

इसे वेबसाईट www.govtpressmp.nic.in
से भी डाउन लोड किया जा सकता है.



मध्यप्रदेश राजपत्र

(असाधारण)
प्राधिकार से प्रकाशित

क्रमांक 163]

भोपाल, सोमवार, दिनांक 4 अप्रैल 2016—चैत्र 15, शक 1938

विधि और विधायी कार्य विभाग

भोपाल, दिनांक 4 अप्रैल 2016

क्र. 5439-107-इक्कीस-अ (प्रा.).—भारत के संविधान के अनुच्छेद 348 के खण्ड (3) के अनुसरण में, मध्यप्रदेश निरसन विधेयक, 2016 (क्रमांक 12 सन् 2016) का अंग्रेजी अनुवाद राज्यपाल के प्राधिकार से एतद्वारा, प्रकाशित किया जाता है.

मध्यप्रदेश के राज्यपाल के नाम से तथा आदेशानुसार,
राजेश यादव, अपर सचिव.

MADHYA PRADESH BILL

No. 12 OF 2016.

THE MADHYA PRADESH NIRSAN VIDHEYAK, 2016

A Bill to repeal certain enactments.

Be it enacted by the Madhya Pradesh Legislature in the Sixty-seventh year of the Republic of India as follows:—

Short title.

1. This Act may be called the Madhya Pradesh Nirsan Adhiniyam, 2016.

Repeal of certain enactments.

2. The enactments specified in the Schedule are hereby repealed to the extent mentioned in the fourth column thereof.

Savings.

3. The repeal by this Act of any enactment shall not affect any other enactment in which the repealed enactment has been applied incorporated or referred to;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the same respectively may have been in any manner affirmed or recognized or derived by in or from any enactment hereby repealed :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 :—

THE SCHEDULE

(See section 2)

REPEALS

Year (1)	No. (2)	Short title (3)	Extent of repeal (4)
1845	1	The Sales of Land for Revenue Arrears Act, 1845	The whole
1850	26	The Improvements in Towns Act, 1850	The whole
1853	6	The Rent Recovery Act, 1853	The whole
1861	16	The Stage-Carriages Act, 1861	The whole
1863	19	The Partition of Revenue-paying Estates Act, 1863	The whole
1879	14	The Hackney Carriage Act, 1879	The whole
1881	18	The Central Provinces Land-Revenue Act, 1881	The whole
1883	19	The Land Improvement Loans Act, 1883	The whole
1898	11	The Central Provinces Tenancy Act, 1898	The whole
1908	13	The Central Provinces Financial Commissioner's Act, 1908	The whole
1914	9	The Local Authorities Loans Act, 1914	The whole
1919	1	The Local Authorities Pensions and Gratuities Act, 1919	The whole

STATEMENT OF OBJECTS AND REASONS

The Central Government is committed to repeal the obsolete and redundant laws (Central Acts) lying on the Statute Book Keeping in view the necessity of repeal of laws which are redundant or lost their significance the Law Commission of India in its 248th, 249th, 250th and 251st Reports on "obsolete Laws: Warranting Immediate Repeal", inter-alia recommended for repeal of 289 enactments. Out of 289 enactments 62 enactments have been identified for repeal by the respective State Legislature.

2. The Ramanujam Committee Constituted by the Prime Minister's Office has recommended for the repeal of 1741 enactments. Out of 1741 enactments 83 enactments have been identified for repeal by the respective State Legislature. The total number of Acts to be repealed by the States comes to 62+83=145. Out of total 145 Acts the Government of Madhya Pradesh has identified 12 Acts for repeal by the Madhya Pradesh Legislative Assembly for which consent of the concerning administrative department has been obtained.

3. In this regard reference is drawn to the ruling given by the Hon'ble Supreme Court in Kerala State electricity Board versus Indian Aluminum Co. Ltd. [AIR 1976 SC 1031] wherein it was held that "an existing law continues to be valid even though the legislative power with respect to the subject-matter of the existing law might be in a different list under the Constitution from the list under which it would have fallen under the Government of India Act, 1935. But after the Constitution came into force an existing law could be amended or repealed only by the Legislature which would be competent to enact that law if it were to be newly enacted".

4. As part of the ongoing initiative of the Central Government the present proposal of the State Government is to repeal 12 obsolete and redundant laws by the State Legislative Assembly. An appropriate saving clause has been incorporated in the Bill. On being enacted it would reduce obsolete laws and bring in clarity to these for whose benefit the laws are enacted.

5. Hence this Bill.

Bhopal :

Dated the 30th March, 2016.

KUSUM SINGH MAHDELE
Member-in-charge.