

The Cooch Behar (Assimilation of Laws) Act, 1950

UNION OF INDIA

India

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Act 67 of 1950

- Published in Gazette of India on 7 December 1950
- Not commenced
- [This is the version of this document from 7 December 1950.]
- [Note: The original publication document is not available and this content could not be verified.]

An Act to assimilate certain laws in force in Cooch-Bihar to the laws in force in the rest of West Bengal. BE it enacted by Parliament as follows:-

1. Short title and commencement.-

(1) This Act may be called the Cooch-Bihar (Assimilation of Laws) Act, 1950. (2) It shall come into force on such date as the Central Government may, by notification in the Official Gazette, appoint.

1. 1st January, 1951, see Gazette of India, 1950, Part II, s. 3.

2. Interpretation.-

In this Act, - (a) "appointed day" means the date appointed under sub-section (2) of section 1 for the coming into force of this Act; (b) "Cooch-Bihar" means the merged territory of Cooch-Bihar in the State of West Bengal; (c) "law" means so much of any Act, Ordinance, Regulation, rule, order or bye-law as relates to any of the matters enumerated in Lists I and III in the Seventh Schedule to the Constitution.

3. Assimilation of laws.-

(1) Save as provided in sub-section (2), all laws which immediately before the appointed day extend to, or are in force in, the State of West Bengal, but do not extend to, or are not in force in, Cooch-Bihar shall, as from that day, extend to, or as the case may be, come into force in, Cooch-Bihar; and all laws which, immediately before the appointed day, are in force in Cooch-Bihar, but not in the rest of West Bengal, shall on that day cease to be in force in Cooch-Bihar, except as respects things done or omitted to be done before that day. (2) Notwithstanding anything contained in sub-section (1), the Muslim Personal Law (Shariat) Application Act, 1937 (26 of 1937) shall come into force in Cooch-Bihar only on such date as the

State Government may, by notification in the Official Gazette, appoint; and Cooch-Bihar Act 2 of 1897, known as the Muhammadan Inheritance Act, 1897, shall continue in force in Cooch-Bihar until that date, and shall on that date cease to be in force except as respects things done or omitted to be done before that date.

4. Provision for removal of difficulties.-

If any difficulty arises in relation to the transition under section 3 from one law or group of laws to another law or group of laws, the Central Government may, by order notified in the Official Gazette, make such provision as it considers necessary for the removal of such difficulty.