

The Punjab Laws (Extension No. 3) Act, 1957

PUNJAB

India

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Act 23 of 1957

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The Punjab Laws (Extension No. 3) Act, 1957Punjab Act No. 23 of 1957Statement of Objects and Reasons. - With a view to achieving uniformity in the matter application of laws in the new State of Punjab, some further laws are sought to be extended to the erstwhile Pepsu territory. This Bill represents the third instalment of such laws. Published vide Punjab Government Gazette Extraordinary, dated 22.5.1957. Received the assent of the President on the 12th July, 1957, and was first published for general information in the Punjab Government Gazette (Extraordinary), dated the 24th July, 1957. 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 Eighth Year of the Republic of India as follows :-

1. Short title and commencement

. - (1) This Act may be called the Punjab Laws (Extension No. 3) Act, 1957.

2. Definitions

. - In this Act, -(a)"Schedule" means a Schedule appended to this Act;(b)"transferred territories" mean the territories which, immediately before the 1st November, 1956, were comprised in the State of Patiala and East Punjab States Union.

3. Interpretation

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

4. Extension of certain laws to transferred territories

. - (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 relate to matters with respect to which the State Legislature has power to make laws for a State, 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 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.

5. 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 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.

6. Repeals 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 enactments or rules, regulations, notifications, orders and bye-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 of punishment as aforesaid; and any such investigation, legal proceeding or remedy may be instituted, contained 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. Powers of courts and other authorities for purposes of facilitating application of the enactments specified in Schedule I or II or rules, etc.

. - 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, bye-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.

8. 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 Schedules I and II, 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 4 to the transferred territories.

9. 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 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.

I

Extension of Punjab Acts(See section 4)

Serial No.	Year	Number of the Act	Short title	Amendment
1	2	3	4	5
1	1887	(Act No. XVI of 1887)	The Punjab Tenancy Act, 1887	
2	1887	(Act No. XVII of 1887)	The Punjab Land Revenue Act, 1887	
3	1899	(Act No. I of 1899)	The Punjab Riverain Boundaries Act, 1899	
4	1913	(Act No. I of 1913)	The Punjab Pre-emption Act, 1913	
5	1935	(Act No. V of 1935)	The Punjab State Aid to Industries Act, 1935	After Section 45 the following new section shall be added:-"45-A. All loans granted under the Patiala and EastPunjab States Union State Aid to Industries Act, 2007 (Act No. 10 of 2007 Bk.) shall be deemed to be

granted under and in accordance with the provisions of this Act and shall be recoverable in the same manner in which loans granted under this Act are recoverable."

6	1943	(Act No. VI of 1943)	The Punjab Maternity Benefit Act, 1943
7	1948	(Act No. XI of 1948)	The East Punjab Molasses (Control) Act, 1948
8	1948	(Act No. XX of 1948)	The East Punjab Factories (Control of Dismantling) Act, 1948
9	1948	(Act No. XXII of 1948)	The East Punjab War Awards Act, 1948
10	1950	(Act No. VI of 1950)	The Punjab Abolition of Village Cess (Kuri Kamini) Act, 1950
11	1953	(Act No. XVII of 1953)	The Punjab Silkwork Seed Control Act, 1953
12	1954	(Act No. VIII of 1954)	The Punjab Entertainments Tax (Cinematograph Shows) Act, 1954
13	1954	(Act No. XII of 1954)	The Punjab Tobacco Vending Fees Act, 1954
14	1955	(Act No. IX of 1955)	The Punjab Public Service Commission (Additional Functions) Act, 1955
15	1955	(Act No. XIV of 1955)	The Punjab Co-operative Societies Act, 1954
16	1955	(Act No. XVI of 1955)	The Punjab Entertainments Duty Act, 1955
17	1955	(Act No. 45 of 1956)	The Punjab Bhudan Yagna Act, 1955

In section 3, before the word "recruitment" insert the words "or the Patiala Municipal (Executive Officers) Act, 2003"

In section 25 and sub-section (2) of section 26, for the figure "23" the figure "24" shall be substituted.

After clause (e) of section 25, the following new clause shall be added, namely :-(f) If a cooperative farming society is formed in the village, he shall if so required by the Revenue Officer become a member of the co-operative

farmingsociety and abide by its
bye-laws and regulations."

II

Extension of Central Regulations(See Section 4)

Serial No.	Year	Number of the Regulation	Short title	Amendments
1	2	3	4	5
1	1798	(Regulation No. 1 of 1798)	The Bengal Land (Conditional Sales) Regulation, 1798	
2	1806	(Regulation No. XVII of 1806)	The Bengal Land (Redemption of Foreclosure) Regulation, 1806	
3	1825	(Regulation No. XI of 1825)	The Bengal Alluvion and Dilluvion Regulation, 1825)	

III

Repeals(See Section 6)

Serial No.	Year	Number of the Act	Short title	Amendments
1	2	3	4	5
1	1994 Bk.	(Patiala State Notification No. 4, dated 25th Har, 1994 Bk.)	Patiala State Notification No. 4, dated 25th har, 1994, Bk.enforcing the Punjab Land Revenue Act, 1887, in the erstwhilePatiala State.	
2	...	(Patiala Council of Regency's order enforcing the PunjabTenancy Act, 1887 and the Patiala Tenancy (Amendment) Act, 1997Bk.)	Patiala Council of Regency's order enforcing the PunjabTenancy Act, 1887 in the erstwhile Patiala State with effectfrom 16th August 1901, and the Patiala Tenancy (Amendment) Act,1997	
3	2001 Bk.	(Foreign Ministry Patiala notification No. Leg/12 dated1-2-2001 Bk/13th May, 1944).	Foreign Ministry (Legislation Branch) Patiala's notificationNo. Leg/21, dated 1-2-2001 Bk./13th May, 1944, enforcing thePunjab Pre-emption Act, 1913 in the Patiala State, as amendedby L.R. Patiala notification No. Leg/116, dated the 8thDecember, 1944 A.D./4-9-2001Bk.	
4	2002 Bk.	(1 of 2002 Bk.)	The Patiala Entertainments Duty Act, 2002 Bk.	

5	2005 Bk.	(XVIII of 2005 Bk.)	The Patiala and East Punjab States Union Molasses (Control) Ordinance, 2005 Bk.
6	2006 Bk.	(Pepsu Ordinance No. XXVII of 2006 Bk.)	The Pepsu War Awards Ordinance, 2006
7	1917	(Ijlas-i-khas Order dated 3rd September, 1917)	Ijlas-i-Khas Patiala's Order, dated the 3rd September, 1917, applying the Cooperative Societies Act, 1912
8	2007 Bk.	(Pepsu Act No. II of 2007 Bk.)	The Patiala and East Punjab States Union State Aid to Industries Act, 2007
9	2008 Bk.	(XXV of 2008 Bk.)	The Pepsu Manufactured Tobacco (Regulation of Possession and Sale) Act, 2008 Bk.
110	1955	(Act No. 25 of 1955)	The Pepsu Boodan Yagna Act, 1955