

The Punjab Laws (Extension No. 2) Act, 1957

HARYANA

India

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Act 7 of 1957

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The Punjab Laws (Extension No. 2) Act, 1957 Punjab Act No. 7 of 1957 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 Pepsu certain taxation in force in force in the erstwhile territory of State of Punjab. This Bill provides the second instalment of laws which are sought to be extended. Published vide Punjab Government Gazette Extraordinary, dated 2.5.1957. Received the assent of the Governor of the Punjab on the 24th May, 1957 and was first published for the general information in the Punjab Government Gazette (Extraordinary), dated the 24th May, 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. 2) Act, 1957. (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 law to transferred territories.

- All the enactments, as amended from time to time, specified in Schedule I and all rules, regulations, notifications, orders and bye-laws made, and all directions, or instructions issued thereunder, in force immediately before the commencement of this Act, are hereby extended to, and shall be in force in, the transferred territories.

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 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 II 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, or 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 rules, etc..

- For purposes of facilitating the application in the transferred territories of any enactment specified in Schedule I 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 Schedule I, 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, 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)

1	2	3	4
Serial No.	Year	Number of the Act	Short title
1	1923	(Act No. V of 1923)	The Punjab Local Option Act, 1923.
2	1939	(Act No. I of 1939)	The Punjab Motor Spirit (Taxation of Sales) Act, 1939.
3	1940	(Act No. XVII of 1940)	The Punjab Urban Immovable Property Tax Act, 1940.
4	1951	(Act No. VII of 1951)	The Punjab Forward Contracts Tax Act, 1951.
5	1952	(Act No. XVI of 1952)	The Punjab Passengers and Goods Taxation Act, 1952.

II

Repeals(See Section 6)

1	2	3	4
Serial No.	Year	Number of the Act	Short title
1	1923	(Act No. V of 1923)	The Punjab Local Option Act, 1923.
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