



The Punjab Law (Extension No.1) Act, 1957

Act 5 of 1957

Keyword(s):
Transferred Territories

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THE PUNJAB LAWS (EXTENSION NO. 1)
ACT, 1957.

(PUNJAB ACT NO. 5 OF 1957)

*[Received the assent of the President of India on the 30th March, 1957
and was first published in the Punjab Government Gazette
(Extraordinary) of 3rd April, 1957]*

AN

ACT

to provide for the extension of certain laws to the territories which immediately before the 1st November, 1956, were comprised in the State of Patiala and East Punjab States Union.

Be it enacted by the Legislature of the State of Punjab in the Eighth Year of the Republic of India as follows:—

1. (1) This Act may be called the Punjab Laws (Extension No. 1) Act, 1957. Short title and commencement.

(2) It shall come into force at once.

2. In this Act—

Definitions.

(a) "Schedule" means a Schedule appended to this Act ;

(b) "transferred territories" means the territories which immediately before the 1st November, 1956, were comprised in the State of Patiala and East Punjab States Union.

3. The General Clauses Act, 1898, shall apply for the interpretation of this Act as it applies for the interpretation of a Punjab Act. Interpretation.

4. (1) All the enactments, as amended from time to time, specified in Schedule I and so much of any of the enactments, and amended from time to time, specified in Schedule II as extends to the territories which, immediately before the 1st November, 1956, were Extension of certain laws to transferred territories.

1. For Statement, Objects and Reasons see *Punjab Government Gazette (Extraordinary)*, 1957, page 339.

comprised in the State of Punjab and relates to matters with respect to which the State Legislature has power to make laws for a State, and rules, regulations, notifications, orders and by-laws made, and all directions or instructions issued, thereunder, which are in force immediately before the commencement of this Act in the said territories, are hereby extended to, and shall be in force in, the transferred territories.

(2) The amendments specified in Schedule I shall be made in the aforesaid enactments.

Construction of certain references. 5. In the enactments, or rules, regulations, notifications, orders and by-laws made, and directions or instructions issued, thereunder, as referred to in section 4, any reference—

(1) to a law which is not in force in the transferred territories shall, in relation to such territories, be construed as a reference to the corresponding law, if any, in force in such territories; and

(2) to the State of Punjab, by whatever form of words, shall be construed as including a reference to the transferred territories.

Repeals and savings. 6. If immediately before the commencement of this Act, there is in force in the transferred territories any law corresponding to any of the enactments or rules, regulations, notifications, orders and by-laws made, and directions or instructions issued, thereunder, extended to those territories by section 4, that law, including the enactments specified in Schedule III, shall on the commencement of this Act, save as otherwise expressly provided in this Act, stand repealed:

Provided that such repeal shall not affect—

(a) the previous operation of any law so repealed or anything duly done or suffered thereunder ; or

(b) any right, privilege, obligation or liability acquired or incurred under any law so repealed ; or

(c) any penalty, forfeiture or punishment incurred in respect of any offence committed against any law so repealed ; or

(d) 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:

Provided further that anything done or any action taken under any law so repealed shall be deemed to have been done or taken under the corresponding provision of the enactment extended by section 4 to the transferred territories, and shall continue to be in force accordingly, unless and until superseded by any thing done or any action taken under the enactment so extended.

7. For purposes of facilitating the application in the transferred territories of any enactment specified in Schedule I or Schedule II or of any rule, regulation, notification, order, by-law, direction or instruction referred to in section 4, any court or other authority may construe the same with such alterations, not affecting the substance, as may be necessary or proper to adapt it to the matter before the court or other authority.

Powers of courts and other authorities for purposes of facilitating application of the enactments specified in Schedule I or II or rules etc.

8. Nothing contained in this Act shall affect the power of the State Government or of any officer or authority, exercisable under the enactments specified in Schedules I and II, to add to, amend, vary or rescind the rules, regulations, notifications, orders and by-laws made, and directions or instructions issued, as extended by section 4 to the transferred territories.

Power to make rules, etc. not to be affected.

9. If any difficulty arises in giving effect in the transferred territories to the provisions of any enactment specified in Schedule I or Schedule II, the State Government may, by order notified in the Official Gazette, make such provisions or give such directions as appear to it to be necessary or expedient for the removal of the difficulty.

Power to remove difficulties.

SCHEDULE I

Extension of Punjab Acts.

(See Section 4)

1	2	3	4
Year	Number of the Act	Short title	Amendments
1883	(Act No. XX of 1883)	The Punjab District Boards Act, 1883.	
1912	(Act No. V of 1912)	The Colonization of Government Lands (Punjab) Act, 1912.	
1924	(Act No. IV of 1924)	The Punjab Motor Vehicles Taxation Act, 1924.	
1940	(Act No X of 1940)	The Punjab Trade Employees Act, 1940.	
1941	(Act No. XII of 1941)	The Punjab Weights and Measures Act, 1941.	
1947	(Act No. XV of 1947)	The East Punjab Movable Property (Requisitioning) Act, 1947.	
1948	(Act No. XXVIII of 1948)	The Motor Vehicles (East Punjab Amendment) Act, 1948.	
1948	(Act No. XXXIX of 1948)	The East Punjab Cement Control Act, 1948.	
1948	(Act No. L of 1948)	The East Punjab Holdings (Consolidation and Prevention of Fragmentation) Act, 1948.	
1949	(Act No. I of 1949)	The East Punjab Control of Bricks Supplies Act, 1949.	
1949	(Act No. II of 1949)	The East Punjab Conservation of Firewood Supplies Act, 1949.	
1950	(Act No. XIII of 1950)	The Punjab Contingency Fund Act, 1950.	In section 4, for the words "fifty lakhs" substitute "one crore"

1	2	3	4
Year	Number of the Act	Short title	Amendments
1952	(Act No. XI of 1952)	The Punjab Cinemas (Regulation) Act, 1952.	
1952	(Act No. XII of 1952)	The Punjab Habitual Offenders (Control and Reform) Act, 1952.	
1953	(Act No. XI of 1953)	The Punjab Requisitioning and Acquisition of Immoveable Property Act, 1953.	
1954	(Act No. XXI of 1954)	The Punjab State Tubewell Act, 1954.	
1955	(Act No. XXXI of 1955)	The Motor Vehicles (Punjab Amendment) Act, 1955.	
1956	(Act No. 7 of 1956)	The Punjab Professions, Trades, Callings and Employments Taxation Act, 1956.	
1956	(Act No. 36 of 1956)	The Punjab Instruments (Control of Noises) Act, 1956.	
1956	(Act No. 38 of 1956)	The Punjab Special Powers (Press) Act, 1956.	
1956	(Act No. 40 of 1956)	The Punjab Khadi and Village Industries Board Act, 1955.	

SCHEDULE

Extension of Central Acts

(See Section 4)

1	2	3
Year	Number of the Act	Short title
1870	(Act No. VII of 1870)	The Court Fees Act, 1870.
1871	(Act No. I of 1871)	The Cattle Trespass Act, 1871.

1	2	3
Year	Number of the Act	Short title
1873	(Act No. VIII of 1873)	The Northern Indian Canal and Drainage Act, 1873.
1883	(Act No. XIX of 1883)	The Land Improvement Loans Act, 1883.
1884	(Act No. XII of 1884)	The Agriculturists' Loans Act, 1884.
1894	(Act No. I of 1894)	The Land Acquisition Act, 1894.
1894	(Act No. IX of 1894)	The Prisons Act, 1894.
1899	(Act No. II of 1899)	The Indian Stamp Act, 1899.
1900	(Act No. III of 1900)	The Prisoners Act, 1900.

SCHEDULE III

Repeals

(See section 6)

1	2	3
Year	Number of the Act	Short title
1979 Bk.	(Patiala Act No. I of 1979 Bk.)	The Cattle Trespass Act, 1979 Bk.
1981 Bk.	(Patiala Act No. I of 1981 Bk.)	The Restriction of Habitual Offenders Act, 1981 Bk.
2000 Bk.	(Patiala Act No. I of 2000 Bk.)	The Patiala Motor Vehicle Taxation Act, 2000 Bk.
2002 Bk.	(Notification No. Leg/137, dated 28-10-2002/9-2-46)	Secretary Legislation and Legal Remembrancer's Office; Patiala notification No. Leg/137, dated 28-10-2002/9-2-46 in so far only as it relates to the Prisons Act, 1894 (IX of 1894), and the Prisoners Act, 1900 (III of 1900).
2003 Bk.	(Patiala Ordinance No. VII of 2003 Bk.)	The Patiala State Essential Supplies (Temporary Powers) Ordinance, 2003 Bk.
2003 Bk.	(Patiala Act No. X of 2003 Bk.)	The Patiala Trade Employees Act, 2003 Bk.

1	2	3
Year	Number of the Act	Short title
2007 Bk.	(Pepsu Act No. V of 2007 Bk.)	The Patiala and East Punjab States Union Holdings (Consolidation and Prevention of Fragmentation) Act, 2007 Bk.
2008 Bk.	(Pepsu Act No. XXII of 2008 Bk.)	Pepsu Contingency Fund Act, 2008 Bk.
2009 Bk.	(Pepsu Act No. VI of 2009 Bk.)	The Pepsu State Tube-wells Act, 2009 Bk.
1960 Bk.	(Patiala Standing Order No. 258)	The Patiala State Standing Order No. 258, dated the 26th Magh, 1960 Bk.
1984 Bk.	(Patiala Act No. II of 1984 Bk.)	The Patiala Stamp (Amendment) Act, 1984 Bk.
1991 Bk.	(Patiala Act No. VII of 1991 Bk.)	The Patiala Stamp (Amendment) Act, 1991 Bk. with corrigenda, dated 2-10-44.
1992 Bk.	(Patiala Government Rules, 1935)	His Highness' Government Patiala Patiala Rules for the Sale and Custody of Stamps (Sanctioned by Ijla-i-Khas on 26th February, 1935 and published in the Patiala Government Gazette, dated 5th Baisakh, 1992Bk.)
2008 Bk.	(Pepsu Act No. XVII 2008 Bk.)	The PEPSU Stamp (Amendment) Act, 2008 Bk.
1910	(Patiala State order No. 256)	Accountant-General, Patiala's Standing Order No. 256, dated th 17th January 1910.
1954	(Pepsu Act No. XIV of 1954)	PEPSU Stamp (Amendment Act, 1954, Ministry of Law and Justice Patiala notification reducing the scale to Rs. 7-8-0 per cent on suits up to the value of Rs. 500.
1980 Bk.	(Patiala High Court notification No. 38, dated 7-8-1980 Bk.)	High Court, Patiala. Notification No. 38, dated 7-8-1980 Bk. published in the Gazette, dated 28th November, 1923 (Re: Court Fees)
1983 Bk.	(Patiala Ministry of Law and Justice notification No. 8, dated 7-8-1980 Bk.)	Ministry of Law and Justice notification No. 8, dated 8-9-1983 Bk. published in the Gazette, dated 27th January, 1927 (Re: Court Fees)

1 Year	2 Number of the Act	3 Short title
1931	(Farman-i-Shahi No. 19, dated 16th July, 1931)	Farman-i-Shahi No. 19, dated 16th July, 1931.
1940	(Order of Ijlas-i-Khas No. 57, dated 22-1-1940)	Order of Ijlas-i-Khas No. 57, dated 22-1-40 re: levy of Stamp Duty on applications made to different departments of the State.
1955	(Pepsu Act No. 24 of 1955)	Pepsu Court Fees (Amendment) Act, 1955.
1935	(Notification No. II, dated 20-10-1935)	Ministry of Law and Justice, His Highness' Government, Patiala, Notification No. 11, dated 20th October, 1935.
1954	(Pepsu Act No. 7 of 1954)	The Pepsu Cinemas (Regulations, Act, 1954
1954	(Pepsu Act No. 16 of 1954)	Pepsu Requisitioning and Acquisition of Immovable Property Act, 1954.
1955	(Pepsu Act No. 12 of 1955)	The Pepsu Land Acquisition Act, 1954.