

# The Punjab Laws (Extension No. 1) Act, 1957

PUNJAB

India

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### Act 5 of 1957

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The Punjab Laws (Extension No. 1) Act, 1957Punjab Act No. 5 of 1957Statement of Object and Reasons. - The laws which were in force in the erstwhile territories of Punjab and Pepsu have continued to operate under the provision of section 119 of the State Reorganisation Act, 1956. In the interests of uniformity it is considered necessary to apply the same law throughout the new State of Punjab. For this purpose this Bill seeks to extend some of the laws inforce in the erstwhile State of Punjab to the territories of the erstwhile State of Pepsu. The corresponding laws of the erstwhile State of Pepsu are being repealed. This is the first step towards unification of laws and similar enactments with regard to other would follows.Published vide Punjab Government Gazette Extraordinary, dated 14.3.1957.Received the assent of the President of India on the 30th March, 1957 and was first published for general information in the Punjab Government Gazette (Extraordinary) dated the 3rd April, 1957An 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. 1) 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 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 instruction 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 instruction 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 to 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 byelaws 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 or 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)

1 Year	2 Number of the Act	3 Short title	4 Amendments
1883	(Act No. XX of 1883)	The Punjab District Boards Act, 1883.	
1912	(Act No. V of 1912)	The Colonization of Government Lands (Punjab) Act, 1912	
1924	(Act No. IV of 1924)	The Punjab Motor Vehicles Taxation Act, 1924.	
1940	(Act No. X of 1940)	The Punjab Trade Employees Act, 1940.	
1941	(Act No. XII of 1941)	The Punjab Weights and Measures Act, 1941.	
1947	(Act No. XV of	The East Punjab Movable Property	

	1947)	(Requisitioning) Act, 1947.	
1948	(Act No. XXVIII of 1948)	The Motor Vehicles (East Punjab Amendment) Act, 1948.	
1948	(Act No. XXXIX of 1948)	The East Punjab Cement Control Act, 1948.	
1948	(Act No. L of 1948)	The East Punjab Holdings (Consolidation and Prevention of Fragmentation) Act, 1948.	
1949	(Act No. I of 1949)	The East Punjab Control of Bricks Supplies Act, 1949	
1949	(Act No. II of 1949)	The East Punjab Conservation of Firewood Supplies Act, 1949	
1950	(Act No. XIII of 1950)	The Punjab Contingency Fund Act, 1950	In section 4, for the words "fifty lakhs" substitute "one crore."
1952	(Act No. XI of 1952)	The Punjab Cinemas (Regulation) Act, 1952	
1952	(Act No. XII of 1952)	The Punjab Habitual Offenders (Control and Reform) Act, 1952	
1953	(Act No. XI of 1953)	The Punjab Requisitioning and Acquisition of Immovable Property Act, 1953.	
1954	(Act No. XXI of 1954)	The Punjab State Tube-well Act, 1954.	
1955	(Act No. XXXI of 1955)	The Motor Vehicles (Punjab Amendment) Act, 1955.	
1956	(Act No. 7 of 1956)	The Punjab Professions, Trades, Callings and Employments Taxation Act, 1956.	
1956	(Act No. 36 of 1956)	The Punjab Instruments (Control of Noises) Act, 1956.	
1956	(Act No. 38 of 1956)	The Punjab Special Powers (Press) Act, 1956.	
1956	(Act No. 40 of 1956)	The Punjab Khadi and Village Industries Board Act, 1955.	

## II

### Extension of Central Acts(See Section 4)

1	2	3
Year	Number of the Act	Short title
1870	(Act No. VII of 1870)	The Court Fees Act, 1870

1871 (Act No. I of 1871)	The Cattle Trespass Act, 1871.
1873 (Act No. VII of 1873)	The Northern India Canal and Drainage Act, 1873.
1883 (Act No. XIX of 1883)	The Land Improvement Loans Act, 1883.
1884 (Act No. XII of 1844)	The Agriculturists Loans Act, 1894.
1894 (Act No. I of 1894)	The Land Acquisition Act, 1894.
1894 (Act No. IX of 1894)	The Prisons Act, 1894.
1899 (Act No. II of 1899)	The Indian Stamp Act, 1899.
1900 (Act No. III of 1900)	The Prisoners Act, 1900.

### III

#### Repeals(See Section 6)

1 Year	2 Number of the Act	3 Short title
1979 Bk.	(Patiala Act No. I of 1979 Bk.)	The Cattle Trespass Act, 1979 Bk.
1981 Bk.	(Patiala Act No. I of 1981 Bk.)	The Restriction of Habitual Offenders Act, 1981 Bk.
2000 Bk.	(Patiala Act No. I of 2000 Bk.)	The Patiala Motor Vehicles Taxation Act, 2000 Bk.
2002 Bk.	(Notification No. Leg/137, dated 28-1-2002/9-2-46)	Secretary, Legislation and Legal Remembrancer's Office, Patiala, notification No. Leg/137, dated 28-10-2002/9-2-46 in so far only as it relates to the Prisons Act, 1894 (IX of 1894), and the Prisoners Act, 1900 (III of 1900)
2003 Bk.	(Patiala Ordinance No. VII of 2003 Bk.)	The Patiala State Essential Supplies (Temporary Powers) Ordinance, 2003 Bk.
2003 Bk.	(Patiala Act No. X of 2003 Bk.)	The Patiala Trade Employees Act, 2003 Bk.
2007 Bk.	(Pepsu Act No. V of 2007 Bk.)	The Patiala and East Punjab States Union Holdings (Consolidation and Prevention of Fragmentation) Act, 2007 Bk.
2008 Bk.	(Pepsu Act No. XXII of 2008 Bk.)	Pepsu Contingency Fund Act, 2008 Bk.
2009 Bk.	(Pepsu Act No. VI of 2009 Bk.)	The Pepsu State Tube-wells Act, 2009 Bk.
1960 Bk.	(Patiala Standing Order No. 2580)	The Patiala State Standing Order No. 258, dated the 26th Magh, 960 Bk.
1984 Bk.	(Patiala Act No. II of 1984 Bk.)	The Patiala Stamp (Amendment) Act, 1984 Bk.

1991 Bk.	(Patiala Act No. VII of 1991 Bk.)	The Patiala Stamp (Amendment) Act, 1991 Bk. with corrigenda, dated 2-10-44.
1992 Bk.	(Patiala Government Rules, 1935)	His Highness' Government Patiala Rules for the Sale and Custody of Stamps (sanctioned by Ijlas-i-Khas on 26th February, 1935, and published in the Patiala Government Gazette, dated 5th Baisakh, 1992 Bk.)
2008 Bk.	(Pepsu Act No. XVII of 2008 Bk.)	The Pepsu Stamp (Amendment) Act, 2008 Bk.
1910	(Patiala State Order No. 256)	Accountant-General, Patiala's Standing Order No. 256, dated the 17th January, 1910.
1954	(Pepsu Act No. XIV of 1954)	Pepsu Stamp (Amendment) Act, 1954.
1980 Bk.	(Patiala High Court notification No. 38, dated 7-8-1990 Bk.)	High Court, Patiala, Notification No. 38, dated 7.8.1990 Bk. published in the Gazette, dated 28th November, 1923 (Re: Court Fees).
1983 Bk.	(Patiala Ministry of Law and Justice notification No. 8, dated 8-10-1983 Bk.)	Ministry of Law and Justice notification No. 8, dated 8.10.1983 Bk. published in the Gazette, dated 27th January, 1927 (Re: Court Fees).
1931	(Farmani-i-Shahi No. 19, dated 16th July, 1931)	Farmani-i-Shahi No. 19, dated 16th July, 1931.
1940	(Order of Ijlas-i-Khas No. 57, dated 22-1-1940)	Order of Ijlas-i-Khas No. 57, dated 22.1.40 re : Levy of Stamp Duty on applications made to different departments of the State.
1955	(Pepsu Act No. 24 of 1955)	Pepsu Court Fees (Amendment) Act, 1955.
1935	(Notification No. 11, dated 20-10-1935)	Ministry of Law and Justice, His Highness' Government, Patiala, notification No. 11, dated 20th October, 1935.
1954	(Pepsu Act No. 7 of 1954)	The Pepsu Cinemas (Regulations) Act, 1954.
1954	(Pepsu Act No. 16 of 1954)	Pepsu (Requisitioning and Acquisition of Immovable Property) Act, 1954).
1955	(Pepsu Act No. 12 of 1955)	The Pepsu Land Acquisition Act, 1954.