THE HIMACHAL PRADESH (EXTENSION OF LAWS) ACT, 1969

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THE HIMACHAL PRADESH (EXTENSION OF LAWS) ACT, 1969 (ACT NO. 5 OF 1970)[1]

(Received the assent of the President of India on the 13th January 1970 and was published in the Rajpatra,Himachal Pradesh (Extra-ordinary), dated the 4th April, 1970, pp. 290-294).

An Act to provide for the extension of certain laws as applicable to, or in force, in the areas as comprised in Himachal Pradesh immediately before the 1st November, 1966, to the areas as added to Himachal Pradesh under section 5 of the Punjab Re-organisation Act, 1966.

Amended, repealed or otherwise affected by,-

The Himachal Pradesh Adaption of Laws (State and Concurrent Subjects) Order, 1973, published in the Rajpatra, Himachal Pradesh (Extra-ordinary), dated the 20th January, 1973, pp. 91-112.

BE it enacted by the legislative Assembly of Himachal Pradesh in the Twentieth Year of the Republic of India as follows:-

1. For Statement of Objects and Reasons see the Rajpatra, Himachal Pradesh (Extra-ordinary), dated 19th September, 1969, p. 855. For its Authoritative Hindi Text see the Rajpatra, Himachal Pradesh (Extra-ordinary), dated 25th March, 1994, pp. 429-434.

1. Short title and commencement.- (1) This Act may be called the Himachal Pradesh (Extension of Laws) Act, 1969.

(2) It shall come into force at once.

2. Definitions.- In this Act, unless there is any thing repugnant in the subject or context,-

(b) "old areas" means the areas as comprised in Himachal Pradesh immediately before the 1st November, 1966;

(c) "schedule" means a Schedule appended to this Act;

(d) [1][XXXXXXXXXXXXXXXXXXXX] and

(e) "transferred territories" means the territories which were added to Himachal Pradesh under section 5 of the Punjab Re-organisation Act, 1966 (31 of 1966).

3. Extension of certain laws to transferred territories.- All the enactments, as amended from time to time, specified in Schedule-I, which are applicable to, or in force in the old areas 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, are hereby extended to, and shall be in force, in the transferred territo

4. 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 3, any reference,-

(i) to the 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

(ii) to the [2][State of Himachal Pradesh], by whatever form of words, shall be construed as including a reference to the transferred territories.

5. Repeal 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 of instructions issued, thereunder, extended to those territories, by section 3, that law including the enactments specified in Schedule-II, shall, on the commencement of this Act, save as otherwise expressly provided in this Act, stand repealed:

Provided that such repeal shall not affect,-

1. The definition of "State Government" omitted by A. O. 1973.

2. Substituted for "Union Territory of Himachal Pradesh" by A. O., 1973.

(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, accrued 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 3 to the transferred territories, and shall continue to be in force accordingly, unless and until superseded by any thing done or any action taken under the enactment so extended.

6. Powers of courts and other authorities for purposes of facilitating the applica ecified in Schedule-I

or rules, etc.- For the purposes of facilitating the application in the transferred territories of any enactment specified in Schedule-I or of any rule, regulation, notification, order, bye-law, direction or instruction referred to in section 3, 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.

7. 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 Schedule-I, to add, to amend, vary or rescind the rules, regulations, notifications, order and bye-laws made, and directions or instructions issued, as extended by section 3 to the transferred territories.

8. 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, 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.

SCHEDULE-I

(See section 3)

Sl. No.	Year	Number of the Act	Name of the Act
1.	1955	6	The Himachal Pradesh Private Forests Act, 1954.
2.	1966	8	The Himachal Pradesh Khadi and Village Industries Board Act, 1966.

SCHEDULE-II

(See section 5)

Sl. No.	Year	Number of the Act	Name of the Act
1.	1956	40	The Punjab Khadi and Village Industries Board Act, 1956.
