

Rajasthan Laws (Application To Sirohi) Act, 1953

3 of 1953

[29 January 1953]

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SCHEDULE 1 :- SCHEDULE

Rajasthan Laws (Application To Sirohi) Act, 1953

3 of 1953

[29 January 1953]

An Act to declare certain Rajasthan Laws to be applicable to Sirohi. Whereas doubts have been entertained with respect to the application of certain Rajasthan Laws to Sirohi; and whereas it is expedient to remove such doubts by a clear declaration in that behalf:-

Be it enacted by the Rajasthan State Legislature as follows:-

1. Pub. in Raj. Govt. Gaz., Part IV-A, dated 14.2.1953.

1. Short Title :-

This Act may be called the Rajasthan Laws (Application to Sirohi) Act, 1953.

2. Definitions :-

In this Act-

- (i) "appointed day" means the 26th day of January, 1950;
- (ii) "Sirohi" means those areas of the former Indian State of Sirohi,

not merged in the State of Bombay under the States Merger (Bombay) Order, 1950 made under Sec. 290-A of the Government of India Act, 1935, the administration whereof have been delegated to the Government of Rajasthan in by means of Notification No. 20/R dated the 24th January, 1950, issued by the Central Government under sub-sec. (2) of Sec. 3 of the Extra Provincial Jurisdiction Act, 1947, was taken over and assumed by the Government of Rajasthan in the afternoon of the 25th day of January, 1950 and which, since the appointed day, are comprised in the territories of the State of Rajasthan by virtue of Part B of the First Schedule to the Constitution of India.

3. Certain Rajasthan laws to apply to Sirhoi :-

The Rajasthan laws specified in the Schedule to this Act shall in, so far as they relate to any of the matters enumerated in Lists II and III in the Seventh Schedule to the Constitution of India, apply, and as from the appointed day be deemed to have applied to Sirohi notwithstanding anything to the contrary contained in the Sirohi Administration Order, 1948, or in any other law, or instrument:

Provided that the application of such laws to Sirohi shall not be deemed to have rendered any person liable to any punishment or penalty under any such law in respect of anything done or omitted to be done by him before the commencement of this Act.

4. Repeal of certain corresponding Laws :-

If immediately before the appointed day, there was in force in Sirohi any law corresponding to any of the laws applied to Sirohi under Sec. 3, such law shall on the appointed day be deemed to have been repealed.

5. Savings :-

(1) The repeal by Sec. 4 of any corresponding Law in force in Sirohi immediately before the appointed day 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, 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.

(2) Subject to the provisions of sub-sec. (1), anything done or any action taken or purporting to have been done or taken before the commencement of the Act (including any appointment or delegation made, notification, order, instruction or direction issued, rule, regulation, form, bye-law or scheme framed, certificate obtained permit or licence granted) under any law hereby repealed shall be deemed to have been done or taken under the corresponding Rajasthan Law declared by this Act to be applicable to Sirohi and shall continue to be in force accordingly unless and until superseded by anything done or any action taken under the said Rajasthan Law.

6. Power of Court and other authorities to remove difficulties :-

For the purpose of facilitating the application to Sirohi of any law declared by this Act to be applicable to Sirohi any Court, tribunal or other authority may construe any such law with such alterations not affecting the substance, as may be necessary or proper to adapt it to the matter before the Court, tribunal or other authority.

7. Interpretation :-

The provisions of the General Clauses Act, 1897 of the Central Legislature shall mutatis mutandis apply, so far as may be, to this Act as they apply to a Central Act.

SCHEDULE 1

SCHEDULE

[See Sec. 3]

List of Law made applicable to Sirohi

1. The Rajasthan Gazette (Raj-Patra) Ordinance (No. II of 1949).
2. The Rajasthan Police (Integration) Ordinance (No. III of 1949).
3. The Rajasthan Removal of Trees (Regulation) Ordinance (No. VIII of 1949).
4. The Rajasthan Protection of Tenants Ordinance (No. IX of 1949).
5. The Rajasthan Premises (Requisition and Eviction) Ordinance (No. XI of 1949).
6. The Rajasthan Territorial Divisions Ordinance (No. XX of 1949).
7. The Rajasthan Board of Revenue Ordinance (No. XXII of 1949).
8. The Rajasthan Dramatic Performances and Entertainments Ordinance (No. XXIX of 1949).
9. The Rajasthan Drugs (Control) Ordinance (No. XXXI of 1949).

10. The Rajasthan Revenue Courts (Designation) Ordinance (No. XXXVI of 1949).
11. The Rajasthan Railway Stores (Unlawful Possession) Ordinance (No. XLII of 1949).
12. The Rajasthan Special Criminal Courts Ordinance (No. XLVI of 1949).
13. The Rajasthan Cinematograph Ordinance (No. XLVII of 1949).
14. The Rajasthan Public Gambling Ordinance (No. XLVII of 1949).
15. The Rajasthan Avoidance of Wagers Ordinance (No. III of 1950).
16. The Rajasthan Adaptation of Central Laws Ordinance (No. IV of 1950).
17. The Rajasthan Civil Courts Ordinance (No. VII of 1950).
18. The Rajasthan Small Cause Court Ordinance (No. VIII of 1950).
19. The Rajasthan Court Fees Act (Adaptation) Ordinance (No. IX of 1950).