

# The Punjab Laws (Extension No. 6) Act, 1959

HARYANA

India

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### Act 5 of 1959

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The Punjab Laws (Extension No. 6) Act, 1959 Punjab Act No. 5 of 1959 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 10.9.1958. Received the assent of the President on the 22nd January, 1959 and was first published for general information in the Punjab Government Gazette (Extraordinary) dated the 27th January, 1959. An Act to provide for the extension of certain regional 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. 6) Act, 1959. (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 enactment, 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.

#### **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, notification, 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  | Amendment |
|------------|------|-------------------|--|-----------|
| 1          | 2    | 3                 | 4  | 5         |
| 1          | 1911 | (III of 1911)     | The Punjab Municipal Act, 1911.  | ....      |
| 2          | 1914 | (II of 1914)      | The Punjab Fisheries Act, 1914   | ....      |
| 3          | 1948 | (XLVII of 1948)   | The East Punjab Animal Contagious Diseases Act, 1948.                  | ....      |
| 4          | 1949 | (XV of 1949)      | The East Punjab Conservation of Manure Act, 1949                       | ....      |
| 5          | 1949 | (XIX of 1949)     | The East Punjab Improved Seeds and Seedlings Act, 1949                 | ....      |
| 6          | 1949 | (XXXVIII of 1949) | The East Punjab Utilization of Lands Act, 1949.                        | ....      |
| 7          | 1951 | (VIII of 1951)    | The Punjab Prohibition of Smoking (Cinema and Theatre Halls)Act, 1951. | ....      |
| 8          | 1953 | (XXXIV of 1953)   | The Punjab Local Authorities Laws (Exercise of Powers) Act,1953.       | ....      |
| 9          | 1953 | (XLVII of 1953)   | The Punjab Livestock Improvement Act, 1953                             | ....      |
| 10         | 1955 | (15 of 1956)      | The Punjab Prohibition of Cow-slaughter Act, 1955.                     | ....      |

## II

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

Year Number of the Act Short title

1897 (IV of 1897) The Indian Fisheries Act, 1897.

## III

### Repeal(See section 6)

| Serial No. | Year     | Number of the Act                                    | Short title  | Amendments |
|------------|----------|--|--|------------|
| 1          | 2        | 3  | 4  | 5          |
| 1          | 1944     | (Notification No. Leg/102, dated 11th October, 1944) | L.R. Patiala's notification No. Leg/102, dated 11th October, 1944, declaring sections 287, 288 and 289 of the Patiala Penal Code, 1956 Bk., in force in the erstwhile Patiala State as a separate law. | ...        |
| 2          | 1994 Bk. | (VI of 1994 Bk.)                                     | The Patiala Branded Bulls Act, 1994 Bk.  | ....       |
| 3          | 2006 Bk. | (Ordinance No. III of 2006 Bk.)                      | The Patiala and East Punjab States Union Local Bodies Laws (Application and Amendment) Ordinance, 2006 Bk.   | ...        |
| 4          | 2006 Bk. | (Ordinance No. XI of 2006 Bk.)                       | The Patiala and East Punjab States Union Local Bodies Laws (Application and Amendment) Supplementary Ordinance, 2006 Bk.   | ....       |
| 5          | 2006 Bk. | (Act No. III of 2006 Bk.)                            | The Patiala and East Punjab States Union Municipal (Amendment) Act, 2006 Bk.   | ....       |
| 6          | 2008 Bk. | (V of 2008 Bk.)                                      | The Pepsu Improved Seeds and Seedlings Act, 2008 Bk.   | ....       |
| 7          | 2008 Bk. | (IX of 2008 Bk.)                                     | The Patiala Prohibition of Smoking in Show Houses and Public Halls Act, 2008 Bk.   | ....       |
| 8          | 2008 Bk. | (XXVIII of 2008 Bk.)                                 | The Pepsu Conservation of Manure Act, 2008 Bk.   | ...        |
| 9          | 2009 Bk. | (IV of 2009 Bk.)                                     | The Pepsu Utilization of Land Act, 2009 Bk.  | ....       |
| 10         | 1954     | (12 of 1954)   | The Patiala and East Punjab States Union Livestock Improvement Act, 1954.  | ....       |
| 11         | 1956     | (11 of 1956)   | The Pepsu Municipal (Amendment) Act, 1956, except sections 9 and 10 thereof  | ....       |