

AUTHORITATIVE ENGLISH TEXT

BILL NO. 9 OF 2019

THE HIMACHAL PRADESH REPEALING BILL, 2019

(AS INTRODUCED IN THE LEGISLATIVE ASSEMBLY)

THE HIMACHAL PRADESH REPEALING BILL, 2019

ARRANGEMENT OF CLAUSES

Clauses:

1. Short title.
 2. Repeal of certain enactments.
 3. Savings.
- THE SCHEDULE.

THE HIMACHAL PRADESH REPEALING BILL, 2019

(AS INTRODUCED IN THE LEGISLATIVE ASSEMBLY)

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BILL

to repeal certain enactments.

BE it enacted by the Legislative Assembly of Himachal Pradesh in the Seventieth Year of the Republic of India as follows :—

1. This Act may be called the Himachal Pradesh Repealing Act, Short title.
2019.
- 5 2. The enactments specified in THE SCHEDULE are hereby Repeal of certain enactments.
repealed.
3. The repeal by this Act of any enactment shall not,— Savings.
 - 10 (a) affect any other enactment in which the repealed enactment has been applied, incorporated or referred to; or
 - (b) 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; or
 - 15 (c) affect the previous operation of any enactments so repealed or anything duly done or suffered thereunder; or
 - (d) affect any right, title, privilege, obligation or liability acquired, accrued or incurred under any enactment so repealed; or
 - 20 (e) affect 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claim or demand, or any indemnity already granted, or the proof of any past act or thing under any enactment so repealed; or

- (f) 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the same respectively may have been in any manner affirmed or recognized or derived by, in or from any enactment hereby repealed; or 5
- (g) affect any penalty, forfeiture or punishment incurred in respect of any offence committed against any enactment so repealed; or 10
- (h) affect any investigation, legal proceeding or remedy in respect of any such right, privilege, obligation, liability, penalty, forfeiture or punishment, as aforesaid;

and any such investigation, legal proceeding or remedy may be instituted, continued or enforced, and any such penalty, forfeiture or punishment may be imposed as if this Act had not been passed. 15

THE SCHEDULE
(See Section 2)

Year	Number	Short title	Extent of Repeal
1	2	3	4
1934		The Punjab Small Towns (Tax-Validating) Act, 1934	The whole
1950		The Punjab New Township (Street lighting and Water Supply) Fees Act, 1950	The whole
1956	2	The Himachal Pradesh Repealing Act, 1954	The whole
1964	2	The Himachal Pradesh Repealing Act, 1964	The whole

1	2	3	4
1965		The Punjab Town Improvement (Amendment and Miscellaneous Provisions) Act, 1965	The whole
1969	24	The Himachal Pradesh Livestock and Bird Diseases Act, 1968	The whole
1969	19	The Himachal Pradesh Repealing Act, 1968	The whole
1972	14	The Himachal Pradesh Repealing Act, 1972	The whole
1973	14	The Himachal Pradesh Land Development Act, 1973	The whole
1973	16	The H. P. Tractor Cultivation (Recovery of Charges) Act, 1972	The whole
1973	11	The Himachal Pradesh Repealing Act, 1973	The whole
1976	28	The Himachal Pradesh Warehouses Act, 1976	The whole
1976	36	The H.P. Repealing Act, 1976	The whole
1978	26	The Himachal Pradesh Repealing Act, 1978	The whole
1992	1	The Essential Commodities Himachal Pradesh (Amendment) Act, 1986	The whole
2000	4	The H.P. Electricity (Supply) (Amendment) Act, 1999	The whole
2000	8	The H.P. Electricity (Supply) 2nd Amendment Act, 1999	The whole
2010	4	The Himachal Pradesh Prohibition of Smoking and Non-Smokers Health Protection (Repeal) Act, 2009	The whole
2013	40	The Himachal Pradesh Private Clinical Establishments (Registration and Regulation) Repeal Act, 2013	The whole
2017	13	The Himachal Pradesh Repealing Act, 2017	The whole

STATEMENT OF OBJECTS AND REASONS

The enactments which have lost their significance or have become obsolete and redundant or the retention whereof as separate, independent and distinct Act is unnecessary, are proposed to be repealed. The principal object of such repealing is to remove such redundant laws from the statute book in order to bring in clarity. These laws have become either irrelevant or dysfunctional and importantly have served their purpose and outlived their utility. Thus, in order to achieve the desired objective it has been decided to bring the Himachal Pradesh Repealing Bill, 2019 to repeal 20 Acts as specified in THE SCHEDULE to the Bill.

This Bill seeks to achieve the aforesaid objectives.

(SURESH BHARDWAJ)
Minister-in-Charge.

SHIMLA :

The....., 2019.

FINANCIAL MEMORANDUM

—Nil—

MEMORANDUM REGARDING DELEGATED LEGISLATION

—Nil—

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to repeal certain enactments.

(SURESH BHARDWAJ)

Minister-in-Charge.

(YASHWANT SINGH CHOGAL)

Principal Secretary (Law).

SHIMLA :

The....., 2019.