation of Fees) Amendment Act, 2005
77	2005	29	The University Laws (Amendment) Amending Act, 2005
78	2005	30	The Kerala Panchayat Raj (Fifth Amendment) Act, 2005
79	2005	31	The Kerala Panchayat Raj (Third Amendment) Act, 2005
80	2005	33	The Kerala Municipality (Third Amendment) Act, 2005
81	2005	34	The Kerala Municipality (Fourth Amendment) Act, 2005
82	2005	35	The Kerala Municipality (Fifth Amendment) Act, 2005
83	2005	36	The Kerala Municipality (Sixth Amendment) Act, 2005
84	2005	37	The Kerala Municipality (Seventh Amendment) Act, 2005
85	2005	40	The Kerala General Sales Tax (Amendment) Act, 2005
86	2005	41	The Kerala Tax on Luxuries (Amendment) Act, 2005
87	2005	42	The Kerala Tax on Entry of Goods into Local Areas (Amendment) Act, 2005
88	2005	43	The Kerala Agricultural Income Tax (Amendment) Act, 2005
89	2005	45	The Kerala Water Supply and Sewerage (Amendment) Act, 2005
90	2006	1	The Kerala Land Reforms (Third Amendment) Act, 2005

91	2006	4	The Kerala Irrigation and Water Conservation (Amendment) Act, 2006
92	2006	21	The Kerala Land Reforms (Amendment) Act, 2005
93	2007	5	The Travancore-Cochin Hindu Religious Institutions (Amendment) Act, 2007
94	2007	11	The Kerala Panchayat Raj (Amendment) Act, 2007
95	2007	12	The Kerala Municipality (Amendment) Act, 2007
96	2007	19	The Kerala Promotion of Tree Growth in Non-Forest Areas (Amendment) Act, 2007
97	2007	21	The Kerala Police (Amendment) Act, 2007
98	2007	23	The Mahatma Gandhi University (Amendment) Act, 2007
99	2007	24	The University Laws (Amendment) Act, 2007
100	2007	25	The Cochin University of Science and Technology (Amendment) Act, 2007
101	2007	26	The Kerala Sports (Amendment) Act, 2007
102	2007	27	The Kerala Women's Commission (Amendment) Act, 2007
103	2007	29	The Kerala Survey and Boundaries (Amendment) Act, 2007
104	2007	31	The Kerala Revenue Recovery (Amendment) Act, 2007
105	2007	33	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

## STATEMENT OF OBJECTS AND REASONS

The periodical repealing of Acts which are obsolete or are no longer needed help to remove those laws from the Statute Book. Obsolete Acts having been limited to endure only for specified period or purpose or which had been enacted for the continuance of previous temporary Acts need not be kept alive in the Statute Book. Obsolete Acts which are no longer capable of being put into force which have exhausted its operation by the accomplishment of the objects also can be removed from the Statute Book.

2. Amendment Acts are not necessary to be retained in the Statute Book as separate Acts since they became part of their parent Acts.

3. Based on the recommendation of the Kerala Law Reforms Commission under the Chairmanship of Justice (Rtd) V.R. Krishna Iyer appointed by the State Government to repeal Acts which are obsolete or no longer needed and consequent to the direction of the Central Government to repeal obsolete and redundant Acts as part of 'Good Governance' in the Country, the Government have examined the matter and decided to repeal such laws.

4. The Bill seeks to achieve the above object.

## FINANCIAL MEMORANDUM

The Bill, if enacted and brought into operation, would not involve any expenditure from the Consolidated Fund of the State.

P. RAJEEVE.