

THE HIMACHAL PRADESH MERGED STATE (APPLICATION OF LAWS) ACT, 1954

ARRANGEMENT OF SECTIONS

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THE HIMACHAL PRADESH MERGED STATE (APPLICATION OF LAWS) ACT, 1954

(ACT NO. 14 OF 1954)

(Received the assent of the President on the 15th October, 1954 and was published in Hindi in the Rajpatra, Himachal Pradesh, dated the 20th November, 1954, pp. 805-807, and in English in the Rajpatra, Himachal Pradesh, dated the 21st May, 1955, pp. 213-214).

An Act to extend certain laws to the merged State of Bilaspur.

Amended, repealed or otherwise affected by:-

- (i) H.P. Act No. 1 of 1956¹, assented to by the President on 16th January, 1955, published in the Rajpatra, Himachal Pradesh, dated the 11th February, 1956, p. 111.
- (ii) The Himachal Pradesh Adaptation of Laws (State and Concurrent Subjects) Order, 1973, published in the Rajpatra, Himachal Pradesh (Extra-ordinary), dated the 20th January, 1973, pp. 91-112, effective 25th January, 1971.

It is hereby enacted as follows:-

1. Short title, extent and commencement.- (1) This Act may be called the Himachal Pradesh Merged State (Application of Laws), Act, 1954.

(2) It extends to the merged State of Bilaspur.

(3) It shall come into force at once.

2. Definition.- In this Act, unless there is anything repugnant in the subject or context:-

1. Passed in Hindi by the Himachal Pradesh Vidhan Sabha. For Statement of Objects and Reasons, see Rajpatra, Himachal Pradesh, dated the 9th December 1955, p. 359.

- (a) 'authority' includes a committee, board or tribunal;
- (b) 'merged state' means the merged State of Bilaspur;
- (c) ¹[XXXXXXXXXXXXXXXXXXXX];
- (d) 'state law' includes rule, regulation, bye-law, order or circular having the force of law in Bilaspur.

3. Extension of enactments.- (1) All enactments in force in, or applicable to, the Himachal Pradesh on the 30th June, 1954 as relate to matters with respect to which the State Legislature has powers to make laws for Himachal Pradesh and as have not already been extended to the merged state are hereby extended to the merged state subject to-

- (i) any amendment to which they were generally subject in or in their application to the Himachal Pradesh on the date aforesaid;
²[*Explanation.-* For the purposes of this Act a Bill passed by the Himachal Pradesh Legislature Assembly and assented to by the President on or before 30th June, 1954 even though not enforced till that date shall also be and shall be deemed always to have been, an enactment applicable to the Himachal Pradesh on the 30th June, 1954]; and
- (ii) the subsequent provisions of this Act.

(2) Notwithstanding anything in any such enactment referred to in sub-section (1) such enactment shall come into force with effect from such date as the State Government may, by notification in the official gazette, appoint in this behalf and different dates may be appointed for different provisions thereof, or for different parts of the merged state.

4. Repeal of corresponding law.- If immediately before the commencement of this Act there is in force in the merged state any state law corresponding to the enactment referred to in section 3, such corresponding law shall, with effect from the date and to the extent to which an enactment comes into force under and in accordance with the provisions of section 3, stand repealed in the merged state.

5. Savings.- (1) The repeal of any corresponding state law under section 4 shall not affect-

- (a) the previous operation of any such law, or
- (b) any penalty, forfeiture or punishment incurred in respect of any offence committed against any such law, or
- (c) any investigation, legal proceeding or remedy in respect of any such penalty, forfeiture or punishment ;

1. The definition of "State Government" omitted by A.O. 1973.
2. Explanation added vide H.P. Act No. 1 of 1956.

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.

(2) Subject to the provisions of sub-section (1), anything done or any action taken, including any appointment or delegation made, notification, order, instruction or direction issued, rule, regulation, form, bye-law or scheme framed, certificate, patent, permit or licence granted or registration effected, under such corresponding law shall-

- (a) be deemed to have been done or taken under the corresponding provisions of the enactment referred to in section 3 as now extended to and in force in the merged state, and
- (b) continue in force unless and until directed otherwise or superseded by anything done or any action taken under the said enactment by the State Government or other competent authority.

6. Powers of Courts and other authorities for adaptations.- For the purpose of facilitating the application in the merged state of any enactment referred to in section 3, any court or authority may construe any such enactment with such alterations, not affecting the substance, as may be necessary or proper to adopt it to the matter before the court or other authority.
