

The Madhya Bharat Adoption of Laws Act, Samvat 2009

MADHYA BHARAT

India

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Act 1 of 1953

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The Madhya Bharat Adoption of Laws Act, Samvat 2009 (No. 1 of 1953 (Samvat 2009)) Having reserved by the Rajpramukh under Article 254(2) of the Constitution of India, for the consideration of the President, received his assent on 12th December, 1952. An Act to provide for the adoption of certain Laws in Madhya Bharat Be it enacted as follows:

1. Short title, extent and commencement.

(1) This Act may be called The Madhya Bharat Adoption of Laws Act, Samvat 2009 (2) It shall extend to the whole of Madhya Bharat. (3) It shall come into force fifteen days after its publication in the Government Gazette.

2. Adoption of certain Acts.

- The Indian Acts specified in the Schedule as amended up to the date of the commencement of this Act, are, for the purposes of this Act, adopted mutatis mutandis as the Acts of Madhya Bharat on and from the date of commencement of this Act. All the modifications which may, in future, be effected from time to time in the said Indian Acts shall, mutatis mutandis, be deemed to have been automatically and simultaneously effected in the corresponding Acts of Madhya Bharat.

3. Construction of references to laws not in force in Madhya Bharat.

- Any reference in any Act specified in the Schedule to a law which is not in force in Madhya Bharat shall be construed as a reference to the corresponding law, if any, in force in Madhya Bharat.

4. Construction of reference to authorities where new authorities have been constituted.

- Any reference, by whatever form of words, in any law for the time being in force in Madhya Bharat to any authority at the date of the passing of that law to exercise any powers or discharge any function in any part of Madhya Bharat shall, where a corresponding new authority has been constituted by or under any Act now adopted in Madhya Bharat, have effect as if it were a reference to that new authority.

5. Repeals and savings.

- It immediately before the commencement of this Act, there is in force in any part of Madhya Bharat any law corresponding to any of the Acts specified in the Schedule, that law shall, save as otherwise expressly provided in this Act, stand repealed :Provided that the repeal shall not affect-(a)the previous operation of any law so repealed or anything duly done or suffered thereunder; or(b)any right, privilege, obligation or liability acquired, accrued or incurred under any law so repealed;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, subject to the preceding proviso, anything done or any action taken (including any Authority constituted or any appointment or delegation made, notification, order, instruction or direction issued, rule, regulation, form, bye law or scheme framed, certificate obtained, permit or licence granted) under any such law shall be deemed to have been done or taken under the corresponding provision of the Act as now adopted in Madhya Bharat, and shall continue to be in force accordingly unless and until superseded by anything done or any action taken under the said Act.

Schedule

(See Section 2)

- 1. The Hindu Widow Re-marriage Act, 1856 (XV of 1856);**
- 2. The Anand Marriage Act, 1909 (VII of 1909).**
- 3. The Musalman Waqf Validating Act, 1913 (VI of 1913).**
- 4. The Hindu Disposition of Property Act, 1916 (XV of 1916).**

- 5. The Provincial Insolvency Act, 1920 (V of 1920).**
- 6. The Musalman Wakf Act, 1923 (XLII of 1923),**
- 7. The Hindu Inheritance (Removal of Disabilities) Act, 1928 (XII of 1928).**
- 8. The Hindu Law of Inheritance (Amendment) Act, 1929 (II of 1929).**
- 9. The Hindu Gains of Learning Act, 1930 (XXX of 1930).**
- 10. The Musalman Wakf Validating Act, 1930 (XXXII of 1930).**
- 11. The Hindu Women's Rights to Property Act, 1937 (XVIII of 1937).**
- 12. The Arya Marriage Validation Act, 1937 (XIX of 1937).**
- 13. The Muslim Personal Law (Shariat) Application Act, 1937 (XXVI of 1937).**