



The Uttar Pradesh Laws (Extension to Territories Transferred from Bihar)
Act, 1976
Act 52 of 1976

Keyword(s):
Bihar Laws, Transferred Territories

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विधान पुस्तकालय
(राजकीय प्रकाशन)
उत्तर प्रदेश, लखनऊ

**THE UTTAR PRADESH LAWS (EXTENSION TO TERRITORIES
TRANSFERRED FROM BIHAR) ACT, 1976**

(U. P. ACT NO. 52 OF 1976)

[Authoritative English Text of the Uttar Pradesh Vidhi (Bihar Se Antarit
Rajya Kshettron Par Vistar) Adhiniyam, 1976]

AN
ACT

*to extend certain laws in force in Uttar Pradesh to the territories transferred
from Bihar by or under the Bihar and Uttar Pradesh (Alteration of
Boundaries) Act, 1968.*

IT IS HEREBY enacted in the Twenty-seventh Year of the Republic of India as
follows :

1. (1) This Act may be called the Uttar Pradesh Laws (Extension to Short title and
Territories Transferred from Bihar) Act, 1976. commencement.

(2) It shall be deemed to have come into force on October 15, 1976.

2. In this Act, unless the context otherwise requires—

Definitions.

(a) 'Bihar Laws' means so much of any Bihar Act, Ordinance or Regulation, as relates to any of the matters enumerated in Lists II and III in the Seventh Schedule to the Constitution and includes any statutory instrument.

(b) 'State law' means so much of any Uttar Pradesh Act, Ordinance or Regulation, as relates to any of the matters enumerated in Lists II and III in the Seventh Schedule to the Constitution and includes any statutory instrument ;

(c) 'transferred territories' means the territories transferred from the State of Bihar and added to Uttar Pradesh by the Bihar and Uttar Pradesh (Alteration of Boundaries) Act, 1968.

(For Statemnt of Objects and Reasons please see Uttar Pradesh Gazette (Extraordinary), dated November 5, 1976).

(Passed in Hindi by the Uttar Pradesh Legislative Council on November 2, 1976 and by the Uttar Pradesh Legislative Assembly on November 8, 1976)
(Received the Assent of the President on December 7, 1976) under Article 201, of the Constitution of India and was published in Part I (a) of the Legislative Supplement of the Uttar Pradesh Gazette Extraordinary, dated December 10, 1976).

PRICE 25 PAISE

Assimilation of State Laws.

3. (1) The State Laws specified in the second column of the Schedule shall, as from the date of commencement of this Act, extend to the transferred territories subject to the modifications specified in the third column thereof and all appointments, orders or statutory instruments made or issued thereunder shall, so far as they are not inconsistent with the said modifications, extend, *mutatis mutandis* to the transferred territories and shall, in such modified form, continue in force until repealed or amended by the competent Legislature or other competent authority.

(2) The Uttar Pradesh Zamindari Abolition and Land Reforms Act, 1950 as extended by notification no. 10/Rajaswa-1/1-6-(1)-72, dated March 17, 1972, shall continue in force and be deemed always to have continued in force (with the modifications specified in that notification) in the transferred territories until repealed or amended by the Uttar Pradesh State Legislature.

(3) All other State laws which immediately before the date of commencement of this Act, extend to, or are in force in, the State of Uttar Pradesh but do not extend to, or are not in force in, the transferred territories shall, as from such date, extend to or, as the case may be, come into force in, the transferred territories and continue in force therein until repealed or amended by the competent Legislature or other competent authority.

(4) All Bihar laws which immediately before the date of commencement of this Act, are in force in the whole or any part of the transferred territories shall, with effect from such date, stand repealed in respect of their operation in such territories and the provisions of sections 6 and 24 of the Uttar Pradesh General Clauses Act, 1904 shall apply as if those laws were repealed and re-enacted by the corresponding laws extended to, or brought into force, into the transferred territories by virtue of sub-sections (1) and (3).

Disposal of suits, appeals, etc.

4. (1) All suits, appeals, applications or other proceedings under any Bihar law pending before any court or authority in respect of the transferred territories shall, with effect from the date of commencement of this Act, be deemed to be suits, appeals, applications or other proceedings instituted or filed under the corresponding provisions of the State Laws referred to in sub-sections (1) to (3) of section 3 and shall be disposed of accordingly.

(2) All suits, appeals, applications or other proceedings under any Bihar Law to which the provisions of sub-section (1) do not apply shall abate with effect from the date of commencement of this Act.

Power of Courts for purposes of facilitating application of law.

5. For the purposes of facilitating the application of any State law mentioned in sub-sections (1), (2) and (3) of section 3 to the transferred territories, any court or other authority may construe such law 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.

Power to remove difficulties.

6. (1) If any difficulty arises in relation to the transition from the laws mentioned in sub-section (4) of section 3 to the laws mentioned in sub-sections (1), (2) and (3) thereof, the State Government may, by notification in the *Gazette*, make such provisions as it considers necessary for the removal of such difficulty:

Provided that no such order shall be made after five years from the date of commencement of this Act.

(2) Any order made under sub-section (1) may be given retrospective effect from any date not earlier than the date of addition of the transferred territories to the State of Uttar Pradesh.

(3) No order under sub-section (1) or sub-section (2) shall be called in question in any court on the ground that no difficulty as is referred to in sub-section (1) existed or was required to be removed.

Repeal and saving.

7. (1) The Uttar Pradesh Laws (Extension to Territories Transferred from Bihar) Ordinance, 1976 is hereby repealed.

(2) Notwithstanding such repeal anything done or any action taken under the aforesaid Ordinance shall be deemed to have been done or taken under this Act as if this Act were in force at all material times.

THE SCHEDULE
[See SECTION 3(1)]

Serial no.	Short title of the Act	Section	Extent of modifications
1	The Uttar Pradesh Imposition of Ceiling on Land Holdings Act, 1960.	Section 1 Section 5	Sub-section (3) shall be <i>omitted</i> . In sub-section (1), <i>for</i> the words "on and from the commencement of the Uttar Pradesh Imposition of Ceiling on Land Holdings (Amendment) Act, 1972", the words and figures, "on and from the commencement of the Uttar Pradesh Laws (Extension to Territories Transferred from Bihar) Act, 1976" shall be <i>substituted</i> .
2	The Uttar Pradesh Consolidation of Holdings Act, 1953.	Section 1	Sub-section (3) shall be <i>omitted</i> .
3	The Land Acquisition (U. P. Amendment) Act, 1954.	Section 1 Section 3	Sub-section (2) shall be <i>omitted</i> . Shall be <i>omitted</i> .
4	The United Provinces Acquisition of Property (Flood Relief) Act, 1948.	Section 1	Sub-sections (2) and (3) shall be <i>omitted</i> .
5	The Uttar Pradesh Flood Emergency Powers (Evacuation and Requisition) Act, 1951.	Section 1	Sub-section (3) shall be <i>omitted</i> .
6	The U. P. Government Estates Thekedari Abolition Act, 1958 as repealed and re-enacted with modification by the Uttar Pradesh Government Estates Thekedari Abolition (Re-enactment and Validation) Act, 1970).	Section 1	Sub-sections (2) and (3) shall be <i>omitted</i> .
7	The Uttar Pradesh House Sites (Flood Affected Areas) (Temporary Powers) Act, 1957.	Section 1	Sub-section (3) shall be <i>omitted</i> .
8	The Uttar Pradesh Bhoodan Yagna Act, 1952.	Section 1	Sub-section (3) shall be <i>omitted</i> .
9	The U. P. Panchayat Raj Act, 1947.	Section 1	<i>For</i> sub-section (3) the following sub-section shall be <i>substituted</i> , namely :— “(3) In relation to the transferred territories as defined in the Uttar Pradesh Laws (Extension to Territories Transferred from Bihar) Act, 1976, it shall apply subject to such modifications as the State Government may by notification specify.”
10	The Uttar Pradesh Vrihat Jot-Kar Adhiniyam, 1963.	Section 1 Section 5	Sub-section (2) shall be <i>omitted</i> . The following Explanation shall be <i>inserted</i> , namely :— “Explanation : In relation to the transferred territories as defined in the Uttar Pradesh Laws (Extension to Territories Transferred from Bihar) Act, 1976, ‘hereditary rates’ means rates of rent prevailing before the application of this Act to the said territories ascertained in such manner as may be prescribed.”
		Section 7	In sub-section (1), the following proviso thereto shall be <i>inserted</i> , namely :— “Provided that in relation to the agricultural year ending on June 30, 1976 the

Serial no.	Short title of the Act	Section	Extent of modifications
11	The United Provinces Land Revenue Act, 1901 as amended by section 339 of (read with List II of schedule III to) the Uttar Pradesh Zamindari Abolition and Land Reforms Act, 1950.	Section 1	reference to the prescribed date shall be construed as a reference to the date of expiration of a period of two months from the commencement of the Uttar Pradesh Laws (Extension to Territories Transferred from Bihar) Act, 1976."
		Sub-section(3) shall be <i>omitted</i> .	