



## The Himachal Pradesh (Extension of Laws) Act, 1968

Act 25 of 1969

**Keyword(s):**

Official Gazette, Old Areas, Transferred Territories

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**THE HIMACHAL PRADESH (EXTENSION OF LAWS) ACT, 1968**(ACT No. 25 OF 1969)<sup>1</sup>

## ARRANGEMENT OF SECTIONS

## SECTIONS :

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

SCHEDULE-I.

SCHEDULE-II.

(Received the assent of the President of India on the 13th September, 1969, and was published in R.H.P. Extra., dated the 13th October, 1969 at p. 883—887, read with corrigendum published in R.H.P., dated the 6th June, 1970, p. 397).

*Amended, repealed or otherwise affected by,—*

- (i) H. P. Act 12 of 1973<sup>2</sup>, published in (R. H. P. Extra., dated the 2nd June, 1973 at p. 813-814).

**An Act to provide for the extension of certain laws as applicable to, or in force in, the areas as comprised in Himachal Pradesh immediately before the 1st November, 1966 to areas as added to Himachal Pradesh under section 5 of the Punjab Re-organisation Act, 1966.**

BE it enacted by the Legislative Assembly of Himachal Pradesh in the Nineteenth Year of the Republic of India as follows:—

**1. Short title and commencement.**—(1) This Act may be called the Himachal Pradesh (Extension of Laws) Act, 1968.

(2) It shall come into force at once.

**2. Definitions.**—In this Act, unless there is anything repugnant in the subject or context,—

(a) “Official Gazette” means Rajpatra, Himachal Pradesh ;

1. For Statement of Objects and Reasons, see R.H.P. Extra, dated the 28th November, 1968, p. 1160 and for its authoritative Hindi text see R.H.P. Extra., dated 25-3-94 p. 422-428.
2. For Statements of Objects and Reasons, see R.H.P. Extra, dated the 28th April, 1973, p. 632.

- (b) "old areas" means the areas as comprised in Himachal Pradesh immediately before the 1st November, 1966 ;
- (c) "Schedule" means a Schedule appended to this Act ;
- (d) "State Government" means the Government of Himachal Pradesh ; and
- (e) "transferred territories" means the territories which were added to Himachal Pradesh under section 5 of the Punjab Re-organisation Act, 1966 (31 of 1966).

**3. Extension of certain laws to transferred territories.**—All the enactments, as amended from time to time, specified in Schedule I, which are applicable, to or in force in the old areas and all rules, regulations, notifications, orders and bye-laws made, and all directions or instructions issued, thereunder, which are in force immediately before the commencement of this Act, are hereby extended to, and shall be in force in the transferred territories.

**4. Construction of certain references.**—In the enactments, or rules, regulations, notifications, orders and bye-laws made, and directions, or instructions issued thereunder, as referred to in section 3, any reference—

- (1) to the 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 Union Territory of Himachal Pradesh, by whatever form of words, shall be construed as including a reference to the transferred territories.

**5. Repeal and savings.**—If immediately <sup>1</sup>[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, notification, orders and bye-laws made, and directions or instructions issued thereunder, extended to those territories, by section 3, that law including the enactments specified in Schedule II, 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, accrued 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.

1. Subs. and deemed always to have been subs. for the word, "after", by H. P. Act No. 12 of 1973.

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 3 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 enactment so extended.

**6. Powers of courts and other authorities for purposes of facilitating the application of the enactments specified in Schedule I or rules etc.**—For the purposes of facilitating the application in the transferred territories of any enactment specified in Schedule-I or of any rule, regulation, notification, order, bye-law, direction or instruction referred to in section 3, 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.

**7. Power to make rules, etc. not to be affected.**—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 Schedule-I, to add, to amend, vary or rescind the rules, regulations, notifications, orders and bye-laws made, and directions or instructions issued, as extended by section 3 to the transferred territories.

**8. Power to remove difficulties.**—If any difficulty arises in giving effect, in the transferred territories, to the provisions of any enactment specified in Schedule-I, 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.

**SCHEDULE-I**  
(See section 3)

Serial No.	Year	Number of Act	Name of the Act
1.	1953	1	The Himachal Pradesh Juveniles (Prevention of Smoking) Act, 1952.
2.	1955	8	The Himachal Pradesh Prevention of Ex-communication Act, 1955.
3.	1964	4	The Himachal Pradesh Dramatic Performances Act, 1964.
4.	1964	6	The Himachal Pradesh Village and Small Towns Patrol Act, 1964.
5.	1964	11	The Himachal Pradesh Corneal Grafting Act 1964.
6.	1966	4	The Himachal Pradesh Anatomy Act, 1966.

## SCHEDULE-II

(See section 5)

Serial No.	Year	Number of Act	Name of the Act
1.	1918	7	The Punjab Juveniles Smoking Act, 1918.
2.	1918	8	The Punjab Village and Small Towns Patrol Act, 1918.
3.	1963	13	The Punjab Corneal Grafting Act, 1963.
4.	1963	14	The Punjab Anatomy Act, 1963.
5.	1964	10	The Punjab Dramatic Performances Act, 1964.

## THE HIMACHAL PRADESH (EXTENSION OF LAWS) ACT, 1969

(ACT No. 5 OF 1970)<sup>1</sup>

## ARRANGEMENT OF SECTIONS

## SECTIONS :

1. Short title and commencement.
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5. Repeal and savings.
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7. Power to make rules, etc. not to be affected.
8. Power to remove difficulties.

SCHEDULE-I.

SCHEDULE-II.

(Received the assent of the President of India on the 13th January 1970, and was published in R.H.P. Extra., dated the 4th April, 1970 at p. 290—294).

<sup>1</sup> For Statement of Objects and Reasons see R. H. P. Extra., dated 19th September, 1969, p. 855 and for its authoritative Hindi text see R.H.P. Extra., dated 25-3-1994 P. 429—434.

*Amended, repealed or otherwise affected by,—*

- (i) A.O. 1973, published in R.H.P. Extra., dated the 20th January, 1973 at p. 91—112.

**An Act to provide for the extension of certain laws as applicable to, or in force in the areas as comprised in Himachal Pradesh immediately before the 1st November, 1966, to the areas as added to Himachal Pradesh under section 5 of the Punjab Re-organisation Act, 1966.**

BE it enacted by the legislative Assembly of Himachal Pradesh in the Twentieth Year of the Republic of India as follows:—

**1. Short title and commencement.**—(1) This Act may be called the Himachal Pradesh (Extension of Laws) Act, 1969.

(2) It shall come into force at once.

**2. Definitions.**—In this Act, unless there is any thing repugnant in the subject or context,—

(a) “Official Gazette” means Rajpatra, Himachal Pradesh;

(b) “Old areas” means the areas as comprised in Himachal Pradesh immediately before the 1st November, 1966;

(c) “Schedule” means a Schedule appended to this Act;

(d) [ \* \* \* \* \* ]; and

(e) “transferred territories” means the territories which were added to Himachal Pradesh under section 5 of the Punjab Re-organisation Act, 1966 (31 of 1966).

**3. Extension of certain laws to transferred territories.**—All the enactments, as amended from time to time, specified in Schedule-I, which are applicable to, or in force in the old areas and all rules, regulations, notifications, orders and bye-laws made, and all directions or instructions issued thereunder, which are in force immediately before the commencement of this Act, are hereby extended to, and shall be in force in the transferred territories.

**4. Construction of certain references.**—In the enactments, or rules, regulations, notification, orders and bye-laws, made, and directions or instructions issued thereunder, as referred to in section 3, any reference,—

(i) to the 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

(ii) to the <sup>2</sup>[State of Himachal Pradesh] by whatever form of words, shall be construed as including a reference to the transferred territories.

1. The definition of “state Government” omitted by A. O. 1973.

2. Subs. for “Union Territory of Himachal Pradesh” by A. O., 1973.

**5. Repeal and savings.**—If, immediately before the commencement of this Act, there is in force in the transferred territories any law corresponding to any of the enactment or rules, regulations, notifications, orders and bye laws made, and directions of instructions issued thereunder, extended to those territories, by section 3, that law including the enactments specified in Schedule-II, 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, accrued 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 3 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.

**6. Powers of courts and other authorities for purposes of facilitating the application of the enactments specified in Schedule-I or rules, etc.**—For the purposes of facilitating the application in the transferred territories of any enactment specified in Schedule-I or of any rule, regulation, notification, order, bye-law, direction or instruction referred to in section 3, 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.

**7. Power to make rules, etc. not to be affected.**—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 Schedule-I, to add, to amend, vary or rescind the rules, regulations, notifications, order and bye-laws made, and direction or instruction issued, as extended by section 3 to the transferred territories.

**8. Power to remove difficulties.**—If any difficulty arises in giving effect, in the transferred territories, to the provisions of any enactment, specified in Schedule-I, 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.

## SCHEDULE-I

(See section 3)

Sl. No.	Year	Number of the Act	Name of the Act
1.	1955	6	The Himachal Pradesh Private Forests Act, 1954.
2.	1966	8	The Himachal Pradesh Khadi and Village Industries Board Act, 1966.

## SCHEDULE-II

(See section 5)

Sl. No.	Year	Number of the Act	Name of the Act
1.	1956	40	The Punjab Khadi and Village Industries Board Act, 1956.