

# JOINT SELECT COMMITTEE REPORTS OF LEGISLATIVE ASSEMBLY - 1921

**The Indian Limitation (Amendment) Bill, 1908**

List of Reports of Select or Joint Committees  
presented in the Legislative Assembly in 1921.

Serial No.	Short title of the Bill.	Date of presentation.	Remarks
1.	The Indian Limitation(Amendment) Bill.	17.3.21.	
2.	The Indian Penal Code(Amendment) Bill.	15.9.21.	
3.	The Maintenance Orders Enforcement Bill.	15.9.21.	
4.	The Indian Electricity (Amendment) Bill.	19.9.21.	Report the Joint Committee
5.	The Indian Factories (Amendment) Bill.	26.9.21.	-do-
	<del>6. The Indian Emigration(Amendment) Bill.</del>		

## LEGISLATIVE ASSEMBLY.

We, the undersigned, Members of the Select Committee to which the Bill farther to amend the Indian Limitation Act, 1908, was referred, have considered the Bill and have now the honour to submit this our Report, with the Bill as amended by us annexed thereto.

2. We do not propose any alteration in clause 2 of the Bill.

3. We are unanimously of opinion that section 29 of the Indian Limitation Act, 1908, should provide that all the preceding provisions of the Act, other than section 3, should be applicable for the purpose of determining the period of limitation fixed by any special or local law except in so far as any of those provisions may be expressly excluded by such law. Section 3 should obviously not be deemed to affect or alter a period of limitation specially fixed by any such law. We have therefore re-drafted clause 3 of the Bill, and we think that the re-draft precludes, as far as possible, the risk of conflicting decisions by the various High Courts.

4. The Bill was published in the Gazette of India Extraordinary, dated the 21st February, 1921.

5. We think that the Bill has not been so altered as to require re-publication, and we recommend that it be passed as now amended.

S. P. O'DONNELL.

T. B. SAPRU.

N. M. SAMARTH.

T. V. SESHAGIRI AIYER.

ISWAR SARAN.

JADUNATH MOZOOMDAR.

EARDLEY NORTON.

*The 15th March, 1921.*

[AS AMENDED BY THE SELECT COMMITTEE.]

[Words printed in italics indicate the amendments suggested by the Select Committee.]

A  
BILL

*Further to amend the Indian Limitation Act,  
1908.*

WHEREAS it is expedient further to amend the IX of 1908, Indian Limitation Act, 1908 ; It is hereby enacted as follows :—

1. This Act may be called the Indian Limitation (Amendment) Act, 192 .  
Short title.

2. In section 5 of the Indian Limitation Act, IX of 1908, (hereinafter referred to as the said Act), the words " for a review of judgment or for leave to appeal or any other application to which this section may be made applicable by any enactment or rule for the time being in force " shall be omitted.  
Amendment of section 5, Act IX of 1908.

3. *In section 29 of the said Act,—*

*Amendment of section 29, Act IX of 1908.*

(a) *for sub-section (1) the following sub-sections shall be substituted, namely :—*

" 29 (1) *Nothing in this Act shall affect Savings. section 25 of the I of 1872, Indian Contract Act, 1872.*

(2) *Nothing in section 3 shall be deemed to affect or alter any period of limitation specially prescribed for any suit, appeal or application by any special or local law now or hereafter in force in British India ; but the rest of the foregoing provisions of this Act shall apply for the purpose of determining any such period of limitation, except in so far as, and to the extent to, which, such law may expressly exclude the operation of the said provisions", and*

(b) *Sub-sections (2) and (3) shall be re-numbered (3) and (4), respectively.*

LEGISLATIVE ASSEMBLY.

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Report of the Select Committee on the  
Bill further to amend the Indian  
Limitation Act, 1908.

*(Bill as amended.)*