

The Punjab Laws (Application) Act, 1957

PUNJAB

India

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Act 33 of 1957

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The Punjab Laws (Application) Act, 1957 Punjab Act No. 33 of 1957 Statement of Objects and Reasons. - Doubts have arisen whether certain institutional laws in force in the erstwhile State of Punjab are applicable in the new State of Punjab after its formation under section 11 of the States Reorganisation Act, 1956. In order to remove those doubts it is considered desirable to apply such institutional laws to similar institutions, authorities and officers of the new State of Punjab with retrospective effect from the 1st November, 1956. Opportunity has also been taken to make certain amendments in the laws sought to be applied. Published vide Punjab Government Gazette Extraordinary, dated 12.10.1957. Received the assent of the Governor of Punjab on the 7th November, 1957 and was first published for general information in the Punjab Government Gazette (Extraordinary) dated the 11th November, 1957. An Act to enforce in the new State of Punjab certain laws applicable in the State of Punjab before, the 1st of November, 1956. 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 (Application) Act, 1957. (2) It shall be deemed to have come into force on the 1st November, 1956.

2. Definitions

. - In this Act, unless the context otherwise requires, -(a) 'appointed day' means the first day of November, 1956; (b) 'new State' means the State of Punjab as formed under section 11 of the States Reorganisation Act, 1956 (37 of 1956); (c) 'Punjab State' means the territories which, immediately before the 1st November, 1956, were comprised in the State of Punjab.

3. Application of laws

. - (1) The Acts specified in the Schedule together with all rules, orders and notifications made thereunder pertaining to the Punjab State shall apply and shall be deemed always to have applied in regard to similar institutions, authorities and dignitaries of the new State.(2)With effect from the commencement of this Act the Acts mentioned in the Schedule shall be amended as specified therein.

4. Power to remove difficulties

. - If any difficulty arises in giving effect in the new State to the provisions of any Act mentioned in the Schedule, the State Government may, by order notified in the Official Gazette, make such provisions or give such directions as appear to it necessary for the removal of the difficulty.

5. Act not to affect provision of certain Ordinances

. - Nothing contained in this Act shall affect the provisions of the Punjab Legislative Assembly (Allowances of Members) Ordinances, 1957 (4 of 1957), and the Punjab Legislative Council (Allowances of Members) Ordinance, 1957 (5 of 1957).The Schedule(See section 3)

| Serial No. | Year | Name of Act | Short title | Amendments |
|------------|------|-----------------------|---|--|
| 1 | 2 | 3 | 4 | 5 |
| 1 | 1937 | (Act No. III of 1937) | The Punjab Legislative Assembly Speaker's and Deputy Speaker's Salaries Act, 1937 | |
| 2 | 1939 | (Act No. VII of 1939) | The Punjab Legislative Assembly (Offices) Act, 1939 | In clause (iii) of section 2, for the words "section 65 of the Government of India Act, 1935" substitute the words "Articles 178 and 180 of the Constitution of India" |
| 3 | 1942 | (Act No. IV of 1942) | The Punjab Legislative Assembly (Allowances of Members) Act, 1942 | |
| 4 | 1947 | (Act No. VI of 1947) | The East Punjab Ministers Salaries Act, 1947 | (1) In sub-section (3) of section 2, add the following proviso at the end namely - "Provided that the maintenance and propulsion expenses of the State car in use by the Ministers shall not be subject to the limit of three hundred rupees.,(2)After section 2-A, insert the following section namely :-,"2-B. , Ministers not to draw |

salary or allowances as members of the State Legislature., - No person in receipt of salary or allowance under this Act shall be entitled to receive any sum out of the funds provided by the State Legislature by way of salary or allowance in respect of his membership of either House of the State Legislature."

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|---|------|-----------------------|---|---|
| 5 | 1952 | (Act No. IV of 1952) | The Punjab Legislative Council Chairman's and Deputy Chairman's Salaries and Allowances Act, 1952 | |
| 6 | 1952 | (Act No. V of 1952) | The Punjab Legislative Council (Allowances of Members) Act, 1952 | (1) For sub-section (1) of section 3, substitute the following, namely :-, "Subject to the conditions herein contained, there shall be paid to each member with effect from the commencement of this Act, up to the 6th November, 1956, and thereafter from the date on which he takes his oath, a compensatory allowance at the rate of three hundred rupees per mensem"., (2) In section 4-A, for the word "Assembly" substitute, "Council." |
| 7 | 1952 | (Act No. VII of 1952) | The Punjab State Legislature (Prevention of Disqualification) Act, 1952 | For clause (b) of section 2, substitute the following, namely :-, "(b) Sub-Registrar whether departmental or honorary, notary public, oath commissioner, an official receiver who is not a whole-time salaried Government servant, or any person who holds any office of profit under an insurer the management of whose controlled business has vested in the Central Government under the Life Insurance (Emergency Provisions) Act, 1956 (Central Act No. 9 of 1956)." |
| 8 | 1956 | (Act No. 22 of 1956) | The Salaries and Allowances of Deputy Ministers, Punjab Act, 1956 | ... |