



The Tuensang and Mon District (Assimilation of Laws) Act, 1974

Act 1 of 1975

Keyword(s):
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Amendment appended: 9 of 1990

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THE TUENSANG AND MON DISTRICT (ASSIMILATION OF LAW) 1974

(NAGALAND ACT. NO. 1 OF 1975)

*{Received the assent of the President on the 17th January 1975 and
published in the Nagaland Gazette Extraordinary dated
the 20th June, 1975}*

An

Act.

to bring about uniformity in application of laws on the subject in State and Concurrent list in the Seventh Schedule to the constitution in the Districts of Tuensang and Mon with the rest of the State of Nagaland.

Preamble

Whereas it is expedient that the laws in force in the Districts of Tuensang and Mon in the State of Nagaland with respect of the matters enumerated in list II and III in the VII Schedule to the Constitution, shall be assimilated to the laws in force with respect to these matters in the rest of the State of Nagaland in the manner hereinafter appearing ;

It is hereby enacted in the Twenty-fifth year of the Republic of India, as follows :—

1. Short title

- (i) This Act may be called the Tuensang and Mon districts (assimilation of laws) Act, 1974.
- (ii) It extends to the districts of Tuensang and Mon in Nagaland.

Extent and Commencement

- (iii) It shall come into force on such date as the State Government may by notification in the Nagaland Gazette appoint.

2. Definition

In this Act;

- (a) "appointed day" means the date appointed under sub-section (3) of section 1 for the coming into force of this Act.
- (b) "Constitution" means the Constitution of India.

- (c) Laws means so much of any Act, Ordinance Regulations Rules, Orders or Bye-laws as relates to any matter enumerated in the State list and the Concurrent list in the Seventh Schedule to the Constitution and passed by a State Legislature and are in force in districts of Tuensang and Mon.

3. Assimilation of laws

- (1) All laws which before the appointed day extend to or are in force in the districts of Tuensang and Mon, shall with effect from the aforesaid day cease to extend or be in force in the districts of Mon and Tuensang except as respect things done before that day;

"Provided the pending proceedings shall continue under the laws as were in force before the appointed day".

4. Power to remove Difficulties

- (2) All laws which before the appointed day extend to or are in force in the districts of Kohima and Mokokchung shall, as from the appointed day extend to or as the case may be, come into force in the districts of Tuensang and Mon.

If any difficulty or doubt arises in assimilation from one law or group of laws to another laws or groups of laws, the State Government may by order notified in the Nagaland Gazette, make such Order as is considered necessary for the removal of difficulty or doubt and the Order in such cases shall be final.

- (2) Every order made under this section shall be laid as soon as may be, after it is made, before the Nagaland Legislative Assembly, hereinafter called Assembly, while it is in session for total period of seven days, which may be comprised in one session or in two successive sessions and if before the expiry of the session in which it is so laid or the session following, the Assembly agree in making any modification in the order or the Assembly agree that the order should not be made, the order shall thereafter have effect only in such modified form or be of no effect as the case may be, so however that any such modification or annulment shall be without prejudice to the validity of anything previously done under this Order.

5. Repeal

Tuensang District (Assimilation of laws on State subject) Act., 1969 is hereby repealed.

THE TUENSANG AND MON DISTRICTS (ASSIMILATION OF LAWS) AMENDMENT ACT, 1989.

(THE NAGALAND ACT, NO. 9 OF 1990)

(Received the assent of the Governor of Nagaland on 16 August, 1990 and published in the Nagaland Gazette extraordinary dated 29 August 1990)

An

Act.

to amend the Tuensang and Mon Districts (Assimilation of Laws) Act, 1974 No. 1 of 1975.

It is hereby enacted in the fortieth year of Republic of India, as follows—

1. Short title, extent and Commencement.

(1) This Act may be called the Tuensang and Mon Districts (Assimilation of Laws) Amendment Act, 1989.

(2) It shall extend to the districts of Tuensang and Mon in Nagaland.

(3) It shall be deemed to have come into force with effect from the first day of November, 1975.

2. Amendment of Section 2.

In Clause (c) of Section 2 of the Tuensang and Mon Districts (Assimilation of Laws) Act, 1974 (*hereinafter referred to as Principal Act*) full stop shall be inserted after the word "Constitution" and the following words shall be deleted, namely :—

"and passed by a State Legislature and are in force in the districts of Tuensang and Mon".

3. Amendment of Section 3.

In Sub-section (1) of Section 3 of the Principal Act, the following words shall be inserted in between the words "as respect things done", and "before that day", namely :—

"or omitted to be done"

4. Amendment of Section 4.

In Section 4 of the Principal Act, for sub-section (1), the following sub-section shall be substituted namely :—

“(1) If any difficulty arises in relation to the transition under Section 3 from one Law or group of Laws to another law or group of laws, the State Government may, by order notified in the Gazette, make such order not inconsistent with the provisions of this Act as is considered necessary for the removal of difficulty”.