



The Punjab Laws (Extension No. 5) Act, 1958

Act 30 of 1958

Keyword(s):

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THE PUNJAB LAWS (EXTENSION NO. 5)
ACT, 1958

(PUNJAB ACT NO. 30 OF 1958)

[Received the assent of the President on the 3rd November, 1958 and was first published for general information in the Punjab Government Gazette (Extraordinary) dated the 7th November, 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. 5) Act, 1958.

Short title and commencement.

(2) It shall come into force at once.

2. In this Act—

Definition

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

Interpretation

1. For statement of Objects and Reasons, see Punjab Government Gazette (Extraordinary), 1958, page 1494.

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, 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 anything done or any action taken under the enactment so extended.

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

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

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 remove difficulties.

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.

SCHEDULE I

EXTENSION OF PUNJAB ACTS

(See Section 4)

Serial No.	Year	Number of the Act	Short title	Amendments
1	2	3	4	5
1	1916	(II of 1916)	The Punjab Medical Registration Act, 1916.	

Serial No.	Year	Number of the Act	Short title	Amendments
1	2	3	4	5
2	1918	(VIII of 1918)	The Punjab Village and Small Towns Patrol Act, 1918.	
3	1932	(I of 1932)	The Punjab Nurses Registration Act, 1932.	
4	1949	(XXVIII of 1949)	The Code of Criminal Procedure (East Punjab Amendment) Act, 1949.	Section 197-A of the Act shall be renumbered as section 197-B.

SCHEDULE II

EXTENSION OF CENTRAL ACTS

(See Section 4)

Serial No.	Year	Number of the Act	Short title	Amendments
1	1861	(V of 1861)	The Police Act, 1861 as amended by East Punjab Act No. XXX of 1948.	
2	1887	(IX of 1887)	The Provincial Small Cause Courts Act, 1887.	
3	1895	(XV of 1895)	The Government Grants Act, 1895.	
4	1911	(X of 1911)	The Prevention of Seditious Meetings Act, 1911.	
5	1916	(VII of 1916)	The Indian Medical Degrees Act, 1916.	
6	1920	(V of 1920)	The Provincial Insolvency Act, 1920, as amended by Punjab Act (IX of 1939).	
7	1920	(XXXII of 1920)	The Identification of Prisoners Act, 1920.	
8	1948	(VIII of 1948)	The Pharmacy Act, 1948.	

SCHEDULE III

REPEAL

(See Section 6)

Serial No.	Year	Number of the Act	Short title	Amendments
1	1939	(Notification No. 11 of 22nd January, 1938)	The Patiala Government Ministry of Law and Appeal notification, dated 22nd January, 1938, applying the provisions of the Provincial Insolvency Act, 1920, to the erstwhile Patiala State.	
2	1981	(II of 1981 Bk.) Bk.	The Patiala Village and Small Towns Patrol Act, 1981 Bk.	
3	1985	(II of 1985 Bk.) Bk.	The Patiala Police Act, 1985 Bk.	
4	1997	(XII of 1997 Bk.) Bk.	The Patiala Small Cause Courts Act, 1997 Bk.	
5	1999	(III of 1999 Bk.) Bk.	The Patiala Medical Degrees Act, 1999.	
6	2005	(I of 2005 Bk.) Bk.	The Patiala Government Gran's Act, 2005 Bk.	