

JAMMU AND KASHMIR (EXTENSION OF LAWS) ACT, 1956**62 of 1956****[25th September, 1956]**

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SCHEDULE 1 :- THE SCHEDULE**JAMMU AND KASHMIR (EXTENSION OF LAWS) ACT, 1956****62 of 1956****[25th September, 1956]**

"The entries in the Union List in the Seventh Schedule to the Constitution in respect of which Parliament has power to make laws for Jammu and Kashmir are set out in the Constitution (Application to Jammu and Kashmir) Order, 1954. Central laws relating to some of these matters have already been extended to Jammu and Kashmir. This Bill is intended to extend to the State some of the other Central laws relating to these subjects." - Gazette of India, 1956, Pi. II, S. 2, Extra., p. 198.

1. Short title and commencement :-

(1) This Act may be called the Jammu and Kashmir (Extension of Laws) Act, 1956.

(2) It shall come into force on such date¹ as the Central Government may, by notification in the Official Gazette, appoint.

1. The Act came into force on 1-11-1957, see S.R.O. 2327, dated 10-10-1956, published in Gazette of India, 1956 Pt. II, Sec. 3, p. 1728.

2. Extension and amendment of certain laws :-

(1) The Acts and Ordinance mentioned in the Schedule and all rules, orders and regulations made thereunder are hereby extended to, and shall be in force in the State of Jammu and Kashmir.

(2) With effect from the commencement of this Act, the Act and Ordinance mentioned in the Schedule shall be amended as specified therein.

3. Construction of references to laws not in force in Jammu and Kashmir :-

Any reference in any Act or in the Ordinance mentioned in the Schedule to a law which is not in force in the State of Jammu and Kashmir shall, in relation to that State, be construed as a reference to the corresponding law, if any, in force in that State.

4. Construction of references to authorities where new authorities have been consti-tuted :-

Any reference by whatever form of words in any law for the time being in force in the State of Jammu and Kashmir to any authority competent at the date of the passing of that law to exercise any powers or discharge any functions in that State shall, where a corresponding new authority has been constituted by or under any law now extended to that State, have effect as if it were a reference to the new authority.

5. Repeals and savings :-

If immediately before the commencement of this Act there is in force in the State of Jammu and Kashmir any law corresponding to any Act or Ordinance now extended to that State, that law shall, save as otherwise expressly provided in this Act, stand repealed on such commencement: Provided that the repeal shall not affect -

(a) the previous operation of any law so repealed or anything duly done or suffered thereunder,

(b) any right, privilege, obligation or liability acquired, accrued or incurred under any law so repealed,

(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 investigastion, 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, subject to the preceding proviso, anything done or any action taken (including any appointment or delegation made, notification, instruction or direction issued, form, bye-law or scheme framed, certificate obtained, permit or licence granted or registration effected) under any such law shall be deemed to have been done or taken under the corresponding provisions of the Act or Ordinance now extended to that State, and shall continue to be in force accordingly unless and until superseded by anything done or any action taken under the said Act or Ordinance.

6. Power to remove difficulties :-

(1) If any difficulty arises in giving effect to the provisions of any Act or Ordinance now extended to the State of Jammu and Kashmir, the Central Government may, by order notified in the Official Gazette, make such provisions or give such directions as appear to it necessary for the removal of the difficulty.

(2) In particular, and without prejudice to the generality of the foregoing power, any such notified order may,-

(a) specify the corresponding authorities within the meaning of section 4.

(b) provide for the transfer of any matter pending immediately before the commencement of this Act before any court, tribunal or other authority, to any corresponding court, tribunal or authority for disposal.

(c) specify the areas or circumstances in which, or the extent to which, or the conditions subject to which, anything done or any action taken (including any of the matters specified in the second proviso to section 5) under any law repealed by that section shall be recognised or given effect to under the corresponding provision of the Act or Ordinance now extended.

SCHEDULE 1

THE SCHEDULE

[Amendments made by the Schedule in various Central Acts have all been incorporated therein, Schedule therefore not printed.]