

HIMACHAL PRADESH (ADMINISTRATION) ORDER, 1948

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SCHEDULE 1 :- SCHEDULE

HIMACHAL PRADESH (ADMINISTRATION) ORDER, 1948

WHEREAS the Central Government has full and exclusive authority, jurisdiction and powers for and in relation to the governance of the State specified in the Schedule to this Order ; AND WHEREAS it is expedient that due provision should be made by the Central Government for the administration of the said States ; NOW THEREFORE, in exercise of the powers conferred by Sec. 3 and 4 of the Extra-Provincial Jurisdiction Act, 1947 (47 of 1947) and of all other powers enabling it in this behalf, the Central Government is pleased to make the following Order :-

1. Short title, extent and commencement :-

- (1) This Order may be called the Himachal Pradesh (Administration) Order, 1948 .
- (2) It extends to the whole of Himachal Pradesh.
- (3) It shall come into force on the 15th day of April, 1948.

2. Definition :-

In this Order, "Himachal Pradesh" means the area comprised within the territories of the States ¹ [and their tributaries] specified in the Schedule to this Order.

1. Inserted by No 218-1 B., dated 24th May 1948, Part I, Sec. I, p. 623.

3. Appointment of Chief Commissioner :-

There shall be a Chief Commissioner at the head of the

administration of Himachal Pradesh.

4. Appointment of functionaries :-

(1) Subject to the control of the Central Government, the Chief Commissioner may appoint such Judge, Magistrates and other officers as may be necessary for the administration of Himachal Pradesh, and may, by general or special order, determine their jurisdiction, powers, duties and functions.

(2) Without prejudice to the provisions of sub-paragraph 1, all Judges, Magistrates and other officers who, immediately before the commencement of this Order, were exercising lawful functions in Himachal Pradesh or any part thereof shall, until further provision is made by the Chief Commissioner, continue to exercise their respective functions in the same manner and to the same extent as they were doing before the commencement of this Order.

5. Existing laws to continue :-

All laws in force in Himachal Pradesh or any part thereof immediately before the commencement of this Order shall continue in force until repealed or amended by a competent legislature or authority :

Provided that all powers exercisable under the said laws by the Government of the Durbar of the State shall be exercisable by the Chief Commissioner.

6. Continuance of existing taxes, etc. :-

(1) Until further provision is made in this behalf by a competent legislature or authority, all taxes, duties, cesses or fees which immediately before the commencement of this Order were being lawfully levied in Himachal Pradesh or any part thereof shall continue to be levied in the same manner and to the same extent as if this Order had not been passed :

¹ [Provided that all duties on the entry or exit of goods into or from Himachal Pradesh or any part thereof, excepting-

(1) export duties levied on potatoes, and

(2) octroi and terminal taxes levied at the limits of municipal and other urban areas, shall cease to be levied on the commencement of this Order.]

(3) Notwithstanding anything contained in this section, it shall be

lawful for the Chief Commissioner to declare that any dues payable by reason of any custom in Himachal Pradesh shall not be payable and on the making of such a declaration any such dues shall cease to be leviable.

1. Substituted by No 210-1.B., dated 25th May, 1948, p. 623

SCHEDULE 1

SCHEDULE

(See Section 2) Chamba, [Mandi]. Sirmur, Suket, Baghal, Baghat, Balsan, Bashahr, Bhajji, Bija, Darkoti, Dhami, Jubbal, Keonthal, Kumharsain, Kunihar, Kuthar, Mahlog, Mangal, Sangri and Tharoch.