



The Punjab Laws (Extension No.4) Act, 1958

Act 18 of 1958

Keyword(s):
Transferred Territories

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THE PUNJAB LAWS (EXTENSION NO. 4)
ACT, 1958.

TABLE OF CONTENTS.

Sections.

1. Short title and commencement.
2. Definitions.
3. Interpretation.
4. Extension of certain laws to transferred territories.
5. Construction of certain references.
6. Repeals and savings.
7. Powers of courts and other authorities for purposes of facilitating application of the enactments specified in Schedule I or II or rules, etc.
8. Power to make rules, etc., not to be affected.
9. Power to remove difficulties.

Schedule I

Schedule II

Schedule III

THE PUNJAB LAWS (EXTENSION NO.4)
ACT, 1958.

(PUNJAB ACT NO. 18 OF 1958.)

*[Received the assent of the President of India on the
9th May, 1958, and was first published in the
Punjab Government Gazette (Extraordinary)
of the 15th May, 1958].*

1	2	3	4
Year	No.	Short title	Whether repealed or otherwise affected by legislation
1958	18	The Punjab Laws (Extension No. 4) Act, 1958	

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 Ninth Year of the Republic of India as follows :—

1. (1) This Act may be called the Punjab Laws (Extension No. 4) Act, 1958. 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.

1. For Statement of Objects and Reasons, see *Punjab Government Gazette* (Extraordinary), 1957, page 689.

Interpretation.

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

Extension of certain laws to transferred territories.

4. (1) All the enactments, as amended from time to time, specified in Schedule I and so much of any of the enactments, as amended from time to time, specified in Schedule II as extends to the territories which, immediately before the 1st November, 1956, were 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 all 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, extend 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 anything done or any action taken under the enactments 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.

Power of courts and other authorities for purposes of facilitating application of the enactments specified in Schedules 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)

Sr. No.	Year	No. of the Act	Short title	Amendments
1	2	3	4	5
1.	1872	(IV of 1872)	The Punjab Laws Act, 1872	
2.	1900	(II of 1900)	The Punjab Land Preservation Act, 1900	
3.	1913	(II of 1913)	The Redemption of Mortgages (Punjab) Act, 1913	To the Proviso to subsection (3) of section 1, add the words "or the Patiala Alienation of Land Act, 1972 Bk."
4.	1913	(III of 1913)	The Punjab Forest (Sale of Timber) Act, 1913	
5.	1914	(I of 1914)	The Punjab Excise Act, 1914	
6.	1918	(VII of 1918)	The Punjab Juvenile Smoking Act, 1918	
7.	1926	(X of 1926)	The Good Conduct Prisoners' Probationary Release Act, 1926	
8.	1926	(XI of 1926)	The Punjab Borstal Act, 1926	
9.	1938	(IV of 1938)	The Punjab Restitution of Mortgaged Lands Act, 1938	1. The following words shall be added at the end of section 2 :— "in the territories which immediately before the 1st November, 1956, were comprised in the State of Punjab and prior to 17th February, 1915 in

Sr. No.	Year	No. of the Act	Short title	Amendments
1	2	3	4	5
				<p>the territories which immediately before the 1st November, 1956, were comprised in the State of Patiala and East Punjab States Union."</p> <p>2. The following words shall be added at the end of the Explanation to section 2 :—</p> <p>"or, in the case of a mortgage in the territories which immediately before the 1st November, 1956, were comprised in the State of Patiala and East Punjab States Union before the date on which this Act is extended to those territories."</p>
10.	1941	(VII of 1941)	The Punjab Suppression of Indecent Advertisements Act, 1941	
11.	1942	(XIV of 1942)	The Press and Registration of Books (Punjab Amendment), Act, 1942, as amended by Punjab Act 15 of 1957	
12.	1947	(VIII of 1947)	The East Punjab National Volunteer Corps Act, 1947	
13.	1947	(XII of 1947)	The East Punjab Police (Protection of Railways) Act, 1947	

Sr. No.	Year	No. of the Act	Short title	Amendments
1	2	3	4	5
14.	1948	(XXIII of 1948)	The East Punjab Cotton (Statistics) Act, 1948	
15.	1949	(III of 1949)	The East Punjab Urban Rent Restriction Act, 1949	
16.	1949	(IV of 1949)	The East Punjab Agricultural Pests, Diseases and Noxious Weeds Act, 1949	
17.	1949	(XI of 1949)	The East Punjab Tractor Cultivation (Recovery of Charges) Act, 1949	
18.	1949	(XXX of 1949)	The East Punjab Drugs (Control) Act, 1949	
19.	1953	(XII of 1953)	The Punjab Security of the State Act, 1953	
20.	1953	(XL of 1953)	The Punjab Sugarcane (Regulation of Purchase and Supply) Act, 1953	
21.	1953	(II of 1955)	The Punjab Cotton Ginning and Pressing Factories Act, 1953	
22.	1955	(6 of 1956)	The Punjab Land Revenue (Special Assessment) Act, 1955	In sub-section (1) of section 3, after the figure "1955" the words "in the territories which immediately before the 1st November, 1956, were comprised in the State of Punjab, and from the Kharif harvest, 1957, in the territories which immediately before that date, were comprised in the State of Patiala and East Punjab States Union" shall be inserted.
23	1956	(16 of 1956)	The Punjab Industrial Housing Act, 1956	

SCHEDULE II

Extension of Central Acts

(See Section 4)

Sr. No.	Year	No. of the Act	Short title	Amendments
1	2	3	4	5
1.	1860	(XXI of 1860)	The Societies Registration Act, 1860, as amended by Punjab Act No. 31 of 1957	
2.	1867	(III of 1867)	The Public Gambling Act, 1867, as amended by Punjab Act No. 1 of 1929	
3.	1876	(XIX of 1876)	The Dramatic Performances Act, 1876 as amended by Punjab Act No. 48 of 1956	
4.	1890	(XI of 1890)	The Prevention of Cruelty to Animals Act, 1890	
5.	1897	(VIII of 1897)	The Reformatory Schools Act, 1897.	

SCHEDULE III

Repeal

(See section 4)

Sr. No.	Year	No. of the Act	Short title	Amendments
1	2	3	4	5
1.	1925	(XII of 1925)	The Cotton Ginning and Pressing Factories Act, 1925	
2.	1983 Bk.	(Notification No. 9 of 1983)	Home Department, His Highness' Government, Patiala notification No. 9 dated 3-3-1983 Bk. sanctioning the application of the Punjab Excise Act, 1914, to the	

Sr. No.	Year	No. of the Act	Short title	Amendments
1	2	3	4	5
			erstwhile Patiala State with retrospective effect from the 13th October, 1925	
3.	1991 Bk.	(I of 1921)	The Patiala Gambling Act, 1991 Bk.	
4.	1996 Bk.	(IX of 1996)	The Patiala Juvenile Smoking Act, 1996 Bk.	
5.	1999 Bk.	(VI of 1999)	The Patiala Sale of Timber Act, 1999 Bk.	
6.	2002Bk.	(Notification No. 137 of 2002)	Secretary, Legislation and Legal Remembrancer, Patiala's notification No. Leg/137, dated 9th February, 1946/28-10 2002, published in the Gazette, dated 27th Phagan, 2002/10th March, 1946. in so far as it relates to the enforcement of the Reformatory Schools Act, 1897, <i>mutatis mutandis</i> in the former Patiala State	
7.	2003 Bk.	(IX of 2003)	The Redemption of Mortgages (Patiala) Act, 2003 Bk.	
8.	2004 Bk.	(XII of 2004)	The Patiala Home Guards Act, 2004 Bk.	
9.	2005 Bk.	(XIX of 2005)	The Patiala and East Punjab States Union Cotton (Statistics) Ordinance, 2005 Bk., as amended by Pepsu Cotton (Statistics) Amendment Act, 2008 Bk.	
10.	2006 Bk.	(VII of 2006)	The Pepsu Public Safety Ordinance, 2006 Bk.	

Sr. No.	Year	No. of the Act	Short title	Amendments
1	2	3	4	5
11.	2006 Bk.	(XII of 2006)	The Patiala and East Punjab States Union Urban Rent Restriction Ordinance, 2006 Bk.	
12.	2006Bk.	(XXX of 2006)	The Patiala and East Punjab States Union Drugs (Control) Ordinance, 2006 Bk.	
13.	2008 Bk.	(X of 2008)	The Pepsu Suppression of Indecent Advertisements Act, 2008 Bk.	
14.	2008 Bk.	(XX of 2008)	The Pepsu Good Conduct Prisoners Probationai Release Act. 2008 Bk.	
15.	1954	(13 of 1954)	The Pepsu Societies Registration Act, 1954	
16.	1954	(7 of 1955)	The Pepsu Dramatic Performances Act, 1954	
17.	1954	(8 of 1955)	The Pepsu Agricultural Pests, Diseases and Noxious Weeds Act, 1954	
18.	1954	(10 of 1955)	The Pepsu Sugarcane (Regulation of Supply and Purchase) Act, 1954	
19.	1955	(14 of 1955)	The Pepsu Chaukidari Act, 1955	

