



The Punjab Laws (Extension No. 7) Act, 1960

Act 23 of 1960

Keyword(s):

Transferred Territories, Extension of Laws, Regional Laws

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THE PUNJAB LAWS (EXTENSION No 7)
ACT, 1960

(PUNJAB ACT NO 23 OF 1960)

[Received the assent of the President on the 15th May, 1960 and was first published for general information in the Punjab Government Gazette (Extraordinary) dated the 30th May, 1960.]

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 Eleventh Year of the Republic of India as follows :—

1. (1) This Act may be called the Punjab Laws (Extension No. 7) Act, 1960.

Short title and
Commencement

(2) It shall come into force at once.

2. In this Act,—

(a) "Schedule" means a Schedule appended to this Act ;

Definitions.

(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

4. All the enactments, as amended from time to time, specified in schedule I and so much of

Extension of
certain laws to
transferred
territories.

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.

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.

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.

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

8. Nothing contained in this Act shall affect the power of the State Government or of any

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

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 Act		Short title
1	2	3		4
1	1918	..	(V of 1918) ..	The Restriction of Habitual Offenders (Punjab) Act, 1918.
2	1941	..	(VIII of 1941) ..	The Indian Registration (Punjab) Amendment) Act, 1941
3	1947	..	(XIII of 1947) ..	The East Punjab Essential Services Maintenance) Act, 1947.
4	1955	..	(VIII of 1955) ..	The Punjab Departmental Enquiries (Powers) Act, 1955.

SCHEDULE II
EXTENSION OF CENTRAL ACTS
(See section 4)

Serial No.	Year	Number of the Act		Short title
1	2	3		4
1	1850	..	(XVIII of 1850) ..	The Judicial Officers' Protection Act, 1850.
2	1850	..	(XXXVII of 1850) ..	The Public Servants (Inquiries) Act, 1850.
3	1922	..	(XXII of 1922) ..	The Police (Incitement to Disaffection) Act, 1922.

SCHEDULE III

REPEAL

(See section 6)

Serial No.	Year	Number of the Act	Short title
1	2	3	4
1	1996 Bk.	(IV of 1996 Bk.) ..	The Patiala State Judicial Officers' Protection Act, 1996 Bk., and Firman-i-Shahi No. 3 dated the 2nd January, 1940 in so far as it relates to the promulgation of that Act.
2	1999 Bk.	(III of 1999 Bk.) ..	The Patiala State Essential Services (Maintenance) Ordinance, 1999 Bk.
3	2006 Bk.	(XXVIII of 2006 Bk.)	The Patiala and East Punjab States Union Public Servants (Inquiries) Ordinance, 2006 Bk.
4	1942	(Notification No. 154 of 4th April, 1942)	The Patiala Government, Ministry of Law, Notification No. 154, dated the 4th April, 1942, regarding deposit of security by persons filing complaints against State servants.
5	1954	(6 of 1954)	The Pepsu Police (Incitement to Disaffection) Act, 1954.