

The Punjab Laws (Extension No. 11) Act, 1962

PUNJAB

India

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Act 18 of 1962

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The Punjab Laws (Extension No. 11) Act, 1962 Punjab Act No. 18 of 1962 Statement of Objects and Reasons. - With a view to securing uniformity in the matter of application of laws in the new State of Punjab, it is proposed to extend to the erstwhile territory of the State of some more enactments in force in force in the erstwhile territory of State of Punjab. This Bill provides the eleventh instalment of laws which are sought to be extended. Published vide Punjab Government Gazette Extraordinary, dated 24.4.1962. Received the assent of the President of India on the 22nd June, 1962 and was first published for general information in the Punjab Government Gazette (Extraordinary), Legislative Supplement, of the 1st August, 1962. 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 Thirteenth Year of the Republic of India as follows :-

1. Short title and commencement.

(1) This Act may be called the Punjab Laws (Extension No. 11) Act, 1962. (2) It shall come into force at once.

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.

- All the enactments, as amended from time to time, specified in Schedule I and so much of the enactments, as amended from time to time, specified in Schedule II, as extend 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: Provided that the Usurious Loans Act, 1918, as amended by the Usurious Loans (East Punjab Amendment) Act, 1948, shall be deemed to have been extended to, and enforced in, the transferred territories from the 30th December, 1960.

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 these territories by section 4, that law, including the enactment 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. 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, 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
1	2	3	4
1	1905	(III of 1905)	The Punjab Minor Canals Act, 1905
2	1926	(V of 1926)	The Punjab Aerial Ropeways Act, 1926
3	1936	(V of 1936)	The Punjab Copying Fees Act, 1936
4	1942	(VII of 1942)	The Music in Muslim Shrines Act, 1942

II

Extension of Central Acts(See section 4)

Serial No.	Year	Number of the Act	Short title
1	2	3	4
1	1878	(17 of 1878)	The Northern India Ferries Act, 1878
2	1908	(14 of 1908)	The Indian Criminal Law Amendment Act, 1908
3	1918	(10 of 1918)	The Usurious Loans Act, 1918 as amended by the Usurious Loans(East Punjab Amendment) Act 1948 (Punjab Act No. IV of 1948)

III

Repeal(See section 6)

Serial No.	Year	Number of the Act	Short title
1	2	3	4
1	1947	(42 of 1947)	Legal Remembrancer, Patiala's Notification No. Leg/42 dated 16th October, 1947/30-6-2004, prescribing rules for regulating the access of the public to official records and departmental documents.