

The Punjab Laws (Extension No. 4) Act, 1958

PUNJAB

India

The Punjab Laws (Extension No. 4) Act, 1958

Act 18 of 1958

- Published on 9 May 1958
- Commenced on 9 May 1958
- [This is the version of this document from 9 May 1958.]
- [Note: The original publication document is not available and this content could not be verified.]

The Punjab Laws (Extension No. 4) Act, 1958 Punjab Act No. 18 of 1958 Statement 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 16.3.1958. Received the assent of the President on the 9th May, 1958 and was first published for general information in the Punjab Government Gazette (Extraordinary) dated the 15th May, 1958. 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 Ninth Year of the Republic of India as follows :-

1. Short title and commencement

. - (1) This Act may be called the Punjab Laws (Extension No. 4) Act, 1958. (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

. - (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 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 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 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, 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	No. of the Act	Short title	Amendments
1	2	3	4	5
1	1872	(IV of 1872)	The Punjab Laws Act, 1872	...
2	1900	(II of 1900)	The Punjab Land Preservation Act, 1900	...
3	1913	(II of 913)	The Redemption of Mortgages (Punjab) Act, 1913	To the Proviso to sub-section (3) of section 1, add the words "or the Patiala Alienation of Land Act, 1972 Bk."
4	1913	(III of 1913)	The Punjab Forest (Sale of Timber) Act, 1913	...
5	1914	(I of 1914)	The Punjab Excise Act, 1914	...
6	1918	(VII of 1918)	The Punjab Excise Act, 1914	...

7 1926 (X of 1926) The Good Conduct Prisoners Probational ... Release Act, 1926

8 1926 (XI of 1926) The Punjab Borstal ... Act, 1926

9 1938 (IV of 1938) The Punjab Restitution of Mortgaged Lands Act, 1938

1. The following words shall be added at the end of section 2:-"in the territories which, immediately before the 1st November, 1956, were comprised in the State of Punjab, and prior to 17th February, 1915, in the territories which, immediately before the 1st November, 1956, were comprised in the State of Patiala and East Punjab States Union." 2. The following words shall be added at the end of the Explanation of section 2 :-"or, in the case of a 'mortgage in the territories which immediately before the 1st November, 1956, were comprised in the State of Patiala and East Punjab States Union, before the date on which this Act is extended to those territories."

10 1941 (VII of 1941) The Punjab Suppression of Indecent Advertisements Act, 1941

11 1942 (XIV of 1942) The Press and Registration of Books (Punjab Amendment) Act, 1942, as amended by Punjab Act 15 of 1957

12 1947 (VIII of 1947) The East Punjab National Volunteer Corps Act, 1947

13 1947 (XII of 1947) The East Punjab Police (Protection of Railways) Act, 1947

14 1948 (XXIII of 1948) The East Punjab Cotton (Statistics) Act, 1947

15 1949 (III of 1949) The East Punjab Urban Rent Restriction Act, 1949

16 1949 (IV of 1949) The East Punjab ...

		1949)	Agricultural Pests, Diseases and NoxiousWeeds Act, 1949 The East Punjab	
17	1949	(XI of 1949)	Tractor Cultivation (Recovery of Charges) Act,1949	...
18	1949	(XXX of 1949)	The East Punjab Drugs (Control) Act, 1949	...
19	1953	(XII of 1953)	The Punjab Security of the State Act, 1953	...
20	1953	(XL of 1953)	The Punjab Sugarcane (Regulation of Purchase and Supply) Act,1953	....
21	1953	(II of 1953)	The Punjab Cotton Ginning and Pressing ... Factories Act, 1953	...
22	1955	(6 of 1955)	The Punjab Land Revenue (Special Assessment) Act, 1955	...
23	1956	(16 of 1956)	The Punjab Industrial Housing Act, 1956	....

II

Extension of Central Acts(See Section 4)

Serial No.	Year	No. of the Act	Short title	Amendments
1	2	3	4	5
1	1860	(XXI of 1860)	The Societies Registration Act, 1860, as amended by PunjabAct No. 31 of 1957	...
2	1867	(III of 1867)	The Public Gambling Act, 1867, as amended by Punjab Act No.I of 1929	....
3	1876	(XIX of 1876)	The Dramatic Performances Act, 1876, as amended by PunjabAct No. 48 of 1956	....
4	1890		The Prevention of Cruelty to Animals Act, 1890	....

		(XI of 1890)		
5	1897	(VIII of 1897)	The Reformatory Schools Act, 1897	....

III

Repeal(See Section 4)

Serial No.	Year	No. of the Act	Short title	Amendments
1	2	3	4	5
1	1925	(XII of 1925)	The Cotton Ginning and Pressing Factories Act, 1925	...
2	1983 Bk.	(Notification No. 9 of 1983)	Home Department, His Highness' Government, Patiala notification No. 9 dated 3-3-1983 Bk. sanctioning the application of the Punjab Excise Act, 1914 to the erstwhile Patiala State with retrospective effect from the 13th October, 1925	....
3	1991 Bk.	(I of 1991)	The Patiala Gambling Act, 1991 Bk.	....
4	1996 Bk.	(IX of 1996)	The Patiala Juvenile Smoking Act, 1996 Bk.	....
5	1999 Bk.	(VI of 1999)	The Patiala Sale of Timber Act, 1999 Bk.	....
6	2002 Bk.	(Notification No. 137 of 2002)	Secretary, Legislation and Legal Remembrancer, Patiala's notification No. Leg/137, dated 9th February, 1946/28-10-2002, published in the Gazette, dated 27th Phagan, 2002/10th March, 1946, in so far as it relates to the enforcement of the Reformatory Schools Act, 1897, mutatis mutandis in the former Patiala State.	....
7	2003 Bk.	(IX of 2003)	The Redemption of Mortgages (Patiala) Act, 2003 Bk.	...
8	2004 Bk.	(XII of 2004)	The Patiala Home Guards Act, 2004 Bk.	...
9	2005 Bk.	(XIX of 2005)	The Patiala and East Punjab States Union Cotton (Statistics) Ordinance, 2005 Bk., as amended by Pepsu Cotton (Statistics) Amendment Act, 2006 Bk.	....
10	2006 Bk.	(VII of 2006)	The Pepsu Public Safety Ordinance, 2006 Bk.	....
11	2006 Bk.	(XII of 2006)	The Patiala and East Punjab States Union Urban Rent Restriction Ordinance, 2006 Bk.	....

12	2006 Bk.	(XXX of 2006)	The Patiala and East Punjab State Union Drugs (Control) Ordinance, 2006 Bk.	...
13	2008 Bk.	(X of 2008)	The Pepsu Superpression of Indecent Advertisements Act, 2008 Bk.	...
14	2008 Bk.	(XX of 2008)	The Pepsu Good Conduct Prisoner Probational Release Act, 2008 Bk.	...
15	1954	(13 of 1954)	The Pepsu Societies Registration Act, 1954	...
16	1954	(7 of 1955)	The Pepsu Dramatic Performances Act, 1954	...
17	1954	(8 of 1955)	The Pepsu Agricultural Pests, Diseases and Noxious Weeds Act, 1954	...
18	1955	(10 of 1955)	The Pepsu Sugarcane (Regulation of Supply and Purchase) Act, 1954	...
19	1955	(14 of 1955)	The Pepsu Chaukidari Act, 1955	...