

**BRITISH STATUTES (APPLICATION TO INDIA) REPEAL ACT,
1960**

57 of 1960

[26th December, 1960]

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SCHEDULE 1 :-BRITISH STATUTES REPEALED IN THEIR
APPLICATION TO INDIA

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"The Law Commission in its Fifth Report has recommended the formal repeal of a large number of British statutes which are in terms applicable to India or which may be assumed to so apply, and the replacement, if considered necessary, of a few other British statutes by Acts of Parliament. The present Bill seeks to implement the Report in so far as the repeal of certain British statutes is concerned. As respects the recommendations relating to the replacement of certain British statutes by Acts of Parliament, Merchant Shipping Act, 1958. has already replaced all the British statutes on that subject and many of the remaining Acts are under separate examination. 2. The reasons for repealing most of the British statutes are contained in the comments of the Commission in Appendix II at pp. 33-84 of its Fifth Report. The present Bill, however, includes a few British statutes which the Fifth Report has listed in Appendix III as statutes with respect to which legislation in India appears to be prima facie necessary. The examination of these Acts has revealed that they may also be repealed. The notes explain the reasons for including such statutes in the present Bill. 3. Clause 3 of the Bill introduces a saving provision on the lines

recommended in paragraph 15 of the Report in order to make it clear that the repeal cannot possibly affect any privileges to which India and her citizens may be entitled under any statute now sought to be repealed in its application to territories outside India to which India (Consequential Provision) Act, 1949. extends," - Gaz of Ind. 1960. Extra. Pt. II-Sec. 2, p. 524.

1. Short title :-

This Act may be called British Statutes (Application to India) Repeal Act, 1960

2. Repeal of certain British statutes in their application to India :-

The British statutes specified in the Schedule, in so far as they extend to, and operate as part of the law of, India or any part thereof, are hereby repealed.

3. Savings :-

For the removal of doubts, it is hereby declared that the repeal by this Act of any British statute shall not affect the operation of any such statute in relation to India and to persons and things in any way belonging to or connected with India in any country to which the India (Consequential Provision) Act, 1949 , extends.

SCHEDULE 1

BRITISH STATUTES REPEALED IN THEIR APPLICATION TO INDIA

(See Section 2)	Serial No.	Year	Short title or subject
	1	1297	Magna Carta (25 Edw. 1, c. I and 29)
	2	1331	Unlawful attachment (5 Edw. 3, c. 9)
	3	1354	Non-condemnation without due process (28 Edw. 3, c. 3)
	4	1540	Marriage Act, 1540 (32 Hen. 8, c. 38)
	5	1551-2	The Sale of Offices Act, 1551 (5 and 6 Edw. 6, c. 16)
	6	1677	The Statute of Frauds (29 Cha. 2, c. 3)
	7	1679	The Habeas Corpus Act, 1679 (31 Cha. 2, c. 2)
	8	1688	Coronation Oath (I Will. and Mar., c. 6)
	9	1698	Governors of Plantations (II Will. 3, c. 12)
	10	1700	The Act of Settlement (12 and 13 Will. .1. c. 2)
	11	1702	Demise of the Crown, 1702(1 Anne. c. 2)
	12	1707	The Succession to the Crown Act, 1707 (6 Anne, c.. 41)
	13	1782	The House of Commons (Disqualification) Act, 1782 (22 Geo, c. 45)
	14	1802	The Criminal Jurisdiction Act, 1802 (42 Geo. 3. c. 85)
	15	1809	The Sale of Offices Act, 1809 (49 Geo. 3, c. 126)
	16	1812	The Prisoners of War (Escape) Act. 1812 (52 Geo. 3, c. 156)
	17	1820	The Divorce Bills Evidence Act. 1820(1 Geo. 4, c. 101)
	18	1824	The Slave Trade Act, 1824 (5 Geo. 4. c. 113)
	19	1830	The Illusory Appointments Act. 1830(11 Geo. 4 and I Will. 4, c. 46)
	20	1830	The Debts Recovery Act. 1830 (I I Geo. 4 and I Will. 4, c. 47)
	21	1830	The Infants' Property Act, 1830(11 Geo. 4 and I Will. 4, c. 65)
	22	1830	The Colonial Offices Act, 1830(1 Will. 4, c. 4)
	23	1831	The Evidence on Commission Act, 1831 (I Will. 4, c. 22)
	24	1833	The Judicial Committee Act, 1833 (3 and 4 Will. 4, c. 41)
	25	1833	The Government of India Act. 1833 (3 and 4 Will. 4, c. 85)
	26	1834	The Superannuation Act, 1834 (4 and 5 Will. 4, c. 24)
	27	1840	The Debtors (Ireland) Act, 1840 (3 and 4 Vict., c.

105). 28 1843 The (Colonies) Evidence Act, 1843 (6 and 7 Vict., c. 22). 29 1843 The Judicial Committee Act, 1843 (6 and 7 Vict., c. 38). 30 1843 The Slave Trade Act, 1843 (6 and 7 Vict., c. 98). 31 1844 The Judicial Committee Act, 1844 (7 and 8 Vict., c. 69). 32 \1847 The Naval Deserters Act, 1847 (10 and 11 Vict., c. 62). 33 \1849 The Portuguese Deserters Act, 1849 (12 and 13 Vict., c. 25). 34 \1851 The Lunatics' Removal (India) Act, 1851 (14 and 15 Vict., c. 81). 35 \1851 The Court of Chancery Act, 1851 (14 and 15 Vict., c. 83). 36 \1853 The Coinage (Colonial Offences) Act, 1853 (16 and 17 Vict., c. 48). 37 \1854 The Registration of Births, Deaths and Marriages (Scotland) Act, 1854 (17 and 18 Vict., c. 80). 38 \1856 The Foreign Tribunals Evidence Act, 1856 (19 and 20 Vict., c. 113). 39 \1858 The Government of India Act, 1858 (21 and 22 Vict., c. 106). 40 \1859 The Evidence by Commission Act, 1859 (22 Vict., c. 20). 41 \1859 The Royal Naval Reserve (Volunteer) Act, 1859 (22 and 23 Vict., c. 40). 42 \1860 The Indian Securities Act, 1860 (23 and 24 Vict., c. 5). 43 \1861 The Malicious Damage Act, 1861 (24 and 25 Vict., c. 97). 44 \1861 The Wills Act, 1861 (24 and 25 Vict., c. 114). 45 \1861 The Domicile Act, 1861 (24 and 25 Vict., c. 121). 46 \1862 The India Stock Transfer Act, 1862 (25 and 26 Vict., c. 7). 47 \1862 The Habeas Corpus Act, 1862 (25 and 26 Vict., c. 20). 48 \1862 The Fine Arts Copyright Act, 1862 (25 and 26 Vict., c. 68). 49 \1863 The Colonial Letters Patent Act, 1863 (26 and 27 Vict., c. 76). 50 \1866 The Indian Military Funds Act, 1866 (29 and 30 Vict., c. 18). 51 \1866 The Indian Prize Money Act, 1866 (29 and 30 Vict., e. 47) 52 \1868 The Indian Railway Companies Act, 1868 (31 and 32 Vict., c. 26). 53 \1868 The Documentary Evidence Act, 1868 (31 and 32 Vict., c. 37). 54 \1868 The Indian Prize Money Act, 1868 (31 and 32 Vict., c. 37). 55 \1869 The East India Irrigation and Canal Act, 1869 (32 and 33 Vict., c. 7). 56 \1870 The Coinage Act, 1870 (33 and 34 Vict., c. 10). 57 \1873 The East India Stock Dividend Redemption Act, 1873 (36 and 37 Vict., c. 17). 58 \1873 The Indian Railway Companies Act, 1873 (36 and 37 Vict., c. 43). 59 \1873 The Slave Trade (East African Courts) Act, 1873 (36 and 37 Vict., c. 59). 60 \1873 The Slave Trade Act, 1873 (36 and 37 Vict., c. 88). 61 \1874 The East India Annuity Funds Act, 1874 (37 and 38 Vict., c. 12). 62 \1876 The Royal Titles Act, 1876 (39 and 40 Vict., c. 10). 63 \1876 The Statute Law Revision (Substituted Enactments) Act, 1876 (39 and 40, 64Vict., c. 20).. 65 \1876 The Customs Consolidation Act, 1876 (39 and 40 Vict., c. 36). 66 \1878 The Slave Trade Act, 1876 (39 and 40 Vict., c. 46). 67 1878 The Dentists Act, 1878 (41 and 42 Vict., c. 33). 68 1879 The Elders' Widows' Fund (India) Act, 1878 (41 and 42 Vict., c. 47). 69 1879 The Registration of Births, Deaths and Marriages (Army) Act, 1879 (42 and 43 Vict., c. 8) 70 1879 The Slave Trade (East African Courts) Act, 1879 (42 and 43 Vict., c. 38). 71 1881 The Indian Guaranteed Railways Act, 1879 (42 and 43 Vict., c. 41), 72 1881 The Judicial Committee Act, 1881 (44 and 45 Vict., c. 3). The India Office (Sale of Superfluous Land) Act, 1881 (44 and 45 Vict., c. 7). 73 1881 The Army Act, 1881 (44 and 45 Vict., c. 58). 74 1882 The Documentary Evidence Act, 1882 (45 and 46 Vict., c. 9). 75 1882 The Bombay Civil Fund Act, 1882 (45 and 46 Vict., c. 45). 76 1882 The Reserve Forces Act, 1882 (45 and 46 Vict., c. 48). 77 1884 The Naval Discipline Act, 1884 (47 and 48 Vict., c. 39). 78 1894 The Criminal Lunatics Act, 1884 (47 and 48 Vict., c. 64). 79 1885 The East India Unclaimed Stock Act, 1885 (48 and 49 Vict., c. 25). 80 1885 The Indian Army Pension Deficiency Act, 1885 (48 and 49 Vict., c. 67). 81 1885 The Evidence by Commission Act, 1885 (48 and 49 Vict., c. 74). 82 1886 The Medical Act, 1886 (49 and 50 Vict., c. 48). 83 \1887 The Conversion of India Stock Act, 1887 (50 and 51 Vict., c. 11). 84 1887 The British Settlement Act, 1887 (50 and 51 Vict., c. 54). 85 1887 The Superannuation Act, 1887 (50 and 51 Vict., c. 67). 86 1887 The

Appellate Jurisdiction Act, 1887 (50 and 51 Vict., c. 70). 87 1889 The Commissioners for Oaths Act, 1889 (52 and 53 Vict., c. 10). 88 1890 The Commissioners for Oaths Amendment Act, 1890 (53 and 54 Vict., c. 7) 89 1890 The Foreign Jurisdiction Act, 1890 (53 and 54 Vict., c. 37). 90 1891 The Commissioners for Oaths Act, 1891 (54 and 55 Vict., c. 50). 91 1891 The Coinage Act, 1891 (54 and 55 Vict., c. 72). 92 1892 The Foreign Marriage Act, 1892 (55 and 56 Vict., c. 23). 93 1892 The Superannuation Act, 1892 (55 and 56 Vict., c. 40), 94 1893 The Regimental Debts Act, 1893 (56 and 57 Vict., c. 5). 95 \1893 The Trustee Act, 1893 (56 and 57 Vict., c. 53). 96 1894 The Trustee Act, 1893, Amendment Act, 1894 (57 and 58 Vict., c. 10). 97 1894 The Indian Railways Act, 1894 (57 and 58 Vict., c. 12). 98 1894 The Finance Act, 1894'(57 and 58 Vict., c. 30). 99 \1894 The Uniforms Act, 1894 (57 and 58 Vict., c. 45). 100 1895 The Documentary Evidence Act, 1895 (58 and 59 Vict., c. 9). 101 1895 The Judicial Committee Amendment Act, 1895 (58 and 59 Vict., c. 44). 102 1896 The Short Titles Act. 1896 (59 and 60 Vict., c. 14). 103 1896 The Finance Act, 1896 (59 and 60 Vict., c. 28). 104 1896 The Royal Naval Reserve Volunteer Act, 1896 (59 and 60 Vict., c. 33). 105 1897 The Regular and Elders' Widows' Funds Act, 1897 (60 and 61 Vict., c. 11). 106 1898 The Reserve Forces and Militia Act, 1898 (61 and 62 Vict., c. 9). 107 1898 The Statute Law Revision Act, 1898 (61 and 62 Vict., c. 22). 108 1899 The Army (Annual) Act, 1899 (62 and 63 Vict., c. 3). 109 \1899 The Reserve Forces Act, 1899 (62 and 63 Vict., c. 40). 110 1900 The Colonial Solicitors Act, 1900 (63 and 64 Vict., c. 14) 111 1900 The Reserve Forces Act, 1900 (63 and 64 Vict., c. 42). 112 1900 The Colonial Stock Act, 1900 (63 and 65 Vict., c. 62). 113 1901 The Army (Annual) Act, 1901 (1 Edw. 7, c. 2). 114 1901 The Demise of the Crown Act, 1901 (1 Edw. 7, c. 5). 115 1901 The Royal Titles Act, 1901 (1 Edw. 7, c. 15). 116 1902 The Royal Naval Reserve Act, 1902 (2 Fdw. 7, c. 5). 117 1905 The Medical Act (1886), Amendment Act (1905) (5 Edw. 7, c. 14). 118 1906 The Seamen's and Soldiers' False Characters Act, 1906 (6 Edw. 7, c. 5). 119 1906 The Reserve Forces Act, 1906 (6 Edw. 7, c. 11). 120 1907 The Territorial and Reserve Forces Act, 1907 (7 Edw. 7, c. 9). 121 1907 The Evidence (Colonial Statutes) Act. 1907 (7 Edw. 7, c. 16). 122 1907 The Deceased Wife's Sister's Marriage Act, 1907 (7 Edw. 7, c. 47). 123 1908 The Statute Law Revision Act, 1908 (8 Edw. 7, c. 49). 124 1908 The Appellate Jurisdiction Act, 1908(8 Edw. 7, c. 51). 125 1909 The Army (Annual) Act, 1909 (9 Edw. 7, c. 3). 126 1909 The Naval Establishments in British Possessions Act, 1909 (9 Edw. 7, c. 18). 127 1909 The Naval Discipline Act, 1909 (9 Edw. 7, c. 41). 128 1910 The Army (Annual) Act, 1910 (10 Edw. 7, c. 6). 129 1910 The Accession Declaration Act, 1910 (10 Edw. 7 and 1 Geo. 5, c. 29). 130 1910 The Registration of Births, Deaths and Marriages (Scotland) Amendment Act, 1910(10 Edw. 7 and 1 Geo. 5, c. 32). 131 1911 The Army (Annual) Act, 1911 (I and 3 Geo. 5, c. 3). 132 1911 The Parliament Act. 1911 (I and 2 Geo. 5, c. 13). 133 1911 The Official Secrets Act, 1911(1 and 2 Geo. 5, c. 28) 134 1912 The Army (Annual) Act, 1912 (2 and 3 Geo. 5, c. 5). 135 1912 The Marriages in Japan (Validity) Act, 1912 (2 and 3 Geo. 5, c. 15). 136 1913 The Army (Annual) Act, 1913 (3 Geo. 5, c. 2). 137 1913 The Foreign Jurisdiction Act, 1913 (3 and 4 Geo. 5, c. 16). 138 1913 The Appellate Jurisdiction Act. 1913 (3 and 4 Geo. 5, c. 21). 140 1914 The Army (Annual) Act, 1914 (4 and 5 Geo. 5, c. 2). 140 1914 The Aliens Restrictions Act, 1914 (4 and 5 Geo. 5, c. 12). 141 1914 The Army (Supply of Food, Forage and Stores) Act, 1914 (4 and 5 Geo. 5, c. 26). 142 1914 The Superannuation Act, 1914 (4 and 5 Geo. 5, c. 86). 143 1915 The Navy (Pleading of Certificates, etc.) Act, 1914 (4 and Geo. 5, 147 1915c. 89). 144 1915 The Army (Amendment) Act, 1915 (5 and 6 Geo. 5, c. 26). 145 1915 The Naval Discipline Act, 1915

(5 and 6 Geo. 5, c. 30). 146 1915 The Marriage of British Subjects (Facilities) Act, 1915 (5 and 6 Geo, 5, c. 40). 147 1915 The Army (Amendment) No. 2 Act, 1915 (5 and 6 Geo. 5, c. 58). 149 1915 The Naval Discipline (No. 2) Act, 1915 (5 and 6 Geo. 5, c. 73). 150 1916 The Judicial Committee Act, 1915 (5 and 6 Geo. 5, c. 92), 151 1917 The Army (Annual) Act, 1916 (6 and 7 Geo. 5, c.5). 151 1917 The Imperial Institute (Management) Act, 1916 (6 and 7 Geo. 5, c. 8). 152 1916 The Marriage of British Subjects (Facilities) Amendment Act, 1916 (6 and 7 Geo. 5, c. 21). 153 1916 The Government of India (Amendment) Act. 1916 (6 and 7 Geo. 5, c. 37), 154 1917 The Army (Annual) Act, 1917 (7 and 8 Geo. 5, c. 9). 155 1917 The Naval Discipline Act, 1917 (7 and 8 Geo. 5, c, 34). 156 1917 The Air Force (Constitution) Act, 1917 (7 and 8 Geo. 5, c. 51). 157 1918 The Army (Annual) Act, 1918 (8 and 9 Geo. 5, c. 6). 158 1918 The Termination of the Present War (Definition) Act, 1918 (8 and 9 Geo. 5, c. 59). 159 1919 The Army (Annual) Act, 1919 (9 and 10 Geo. 5, c. 11). 160 1919 The Treaty of Peace Act. 1919 (9 and 10 Geo. 5, c. 33). 161 1919 The British Mercantile Marine Uniform Act, 1919 (9 and 10 Geo. 5, c. 62) 162 1919 The Aliens Restriction (Amendment) Act, 1919 (9 and 10 Geo. 5, c. 92). 163 1919 The Government of India Act, 1919 (9 and 10 Geo. 5, c. 101). 164 1920 The Treaties of Peace (Austria and Bulgaria) Act, 1920 (10 and 11 Geo. 5, c, 6). 165 1920 The Army and Air Force (Annual) Act, 1920 (10 and 11 Geo. 5, c. 7). 166 1920 The Maintenance Orders (Facilities for Enforcement) Act, 1920 (10 and 11 Geo. 5, c. 33). 167 1920 The Indemnity Act, 1920 (10 and 11 Geo. 5, c. 48). 168 1921 The Army and Air Force (Annual) Act, 1921 (11 and 12 Geo. 5. c. 9). 169 1921 The Treaty of Peace (Hungary) Act, 1921 (11 and 12 Geo. 5, c. 1 1). 170 1921 The Importation of Plumage (Prohibition) Act, 1921 (II and 12 Geo. 5, c. 16). 171 1921 The Indian Divorces (Validity) Act, 1921 (11 and 12 Geo. 5, c. 18). 172 1921 The Deceased Brother's Widow's Marriage Act. 1921 (11 and 12 Geo. 5, c. 24). 173 1921 The Territorial Army and Militia Act, 1921 (11 and 12 Geo. 5, c. 37). 174 1921 The Trade Facilities Act, 1921 (II and 12 Geo. 5. c. 65). 175 1922 The Army and Air Force (Annual) Act. 1922 (12 and 13 Geo. 5, c. 6). 176 1922 The Empire Settlement Act. 1922 (12 and 13 Geo. 5, c. 13), 177 1922 The Naval Discipline Act, 1922 (12 and 13 Geo. 5, c. 37). 178 1932 The Trade Facilities and Loans Guarantee (13 Geo. 5, c. 4). 179 1923 The Army and Air Force (Annual) Act. 1923 (13 and 14 Geo. 5, c. 3). 180 1923 The Fees (Increase) Act, 1923 (13 and 14 Geo. 5, c. 4). 181 1923 The Matrimonial Causes Act, 1923 (13 and 14 Geo. 5, c. 19). 182 1924 The Army and Air Force (Annual) Act, 1924 (14 and 15 Geo. 5, c, 5). 183 1924 The Treaty of Peace (Turkey) Act, 1924 (14 and 15 Geo. 5, c. 7). 184 1924 The Trade Facilities Act, 1924 (14 and 15 Geo. 5, c. 8). 185 1924 The Auxiliary Air Force and Air Force Reserve Act, 1924 (14 and 15 Geo. 5, c. 15). 186 1924 The Carriage of Goods by Sea Act, 1924 (14 and 15 Geo. 5, c. 22). 187 1924 The Expiring Laws Continuance Act, 1924 (15 Geo. 5, c. 1). 188 1925 The Trade Facilities Act, 1925 (15 and 16 Geo. 5, c. 13). 189 1925 The Army and Air Force (Annual) Act, 1925 (15 Geo. 5, c. 25). 190 1925 The Expiring Laws Act, 1925 (15 and 16 Geo. 5. c. 76). 191 1926 The Trade Facilities Act, 1926 (16 and 17 Geo. 5. c. 3). 192 1926 The Secretaries of State Act, 1926 (16 and 17 Geo. 5, e. 18). 193 1927 The Royal and Parliamentary Titles Act, 1927 (17 and 18 Geo. 5, c. 4). 194 1927 The Workmen's Compensation (Transfer of Funds) Act, 1927 (17 and 18 Geo. 5, c. 15). 195 1927 The Royal Naval Reserve Act, 1927 (17 and 18 Geo. 5, c. 18). 196 1927 The Cinematograph Films Act, 1927 (17 and 18 Geo. 5, c. 29). 197 1927 The Indian Church Act, 1927 (17 and 18 Geo. 5, c. 40). 198 1927 The Colonial Probates (Protected States and Mandated Territories)Act, 1927(17and 18Geo.5, c. 43). 199 1929 The Appellate

Jurisdiction Act, 1929 (19 and 20 Geo. 5, c. 8). 200 1929 The Companies Act, 1929 (19 and 20 Geo. 5, c. 23). 201 1934 The Air Force Reserve (Pilots and Observers) Act, 1934 (24 and 25 Geo. 5, c. 5). 202 1935 The Superannuation Act, 1935 (25 and 26 Geo. 5, c. 23). 203 1935 The Finance Act, 1935 (25 and 26 Geo. 5, c. 24). 204 1935 The Government of Burma Act, 1935 (26 Geo. 5 and I Edw. 8, c. 3). 205 1936 The Majesty's Declaration of Abdication Act, 1936 (1 Edw. 8 and I Geo. 6, c. 3). 206 1937 The East India Loans Act, 1937 (I Edw. 8 and I Geo. 6, c. 14), 207 1937 The Regency Act, 1937 (I Edw. 8 and I Geo. 6, c. 16). 208 1937 The Reserve Forces Act, 1937 (I Edw. 8 and I Geo. 6, c. 17). 209 1937 The Empire Settlement Act, 1937 (1 Edw. 8 and I Geo. 6, c. 18). 210 1938 The Cinematograph Films Act, 1938 (1 and 2 Geo. 6, c. 17). 211 1938 The Trade Marks Act, 1938 (I and 2 Geo. 6, c. 22). 212 1939 The Prevention of Fraud (Investment) Act, 1939 (2 and 3 Geo. 6, c. 16). 213 1939 The Army and Air Force (Annual) Act, 1939 (2 and 3 Geo. 6, c. 17). 214 1939 The Reserve and Auxiliary Forces Act, 1939 (2 and 3 Geo. 6, c. 24). 215 1939 The Marriage (Scotland) Act, 1939 (2 and 3 Geo. 6, c. 34). 216 1939 The Emergency Powers (Defence) Act, 1939 (2 and 3 Geo. 6, c. 62). 217 1939 The Armed Forces (Conditions of Service) Act, 1939 (2 and 3 Geo. 6, c. 68). 218 1939 The Ships and Aircraft (Transfer Restriction) Act, 1939 (2 and 3 Geo. 6, c. 70). 219 1939 The Trading with the Enemy Act, 1939 (2 and 3 Geo. 6, c. 89). 220 1939 The Expiring Laws Continuance Act, 1939 (3 and 4 Geo. 6, c. 1). 221 1940 The Army Air Force (Annual) Act, 1940 (3 and 4 Geo. 6, c. 18). 222 1940 The Emergency Powers (Defence) Act, 1940 (3 and 4 Geo. 6, c. 20). 223 1940 The Treachery Act, 1940 (3 and 4 Geo. 6, c. 21). 224 1940 The Evidence and Powers of Attorney Act, 1940 (3 and 4 Geo. 6, c. 28). 225 1940 The Emergency Powers (Defence) (No. 2) Act, 1940 (3 and 4 Geo. 6, c. 45). 226 1940 The Prolongation of Parliament Act, 1940 (3 and 4 Geo. 6, c. 53). 227 1940 The Expiring Laws Continuance Act, 1940 (4 and 5 Geo. 6, c. 2). 228 1940 The Naval and Marine Forces (Temporary Release from Service) Act, (4 and 5 Geo. 6, c. 4). 229 1941 The Army and Air Force (Annual) Act, 1941 (4 and 5 Geo. 6, c. 17), 230 1941 The Naval Discipline (Amendment) Act, 1941 (4 and 5 Geo. 6, c. 29). 231 1941 The Prolongation of Parliament Act, 1941 (4 and 5 Geo. 6, c. 48). 232 1941 The Expiring Laws Continuance Act, 1941 (5 and 6 Geo. 6, c. 3). 233 1942 The Army and Air Force (Annual) Act, 1942 (5 and 6 Geo. 6, c. 15). 234 1942 The Royal Naval Volunteer Reserve Act, 1942 (5 and 6 Geo. 6, c. 18) 235 1942 The United States of America (Visiting Forces) Act, 1942 (5 and 6 Geo. 6, c. 31), 236 1942 The Prolongation of Parliament Act, 1942 (5 and 6 Geo. 6, c. 37). 237 1943 The Workmen's Compensation Act, 1943 (6 and 7 Geo. 6, c. 6). 238 1943 The Army and Air Force (Annual) Act, 1943 (6 and 7 Geo. 6, c. 15). 239 1943 The Evidence and Powers of Attorney Act, 1943 (6 and 7 Geo. 6, c. 18). 240 1943 The Foreign Service Act, 1943 (6 and 7 Geo. 6, c. 35). 241 1943 The Regency Act, 1943 (6 and 7 Geo. 6, c. 42). 242 1943 The Prolongation of Parliament Act, 1943 (6 and 7 Geo. 6, c. 45) 243 1943 The Expiring Laws Continuance Act, 1943 (7 and 8 Geo. 6, c. 1). 244 1944 The Naval Forces (Extension of Service) Act, 1944 (7 and 8 Geo. 6, e. 13). 245 1944 The India (Attachment of States) Act, 1944 (7 and 8 Geo. 6, e. 14). 246 1944 The Army and Air Force (Annual) Act, 1944 (7 and 8 Geo. 6, c. 18). 247 1944 The Finance Act, 1944 (7 and 8 Geo. 6, c. 23). 248 1944 The Matrimonial Causes (War Marriages) Act, 1944 (7 and 8 Geo. 6, c. 43) 249 1944 The Prolongation of Parliament Act, 1944 (7 and 8 Geo. 6, c. 45). 250 1944 The Expiring Laws Continuance Act, 1944 (8 and 9 Geo. 6, c. 2), 251 1945 The Army and Air Force (Annual) Act, 1945 (8 and 9 Geo. 6, c. 22). 252 1946 The Patents and Designs Act, 1946 (9 and 10 Geo. 6, c. 44). 253 1946 The United Nations Act, 1946 (9 and 10 Geo. 6, c. 45). 254 1946

The Army and Air Force (Annual) Act, 1946 (9 and 10 Geo, 6, c. 47) 255
1946 The Superannuation Act. 1946 (9 and 10 Geo. 6. c. 60). 256 1946 The
National Insurance (Industrial Injuries) Act. 1946 (9 and 10 Geo. 6. c. 62).
257 1946 The Expiring Laws Continuance Act. 1946 (10 and I I Geo. 6. c.
1). 258 1947 The Foreign Marriage Act. 1947 (10 and 11 Geo. 6, c. .1.1).
No. 7-The Habeas Corpus Act. 1679 No. 47 -The Habeas Corpus Act. 1862
Note.- "According to the Law Commission itself, there is no room for the
application of these Statutes since the commencement of our Constitution
and the procedural provisions relating to this remedy in India will now be
laid down by the Supreme Court and the High Courts under their rule-
making powers. The Commission has stated that this power is subject to
legislation and that the question whether legislation should be undertaken
for ensuring uniformity is for consideration. Having regard to the provisions
of Article 226 of the Constitution and also of Section 491 of the Code of
Criminal Procedure 1898 which empower the High Court to issue directions
of the nature of Habeas Corpus and to the other provisions contained in the
Code with regard to bail. it is considered unnecessary to keep these British
Statutes in force in India any longer".- S.O.R. No. 16-The Prisoners of War
(Escape) Act. 1812 Note.- "This Act deals with the punishment of persons
aiding or assisting prisoners of war to escape from Her Majesty's
Dominions. The Law Commission has stated that in India Section 130 of the
Indian Penal Code provides the corresponding law and that this Statute may
therefore be dispensed with. The Commission has added that the provision
in Section 3 of this Statute which deals with the offence committed on the
high seas should be imported into the Indian law. As Ss. 128, 129 and 130
of the Indian Penal Code contain ample provisions in this behalf and as
special provisions are likely to be made regarding prisoners of war during
an emergency (see in this connection R. 28 of the Defence of India Rules,
1939), it is considered that there is no need to have any special enactment
at present for replacing this British Statute".-S.O.R. No. 23-(1) The
Evidence on Commission Act. 1831 No. 27-(2) The Debtors (Ireland) Act.
1840 No. 38-(3) The Foreign Tribunals Evidence Act. 1856 No. 40-(4) The
Evidence by Commission Act. 1859 No. 81-(5) The Evidence by Commission
Act. 1885. Note.- "While the first, second, fourth and fifth Acts contain
provisions for examining witnesses on commission, the third Act enables a
Court in Her Majesty' Dominions to examine witnesses in relation to civil or
commercial matters pending before foreign tribunals upon an application
made in that behalf, supported by the certificate of the diplomatic agent of
such foreign country. In regard to civil cases, the provisions of Sections 77
and 78 and Order 26. Rules 5 and 19 to 22 of the First Schedule of the Code
of Civil Procedure. 1908. may be referred to. Regarding criminal cases.
Chap. XL of the Code of Criminal Procedure. 1898. contains provisions
relating to commissions for examining witnesses. Having regard to these
provisions, it seems unnecessary to retain these Acts on the Indian statute
book any longer. It is therefore. proposed to repeal them".-S.O.R. No. 27-
The Debtors (Ireland) Act, 1840 Note.- See under No. 23. No. 32-The Naval
Deserters Act, 1847 No. 33-The Portuguese Deserters Act, 1849 No. 63-The
Statute Law Revision (Substituted Enactments) Act. 1876. Note.-"The first
Act provides for the apprehension of deserters from the British Navy and the
second Act gives effect to the treaty between the U. K. and Portugal and
provides for the apprehension of deserters from Portuguese vessels, if found
in India or in any Dominion port on the application of the Portuguese
Consul. The extant section of the third Act provides how the penalty
imposed by the second Act is to be recovered. After examination, it is felt
that it is unnecessary to retain these Statutes and that they may be
repealed".-S.O.R. No. 33-The Portuguese Deserters Act. 1849 Note.- See

under No. 32. No. 37-The Registration of Births, Deaths and Marriages (Scotland) Act. 1854. No. 130-The Registration of Births, Deaths and Marriages (Scotland) Amendment Act. 1910. Note.-"The Law Commission has included the first Act in the list of enactments with respect to which legislation in India appears to be prima facie necessary. The only section in the Act which is applicable in India is Section 58 and it provides that every extract of an entry in the register of births, deaths and marriages in Scotland shall be admissible in all parts of Her Majesty's Dominions without farther proof. This law makes provision in respect of one country only and even then in respect of only a part thereof. The ordinary law of evidence may be allowed to operate to prove all foreign births, deaths and marriages and so these Acts are being repealed"- S.O.R, No. 38-The Foreign Tribunals Evidence Act, 1856 Note.- See under No. 23 No. 40-The Evidence by Commission Act,, 1859 Note.- See under No. 23. No. 43-The Malicious Damage Act, 1861 Note.- "This Statute penalises the act of maliciously setting fire to, or casting away or otherwise destroying a ship or vessel. The Law Commission has stated that such a provision is necessary for India and may be inserted in the Indian Penal Code. The provisions of Sections 425,437, etc., of the Indian Penal Code seem to be sufficient for our present purposes. The Law Commission is also examining the Indian Penal Code. In the circumstances, it is proposed to repeal this Statute".-S.O.R. No. 45-The Domicile Act, 1861 Note.- "The Law Commission, while stating that this statute as such is not necessary, has added that the point whether similar legislation is required with respect to the relations of India with foreign States, may be considered. It is felt that this Statute may be repealed for the present and that the point raised by the Commission may be pursued separately later on, if necessary".-S.O.R. No. 47-The Habeas Corpus Act, 1862 Note.- See under No. 7. No. 53-The Documentary Evidence Act, 1868 No. 74-The Documentary Evidence Act, 1882 No. 100-The Documentary Evidence Act, 1895 Note.- "These Statutes provide how certain documents are to be proved and penalise the act of forging such documents. The Law Commission, while stating that if these provisions are to be retained they may be included in the Indian Penal Code and the Evidence Act, 1872, has not stated that such provisions are really necessary. Both the Indian Penal Code and the Evidence Act, 1872, are under examination by the Law Commission, and these Statutes may be repealed for the present".-S.O.R. No. 63-The Statute Law Revision (Substituted Enactment) Act, 1876 Note.- See under No. 32. No. 81-The Evidence by Commission Act, 1885 Note.- See under No. 23. No. 74- The Documentary Evidence Act, 1882 Note.- See under No. 53 No. 100-The Documentary Evidence Act, 1895 Note.- See under No. 53. No. 130-The Regostration of Births, Deaths and Marriages (Scotland) Amendment Act. 1910 Note.-See under No. 37, No. 223-The Treachery Act, 1940 Note.-"This Act was a war time measure which applied only to acts done until February, 1946. Treachery, according to this Act, is the doing of any act with intent to help enemy operations or to impede the operations of His Majesty's Forces. The First part of the above provision seems to be covered by Section 121 of the Indian Penal Code. Further, it may be assumed that if any emergency arises during which special provisions have to be made to deal with treacherous acts, necessary steps would be taken in. that behalf. This Act may, therefore, be' repealed".- S.O.R.