

THE RAJASTHAN LAWS REPEALING ACT, 1954

(Act No. I of 1954)

[Received the assent of the President on the 10th day of February, 1954]

An Act to repeal certain Rajasthan Laws.

WHEREAS it is expedient that certain Rajasthan laws which are spent or are covered by later laws or have otherwise become unnecessary or ceased to be in force should be expressly repealed,

BE it enacted by the Rajasthan State Legislature as follows:—

1. *Short title and commencement.*—(1) This Act may be called the Rajasthan Laws Repealing Act, 1954.

(2) It shall come into force on the date of its first publication in the Rajasthan Gazette as an Act.

2. *Interpretation.*—(1) In this Act, unless the subject or context otherwise requires,—

- (1) the expression “Covenanting State” shall mean and include any of the former Indian States of Alwar, Banswara, Bharatpur, Bikaner, Bundi, Dholpur, Dungarpur, Jaipur, Jaisalmer, Jhalawar, Jodhpur, Karauli, Kishangarh, Kotah, Mewar, Partabgarh, Shahpura, Sirohi and Tonk;
- (2) the expression “former Matsya State” shall mean the United State of Matsya established by the Covenant entered into by the Rulers of the Convenanting States of Alwar, Bharatpur, Dholpur and Karauli;
- (3) the expression “former Rajasthan State” shall mean the United State of Rajasthan established by the Covenant entered into by the Rulers of the Convenanting States of Banswara, Bundi, Dungarpur, Jhalawar, Kishangarh, Kotah, Mewar, Partabgarh, Shahpura and Tonk;
- (4) the expression “Rajasthan” when used otherwise than in the expressions “former Rajasthan State” and “Rajasthan law”, shall mean the State of Rajasthan comprising the territories specified for the time being in Part B of the First Schedule to the Constitution of India; and

(5) the expression "Rajasthan law" shall mean and include—

(a) as respects the period on and after the seventh day of April, 1949, an Ordinance or Act made and promulgated by the Rajpramukh of Rajasthan, and

(b) as respects the period prior to the said day,—

(i) an Ordinance made and promulgated by the Raj pramukh of the former Rajasthan State or of the former Matsya State, and

(ii) any Act, enactment, Ordinance, regulation, rule, order, resolution, notification or bye-law made by the Ruler or a competent Legislature or other competent authority or officer of a Covenanting State:

Provided that such Act, enactment, Ordinance, regulation, rule, order, resolution, notification or bye-law is in force and has not been expressly repealed on the date on which this Act comes into force.

(2) The provisions of the General Clauses Act, 1897 of the Central Legislature shall *mutatis mutandis* apply, so far as may be, for the interpretation of this Act as it applies for the interpretation of a Central Act.

3. *Specific repeal of certain Rajasthan laws.*—The Rajasthan laws mentioned in the Schedule are hereby repealed.

4. *General repeal of certain Rajasthan laws.*—All Rajasthan laws, other than those referred to in section 3, which are spent or are covered by any Rajasthan Ordinance or Act made on or after the seventh day of April, 1949 or have otherwise become unnecessary or ceased to be in force, are hereby repealed to the extent to which they are so spent or are covered or have so become unnecessary or ceased to be in force.

5. *Savings.*—(1) The repeal by this Act of any Rajasthan law shall not affect any other law in which the repealed Rajasthan law has been applied, incorporated or referred to;

and this Act shall not affect the previous operation of any Rajasthan law hereby repealed or the validity, invalidity, effect or consequences of anything already done or suffered thereunder, or any right, title, privilege, obligation or liability already acquired, accrued or incurred thereunder, or any investigation, legal proceeding or remedy, 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 recognised or derived by, in or from any Rajasthan law hereby repealed;

nor shall the repeal by this Act of any Rajasthan law revive or restore any jurisdiction, office, custom, liability, right, title, privilege, restriction, exemption, usage, practice, procedure or other matter or thing not existing or in force on the date on which this Act comes into force.

(2) The repeal by this Act of any Rajasthan law by which the text of any earlier law was amended by the express omission, insertion or substitution of any matter shall not affect the continuance of any such amendment in operation at the commencement of this Act, unless a different intention is expressly stated in such Rajasthan law.

(3) If any Rajasthan law hereby repealed is expressed to have any retrospective effect or operation, its repeal by this Act shall not in any way affect or prejudice such retrospective effect or operation.

(4) The repeal by this Act of any Rajasthan law shall not affect—

- (i) any fine, penalty, forfeiture or punishment incurred in respect of any offence committed against any Rajasthan law so repealed, or
- (ii) any investigation, legal proceeding or remedy in respect of any such fine, penalty, forfeiture or punishment

and any such investigation, legal proceeding or remedy may be instituted, continued or enforced and any such fine, penalty, forfeiture or punishment may be imposed as if such Rajasthan law had not been repealed.

THE SCHEDULE

(See Section 3)

Rajasthan Laws Repealed

I.—RAJASTHAN STATE

1. The Jaipur Requisitioning of Land (Continuance of Powers) Act (Amendment) Ordinance, 1949.
2. The Rajasthan (Protection of Tenants) (Amendment) Ordinance, 1949.
3. The Udaipur City Municipal Act (Amendment) Ordinance, 1949.
4. The Rajasthan (Protection of Tenants) (Second Amendment) Ordinance, 1949.
5. The Udaipur City Municipal Act (Second Amendment) Ordinance, 1949.
6. The Jodhpur Municipal Act (Amendment) Ordinance, 1949.
7. The Rajasthan Public Security (Amendment) Ordinance, 1950.
8. The Jaipur State Grants Land Tenures Act (Amendment) Ordinance, 1950.
9. The Rajasthan Ordinances (Amendment) Act, 1950.

10. The Jaipur District Boards (Amendment) Act, 1950.
11. The Udaipur City Municipal (Amendment) Act, 1950.
12. The Bikaner Municipal (Amendment) Act, 1950.
13. The University of Rajputana (Amendment) Act, 1950.
14. The University of Rajputana (Second Amendment) Act, 1950.
15. The Rajasthan Drugs Control Ordinance (Amendment) Act, 1950.
16. The Jodhpur Municipal (Amendment) Act, 1951.
17. The Jaipur Entertainments Tax (Amendment) Act, 1951.
18. The Bharatpur Compulsory Redemption of Agricultural Land (Amendment) Act, 1951.
19. The Rajasthan Excise (Amendment) Act, 1951.
20. The Rajasthan Civil Courts Ordinance (Amendment) Act, 1951.
21. The Udaipur City Municipal (Amendment) Act, 1951.

II. FORMER RAJASTHAN STATE

22. The United State of Rajasthan Protection of Tenants Ordinance, 1948.
23. The United State of Rajasthan Employment of Special Forces Ordinance, 1948.
24. The United State of Rajasthan Extension of Laws Ordinance, 1948.
25. The United State of Rajasthan (Covenanting States Acts) Amendment Ordinance, 1948.
26. The United State of Rajasthan Criminal Law Amendment Ordinance, 1948.
27. The United State of Rajasthan Goondas Ordinance, 1948.
28. The United State of Rajasthan Khetaid Kumbhars Nata Circular (Mewar) Repealing Ordinance, 1948.
29. The United State of Rajasthan Special Tribunals Ordinance, 1948.
30. The United State of Rajasthan Validation of Certain Orders (Bhim District) Ordinance, 1948.
31. The United State of Rajasthan Repeal of Hali and Muzdoor Laws and Circulars Ordinance, 1948.
32. The United State of Rajasthan Udaipur City Municipal Act (Amendment) Ordinance, 1948.
33. The United State of Rajasthan Jagirdars (Abolition of Powers) Amendment Ordinance, 1949.
34. The United State of Rajasthan Vegetable Oil Products Prohibition of Import and Manufacture (Amendment) Ordinance, 1949.
35. The United State of Rajasthan Jagirdars (Abolition of Powers) Second Amendment Ordinance, 1949.

III. FORMER MATSYA STATE

36. The Matsya Premises (Requisition and Eviction) Ordinance, 1948.
37. The University of Rajputana (Amendment) Ordinance, 1948.
38. The Matsya Essential Services (Maintenance) Amendment Ordinance, 1948.

IV. FORMER ALWAR STATE

39. The Alwar State Official Secrets Act, 1919.
40. The Alwar State Village and Small Towns Patrol Act, 1935.
41. The Restriction of Habitual Offenders (Alwar) Act, 1935.
42. The Alwar State Registration of Public Associations Act, 1939.
43. The Essential Services Maintenance Ordinance, 1941.
44. The Emergency Measures Ordinance, 1942.
45. The Penalties (Enhancement) Ordinance, 1942.
46. The Collective Fines Ordinance, 1942.
47. The Motor Vehicles Drivers Ordinance, 1942.
48. The Special Criminal Courts Ordinance, 1942.
49. The Alwar State Goondas Act, 1946.
50. The Alwar State Emergency Provisions (Continuance) Act, 1946.
51. The Alwar State Requisitioned Land (Continuance of Powers) Act, 1946.
52. The Alwar State Disturbed Areas Act, 1947.
53. The Alwar State Supervision of Un-protected Properties Ordinance, 1947.

V. FORMER BANSWARA STATE

54. The Child and Unequal Marriage Act, 1938.
55. The Dapa Restriction Act, 1946.

VI. FORMER BHARATPUR STATE

56. The Bharatpur State Public Societies Act, 1941.
57. The Bharatpur State Social Reforms Act, 1926.

VII. FORMER BIKANER STATE

58. The Bikaner Hindu Marriage Act, 1928.
59. The Bikaner Municipal (Amendment) Act, 1928.
60. The Bikaner State Prevention of Adulteration (Amendment) Act, 1939.
61. The Bikaner Municipal (Amendment) Act, 1940.

VIII. FORMER BUNDI STATE

62. The Bundi Criminal Law Amendment Act, 1936.
63. The Penalties (Enhancement) Ordinance, 1942.
64. The Motor Vehicles (Drivers) Ordinance, 1942.
65. The Collective Fines Ordinance, 1942.
66. The Indian Standard Time (Interpretation of Reference) Ordinance, 1943.
67. The Special Criminal Courts (Repeal) Ordinance, 1943.
68. The Cotton Cloth and Yarn (Contracts) Ordinance, 1944.
69. The Requisitioned Land (Continuance of Powers) Ordinance, 1946.
70. The Emergency Provisions (Continuance) Ordinance, 1946.
71. The Repealing Ordinance, 1946.

IX. FORMER DHOLPUR STATE

72. The Dholpur Goondas Act, 1942.

X. FORMER DUNGARPUR STATE

73. The Dungarpur Dapa Rules, 1939.
74. The Dungarpur Rasta Chaukidar Act, 1921.

XI. FORMER JAIPUR STATE

75. The Jaipur Laws Act, 1923.
76. The Jaipur Prevention of Molestation Act, 1939.
77. The Jaipur Official Secrets Act, 1940.
78. The Civic Guards Ordinance, 1940.
79. The Penalties Enhancement Ordinance, 1942.
80. The Collective Fines Ordinance, 1942.
81. The Special Criminal Courts (Repeal) Ordinance, 1943.
82. The Jaipur Quillas Act, 1943.
83. The Cotton Cloth and Yarn (Contracts) Act, 1944.
84. The Repealing Ordinance, 1946.
85. The Jaipur Requisitioning of Land (Continuance of Powers) Act, 1947.
86. The Jaipur Emergency Provisions (Continuance) Act, 1947.
87. The Repealing Act, 1947.
88. The Jaipur Tenancy (Amendment) Act, 1947.
89. The Jaipur Requisitioning of Land (Continuance of Powers) Amendment Act, 1948.
90. The Jaipur Revenue Laws (Amendment) Act, 1948.
91. The University of Rajputana (Amendment) Act, 1948.
92. The Jaipur Requisitioning of Land (Continuance of Powers) Second Amendment Act, 1948.
93. The City of Jaipur Municipal (Amendment) Act, 1948.
94. The Jaipur State Grants Land Tenures (Amendment) Act, 1948.
95. The Jaipur Entertainments Tax (Amendment) Act, 1948.
96. The Jaipur Special Measures Ordinance, 1948.

XII. FORMER JAISALMER STATE

97. The Emergency Provisions Continuance Ordinance, 1946.
98. The Jaisalmer Imports and Exports Control Act, 1948.

XIII. FORMER JHALAWAR STATE

99. The Jhalawar Goonda Act, 1932.

XIV. FORMER JODHPUR STATE

- 100. The Marwar Patta (Amendment) Act, 1946.
- 101. The Marwar Escheat of Property (Amendment) Act, 1947.
- 102. The Marwar Law of Pre-emption (Amendment) Act, 1947.
- 103. The Repealing Ordinance, 1947.
- 104. The Marwar Factories (Licensing) Act, 1947.
- 105. The Marwar Enactments Validating Act, 1948.
- 106. The Marwar Famine (Suspension of Proceedings in Courts) Act, 1948.
- 107. The Marwar Jagirdars Judicial Powers Abolition Act, 1948.
- 108. The Marwar Requisition of Land Act, 1948.
- 109. The University of Rajputana (Marwar Amendment) Act, 1948.
- 110. The Marwar Adaptation of Laws Act, 1949.
- 111. The Marwar District Municipal Boards (Constitution) Act, 1949.
- 112. The Marwar Finance (Repeal) Act, 1949.
- 113. The Marwar Goondas Act, 1949.

XV. FORMER KARALI STATE

- 114. The Karali State Social Reforms (Samajik Sudhar) Act, 1940.
- 115. The Karali Maintenance of Public Order Act, 1947.

XVI. FORMER KISHANGARH STATE

- 116. The Kishangarh Requisitioning Act, 1947.

XVII. FORMER KOTAH STATE

Nil.

XVIII. FORMER MEWAR STATE

- 117. The Agriculturists Relief (Amendment) Act, 1942.
- 118. The Administration of Pending Estates (Amendment) Act, 1942.
- 119. The Mewar Hoarding and Profiteering Prevention Act, 1944.
- 120. The Mewar Hoarding and Profiteering Prevention (Amendment) Act, 1944.
- 121. The Mewar Prevention of Adulteration (Amendment) Act, 1944.

122. The Proceedings of Special Commission Validating Act, 1944.
123. The Mewar Compulsory Deposits (Amendment) Act, 1945.
124. The Mewar Process Fees Act, 1945.
125. The Mewar Registration of Births and Deaths (Amendment) Act, 1945.
126. The Mewar Maintenance of Public Order Act, 1947.
127. The Mewar Requisitioning Act, 1947.
128. The Udaipur City Municipal (Amendment) Act, 1947.
129. The Mewar Revenue Code (Amendment) Act, 1948.
130. The Mewar Criminal Law Amendment Act, 1948.

XIX. FORMER PARTABGARH STATE

Nil.

XX. FORMER SHAHPURA STATE

Nil.

XXI. FORMER SIROHI STATE

131. The Sirohi Public Societies Act, 1939.

XXII. FORMER TONK STATE

Nil.
