

Bill No. 193 of 2025

THE REPEALING AND AMENDING BILL, 2025

A

BILL

to repeal certain enactments and to amend certain other enactments.

BE it enacted by Parliament in the Seventy-sixth Year of the Republic of India
as follows:—

1. This Act may be called the Repealing and Amending Act, 2025.

2. The enactments specified in the First Schedule are hereby repealed.

5 3. The enactments specified in the Second Schedule are hereby amended to
the extent and in the manner mentioned in the fourth column thereof.

Short title.

Repeal of certain
enactments.

Amendment of
certain
enactments.

Savings.

4. The repeal by this Act of any enactment shall not affect any other enactment in which the repealed enactment has been applied, incorporated or referred to;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; 5

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the same respectively may have been in any manner affirmed or recognised or derived by, in or from any enactment hereby repealed; 10

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. 15

THE FIRST SCHEDULE

(See section 2)

REPEALS

Year	Act No.	Short Title
1	2	3
1886	XI	The Indian Tramways Act, 1886.
1976	31	The Levy Sugar Price Equalisation Fund Act, 1976.
1978	41	The Britannia Engineering Company Limited (Mokameh Unit) and the Arthur Butler and Company (Muzaffarpore) Limited (Acquisition and Transfer of Undertakings) Act, 1978.
1982	36	The Chaparmukh-Silghat Railway Line and the Katakhal-Lalabazar Railway Line (Nationalisation) Act, 1982.
1984	55	The Hooghly Docking and Engineering Company Limited (Acquisition and Transfer of Undertakings) Act, 1984.
1988	44	The Bharat Petroleum Corporation Limited (Determination of Conditions of Service of Employees) Act, 1988.
2016	3	The Arbitration and Conciliation (Amendment) Act, 2015.
2017	1	The Payment of Wages (Amendment) Act, 2017.
2017	3	The Enemy Property (Amendment and Validation) Act, 2017.
2017	6	The Maternity Benefit (Amendment) Act, 2017.
2017	11	The Employee's Compensation (Amendment) Act, 2017.
2017	30	The Banking Regulation (Amendment) Act, 2017.
2018	7	The National Bank for Agriculture and Rural Development (Amendment) Act, 2018.
2018	10	The High Court and Supreme Court Judges (Salaries and Conditions of Service) Amendment Act, 2018.
2018	12	The Payment of Gratuity (Amendment) Act, 2018.
2018	18	The Specific Relief (Amendment) Act, 2018.
2018	19	The State Banks (Repeal and Amendment) Act, 2018.
2018	20	The Negotiable Instruments (Amendment) Act, 2018.
2018	28	The Commercial Courts, Commercial Division and Commercial Appellate Division of High Courts (Amendment) Act, 2018.
2019	15	The Central Universities (Amendment) Act, 2019.
2019	19	The Protection of Human Rights (Amendment) Act, 2019.
2019	27	The Airports Economic Regulatory Authority of India (Amendment) Act, 2019.
2019	32	The Motor Vehicles (Amendment) Act, 2019.
2019	38	The National Institute of Design (Amendment) Act, 2019.
2019	41	The Chit Funds (Amendment) Act, 2019.
2019	43	The Special Protection Group (Amendment) Act, 2019.
2019	48	The Arms (Amendment) Act, 2019.
2020	1	The Insolvency and Bankruptcy Code (Amendment) Act, 2020.
2020	4	The Constitution (Scheduled Tribes) Order (Amendment) Act, 2020.
2020	13	The Aircraft (Amendment) Act, 2020.

1	2	3
2020	17	The Insolvency and Bankruptcy Code (Second Amendment) Act, 2020.
2020	18	The Salaries and Allowances of Ministers (Amendment) Act, 2020.
2020	24	The Homoeopathy Central Council (Amendment) Act, 2020.
2020	25	The Indian Medicine Central Council (Amendment) Act, 2020.
2020	39	The Banking Regulation (Amendment) Act, 2020.
2021	3	The Arbitration and Conciliation (Amendment) Act, 2021.
2021	6	The Insurance (Amendment) Act, 2021.
2021	8	The Medical Termination of Pregnancy (Amendment) Act, 2021.
2021	15	The Government of National Capital Territory of Delhi (Amendment) Act, 2021.
2021	21	The Factoring Regulation (Amendment) Act, 2021.
2021	22	The Coconut Development Board (Amendment) Act, 2021.
2021	26	The Insolvency and Bankruptcy Code (Amendment) Act, 2021.
2021	27	The Central Universities (Amendment) Act, 2021.
2021	28	The Airports Economic Regulatory Authority of India (Amendment) Act, 2021.
2021	30	The Deposit Insurance and Credit Guarantee Corporation (Amendment) Act, 2021.
2021	32	The Constitution (Scheduled Tribes) Order (Amendment) Act, 2021.
2021	37	The General Insurance Business (Nationalisation) Amendment Act, 2021.
2021	38	The National Commission for Indian System of Medicine (Amendment) Act, 2021.
2021	39	The National Commission for Homoeopathy (Amendment) Act, 2021.
2021	43	The National Institute of Pharmaceutical Education and Research (Amendment) Act, 2021.
2021	44	The High Court and Supreme Court Judges (Salaries and Conditions of Service) Amendment Act, 2021.
2021	49	The Election Laws (Amendment) Act, 2021.
2022	8	The Constitution (Scheduled Castes and Scheduled Tribes) Orders (Amendment) Act, 2022.
2022	9	The Constitution (Scheduled Tribes) Order (Amendment) Act, 2022.
2022	10	The Delhi Municipal Corporation (Amendment) Act, 2022.
2022	14	The Weapons of Mass Destruction and their Delivery Systems (Prohibition of Unlawful Activities) Amendment Act, 2022.
2022	19	The Energy Conservation (Amendment) Act, 2022.

1	2	3
2022	20	The Constitution (Scheduled Castes and Scheduled Tribes) Orders (Second Amendment) Act, 2022.
2022	23	The New Delhi International Arbitration Centre (Amendment) Act, 2022.
2023	1	The Constitution (Scheduled Tribes) Order (Second Amendment) Act, 2022.
2023	2	The Constitution (Scheduled Tribes) Order (Fourth Amendment) Act, 2022.
2023	9	The Competition (Amendment) Act, 2023.
2023	11	The Multi-State Co-operative Societies (Amendment) Act, 2023.
2023	12	The Cinematograph (Amendment) Act, 2023.
2023	13	The Constitution (Scheduled Tribes) Order (Amendment) Act, 2023.
2023	14	The Constitution (Scheduled Tribes) Order (Second Amendment) Act, 2023.
2023	16	The Mines and Minerals (Development and Regulation) Amendment Act, 2023.
2023	17	The Offshore Areas Mineral (Development and Regulation) Amendment Act, 2023.
2023	19	The Government of National Capital Territory of Delhi (Amendment) Act, 2023.
2023	27	The Coastal Aquaculture Authority (Amendment) Act, 2023.
2023	36	The Central Universities (Amendment) Act, 2023.

THE SECOND SCHEDULE

(See section 3)

AMENDMENTS

Year	Act No.	Short Title	Amendments
1	2	3	4
1897	10	The General Clauses Act, 1897.	In section 27, for the words “registered post”, the words “speed post with registration” shall be substituted.
1908	5	The Code of Civil Procedure, 1908.	<p>(i) In section 148A, in sub-section (2), for the words “registered post, acknowledgement due”, the words “speed post with registration and proof of delivery” shall be substituted;</p> <p>(ii) In the First Schedule, in order V, rule 9,—</p> <p>(a) in sub-rule (3), for the words “registered post acknowledgement due, addressed to the defendant or his agent empowered to accept the service or by speed post”, the words “speed post with registration and proof of delivery addressed to the defendant or his agent empowered to accept the service” shall be substituted;</p> <p>(b) in sub-rule (4), the brackets and words “(except by registered post acknowledgment due)” shall be omitted;</p> <p>(c) in sub-rule (5), in the proviso, for the words “registered post acknowledgement due, the declaration referred to in this sub-rule shall be made notwithstanding the fact that the acknowledgement”, the words “speed post with registration and proof of delivery, the declaration referred to in this sub-rule shall be made notwithstanding the fact that the proof of delivery” shall be substituted;</p> <p>(iii) In order XXI, in rule 1, in sub-rule (2), for the words “registered post, acknowledgement due”, the words “speed post with registration and proof of delivery” shall be substituted; and</p> <p>(iv) In order XXXIX, in rule 3, in the proviso, in clause (a), for the words “registered post”, the words “speed post with registration” shall be substituted.</p>

1	2	3	4
1925	39	The Indian Succession Act, 1925.	<p>(i) In section 3, in sub-section (I), the figures “, 213” shall be omitted;</p> <p>(ii) section 213 shall be omitted;</p> <p>(iii) in section 370,—</p> <p>(a) in sub-section (I), for the words and figures “or section 213 to be established by letters of administration or probate”, the words “to be established by letters of administration” shall be substituted;</p> <p>(b) in sub-section (2), clause (b) shall be omitted.</p>
2005	53	The Disaster Management Act, 2005.	In section 30, in sub-section (2), in clause (vi), for the word “prevention”, the word “preparation” shall be substituted.

STATEMENT OF OBJECTS AND REASONS

This Bill is one of those periodical measures by which enactments, which have ceased to be in force or have become obsolete or the retention whereof as separate Acts is unnecessary are repealed and by which certain amendments and formal defects detected in enactments are amended and corrected.

2. The note on the Second Schedule explains the reasons for the amendments suggested in the Bill in respect whereof some detailed explanation is necessary.

3. Clause 4 of the Bill contains a precautionary provision which it is usual to include in the Bill of this kind.

NEW DELHI;

The 12th December, 2025.

ARJUN RAM MEGHWAL.

NOTES ON THE SECOND SCHEDULE

1. The General Clauses Act, 1897—Pursuant to the rationalising of postal products and services by the Department of Post and the merger of registered post services with speed post services, the amendment proposed to the Act seeks to substitute the expression ‘registered post’ with ‘speed post with registration’.

2. The Code of Civil Procedure, 1908—Pursuant to the rationalising of postal products and services by the Department of Post, merger of registered post with speed post services, facility for ‘acknowledgement due services’ becoming available as ‘proof of delivery’ with speed post with registration, the amendments proposed to the Act seek to make consequential modifications to give effect to the said change in available services.

3. The Indian Succession Act, 1925—The amendments proposed to the Act seek to attain uniformity by omission of section 213 which is discriminatory and provides that Hindus, Buddhists, Sikhs, Jains and Parsis have to obtain probate of the Will or letter of administration where the Will is made within the local limits of the ordinary original civil jurisdiction of the High Courts at Calcutta, Madras and Bombay, and where such Wills are made outside those limits, insofar as they relate to immovable property situated within those limits. Consequential amendments on omission of section 213 are being made in other provisions of the Act. Clause (b) of sub-section (2) of section 370 is proposed to be omitted for being a relic of the colonial rule, obsolete and redundant.

4. The Disaster Management Act, 2005—The amendment proposed to the Act seeks to substitute the word ‘prevention’ with the word ‘preparation’ to rectify the inadvertent error in the said Act.

ANNEXURE

EXTRACT FROM THE GENERAL CLAUSES ACT, 1897

(10 OF 1897)

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Meaning of
service by post.

27. Where any Central Act or Regulation made after the commencement of this Act authorizes or requires any document to be served by post, whether the expression “serve” or either of the expressions “give” or “send” or any other expression is used, then, unless a different intention appears, the service shall be deemed to be effected by properly addressing, pre-paying and posting by registered post, a letter containing the document, and, unless the contrary is proved, to have been effected at the time at which the letter would be delivered in the ordinary course of post.

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EXTRACTS FROM THE CODE OF CIVIL PROCEDURE, 1908

(5 OF 1908)

148A. (1) * * * * *

Right to lodge a
caveat.

(2) Where a caveat has been lodged under sub-section (1), the person by whom the caveat has been lodged (hereinafter referred to as the caveator) shall serve a notice of the caveat by registered post, acknowledgement due, on the person by whom the application has been, or is expected to be, made, under sub-section (1).

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THE FIRST SCHEDULE

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ORDER V

Issue and service of summons

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Service of summons

9. **Delivery of summons by Court.**—(1) * * *

(3) The services of summons may be made by delivering or transmitting a copy thereof by registered post acknowledgment due, addressed to the defendant or his agent empowered to accept the service or by speed post or by such courier services as are approved by the High Court or by the Court referred to in sub-rule (1) or by any other means of transmission of documents (including fax message or electronic mail service) provided by the rules made by the High Court:

Provided that the service of summons under this sub-rule shall be made at the expenses of the plaintiff.

(4) Notwithstanding anything contained in sub-rule (1), where a defendant resides outside the jurisdiction of the Court in which the suit is instituted, and the Court directs that the service of summons on that defendant may be made by such mode of service of summons as is referred to in sub-rule (3) (except by registered post acknowledgment due), the provisions of rule 21 shall not apply.

(5) When an acknowledgment or any other receipt purporting to be signed by the defendant or his agent is received by the Court or postal article containing the summons is received back by the Court with an endorsement purporting to have been made by a postal employee or by any person authorised by the courier service to the effect that the defendant or his agent had refused to take delivery of the postal article containing the summons or had refused to accept the summons by any other means specified in sub-rule (3) when tendered or transmitted to him, the Court issuing the summons shall declare that the summons had been duly served on the defendant:

Provided that where the summons was properly addressed, pre-paid and duly sent by registered post acknowledgment due, the declaration referred to in this sub-rule shall be made notwithstanding the fact that the acknowledgment having been lost or mislaid, or for any other reason, has not been received by the Court within thirty days from the date of issue of summons.

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ORDER XXI

Execution of Decrees and Orders

Payment under decree

1. Modes of paying money under decree.—(1) * * *

(2) Where any payments is made under clause (a) or clause (c) of sub-rule (1), the judgment-debtor shall give notice thereof to the decree-holder either through the Court or directly to him by registered post, acknowledgment due.

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ORDER XXXIX

TEMPORARY INJUNCTIONS AND INTERLOCUTORY ORDERS

Temporary injunctions

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3. Before granting injunction, Court to direct notice to opposite party.—

The Court shall in all cases, except where it appears that the object of granting the injunction would be defeated by the delay, before granting an injunction, direct notice of the application for the same to be given to the opposite party:

Provided that, where it is proposed to grant an injunction without giving notice of the application to the opposite party, the Court shall record the reasons for its opinion that the object of granting the injunction would be defeated by delay, and require the applicant—

(a) to deliver to the opposite party, or to send to him by registered post, immediately after the order granting the injunction has been made, a copy of the application for injunction together with—

(i) a copy of the affidavit filed in support of the application;

(ii) a copy of the plaint; and

(iii) copies of documents on which the applicant, relies, and

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EXTRACTS FROM THE INDIAN SUCCESSION ACT, 1925

(39 OF 1925)

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Power of State Government to exempt any race, sect or tribe in the State from operation of Act.

3. (1) The State Government may, by notification in the Official Gazette, either retrospectively from the sixteenth day of March, 1865, or prospectively, exempt from the operation of any of the following provisions of this Act, namely, sections 5 to 49, 58 to 191, 212, 213 and 215 to 369, the members of any race, sect or tribe in the State, or of any part of such race, sect or tribe, to whom the State Government considers it impossible or inexpedient to apply such provisions or any of them mentioned in the order.

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Right as executor or legatee when established.

213. (1) No right as executor or legatee can be established in any Court of Justice, unless a Court of competent jurisdiction in India has granted probate of the will under which the right is claimed, or has granted letters of administration with the will or with a copy of an authenticated copy of the will annexed.

(2) This section shall not apply in the case of wills made by Muhammadans or Indian Christians, and shall only apply—

(i) in the case of wills made by any Hindu, Buddhist, Sikh or Jaina where such wills are of the classes specified in clauses (a) and (b) of section 57; and

(ii) in the case of wills made by any Parsi dying, after the commencement of the Indian Succession (Amendment) Act, 1962, where such wills are made within the local limits of the ordinary-original civil jurisdiction of the High Courts at Calcutta, Madras and Bombay, and where such wills are made outside those limits, in so far as they relate to immovable property situate within those limits.

16 of 1962.

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PART X

SUCCESSION CERTIFICATES

Restriction on grant of certificates under this Part.

370. (1) A succession certificate (hereinafter in this Part referred to as a certificate) shall not be granted under this Part with respect to any debt or security to which a right is required by section 212 or section 213 to be established by letters of administration or probate:

Provided that nothing contained in this section shall be deemed to prevent the grant of a certificate to any person claiming to be entitled to the effects of a deceased Indian Christian, or to any part thereof, with respect to any debt or security, by reason that a right thereto can be established by letters of administration under this Act.

(2) For the purposes of this Part, “security” means—

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(b) any bond, debenture, or annuity charged by Act of Parliament of the United Kingdom on the revenues of India;

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EXTRACT FROM THE DISASTER MANAGEMENT ACT, 2005

(53 OF 2005)

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30. (1) * * * *Powers and
functions of
District
Authority.

(2) Without prejudice to the generality of the provisions of sub-section (1), the District Authority may—

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(vi) lay down guidelines for prevention of disaster management plans by the department of the Government at the districts level and local authorities in the district;

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LOK SABHA

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BILL

to repeal certain enactments and to amend certain other enactments.

*(Shri Arjun Ram Meghwal, Minister of State (I/C) for Law and Justice and
Minister of State for Parliamentary Affairs)*