

SCHEDULED AREAS (ASSIMILATION OF LAWS) ACT, 1951

37 of 1951

[23rd June, 1951]

CONTENTS

1. Short title and commencement
2. Definitions
3. Assimilation of laws
4. Transitional provisions
5. Savings
6. Provision for removal of difficulties

SCHEDULE 1 :- THE SCHEDULE

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"As the plains areas of the Balipara Frontier Tract, Tirap Frontier Tract, Abor Hills and. Mishmi Hills Districts (Sadiya Frontier Tract), have been declared by the Governor of Assam to be areas not included in the Tribal areas specified In Part B of the Table appended to Paragraph 20 of the Sixth Schedule of the Constitution, it has become necessary to incorporate these areas in the adjoining districts of Darrang and Lakhimpur and to administer them under the normal laws in force in the rest of the State of Assam. Under Art. 372(1) of the Constitution all the Acts, Regulations, Rules, etc..which applied to these areas proprio vigore or were specifically applied thereto with modifications under the Scheduled Districts Act, 1874, or S.92 of the Government of India Act, 1935, before the 26th January, 1950, will continue to be ill force therein subject to future alteration, repeal or amendment. It is thus incumbent on the appropriate Legislatures to pass legislation repealing the special laws in force in these areas making applicable to them the laws in force in the districts Of Darrang and Lakhimpur. 2. The Assam Legislature has already passed a Bill insofar as subjects in the State List are concerned. The object of

the present Bill is to make a corresponding provision in respect of subjects in Union and Concurrent List."-Gut. of Ind" 9-6-1951, Pt. II-section2,p.413.

1. Short title and commencement :-

(1) This Act may be called The Scheduled Areas(Assimilation of Laws) Act, 1951.

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

2. Definitions :-

In this Act,-

(c) "scheduled areas" means the areas specified in the Schedule.

3. Assimilation of laws :-

(2) All laws which immediately before the appointed day extend to, or are in force in, the Darrang district of the State of Assam shall as from that day extend to, or, as the case may be, come into force in the areas specified in paragraph 1 of the Schedule.

4. Transitional provisions :-

Notwithstanding anything contained in section 3 , the Central Government or the Government of the State of Assam may, by order, direct that during such period, not exceeding twelve months from the appointed day, as may be specified in the order, any law which immediately before the appointed day was in force in the scheduled areas, shall be deemed to have continued to be in force therein or any specified part thereof, and may further likewise direct that any law which would have extended to, or come into force in, the scheduled areas on the appointed day, shall not be deemed to have extended thereto or come into force therein or any specified part thereof.

5. Savings :-

Notwithstanding anything contained in section 3 , all suits, cases and other legal proceedings between the parties all of whom belong to the Scheduled Tribes specified in Item 2 of Part I-Assam, of the Schedule to the Constitution (Scheduled Tribes) Order, 1950, or such other tribe or tribes, as may be specified in this behalf, shall be tried and continue to be tried under the Assam Frontier (Administration of Justice) Regulation, 1945, as if this Act had not been passed.

6. Provision for removal of difficulties :-

If any difficulty arises in relation to the transition under section 3 from one law or group of laws to another law or group of laws, the Central Government may, by order notified in the Official Gazette, make such provision as it considers necessary for the removal of the difficulty.

SCHEDULE 1

THE SCHEDULE

[See section 2 (c)] 1. So much of the area included in the Balipara Frontier Tract', as is comprised within the line drawn from the eastern boundary of the district of Kamrup at Pillar No. 98 on the Bor Nadi eastwards along the inner Line of the Balipara Frontier Tract as defined in Assam Government Notification No. 6778-A.P., dated the 2nd November, 1934, till it reaches the boundary of Lakhimpur district; thence southwards along the western boundary of the Lakhimpur district to the point where it meets the boundary of the Darrang district; then westwards along the northern boundary of the Darrang district to a point where it meets the eastern boundary of the Kamrup district; thence northwards along this boundary to the starting point. 2. So much of the area included in the Abor Hills' and Misbrni Hills districts (Sadiya Frontier Tract) as is comprised within the line drawn from the point 498 at Dipa in a straight line to the junction of the Remi river with a nameless stream about a mile south-east of the junction of Remi and Tode Gorong rivers; thence in a straight line to point milestone No. 4 from Kobo on the Kobo-Pasighat road; thence in a straight line to the junction of Sesserri and Gango rivers; thence along the left bank of the Gango river to its junction with Dibang river; thence in a straight line to the confluence of Hazingaadi with Kundil river (about half a mile north of point 492 of the Kundil river); thence in a straight line to point 625 on the right bank of the Tipu-Balijan river (about four miles north of the confluence of Haru Nadi with Balijan); thence down the Balijan river following its right bank to its confluence with the Lohil river; thence across the Lohit river and down its left bank to Noa Dihing Mukh; thence up the right bank of the Noa Dihing river to its confluence with the Dirak river; thence up the left bank of the Dirak river to where it meets the boundary between the Sadiya Frontier Tract and the Lakhimpur district; thence westwards along the northern boundary of the Lakhimpur district to the starting point. 3. So much of the area included in the Tirap Frontier Tract' as is comprised within the line drawn from the confluence of the Korja Pani and the Burhi Dihing rivers up the right bank of the Burhi Dihing river to the confluence of the Namphuk and the Namchick rivers; thence up the left bank of the Namchik river to its confluence with the Kalhang river; thence up the Kathang Hka to its junction with the Lekha Hka; thence up the Lakha Hka to its source and thence to point 894; thence in a south-westerly direction down a nameless stream that originates from point 894, to its junction with the Tirap river; thence up the left bank of the Tirap river to a point due east of height 2438 on the Lungokan range; thence due west to height 2438; thence in a north-westerly direction down the Kapang Wa stream to its junction with the Tipang river; thence down the Tipang river to its junction with Karnkal Wa; thence in a south-westerly direction along the ridge of Tuting Tak Kan range to the saddle between this range and Lompi Parbat range; thence in a north-westerly direction down a nameless stream that originates from this saddle, to its junction with Likhapani or Tehi stream; thence down the Likhapani

stream to its junction with the Tirap river; thence down the Tirap river to its junction with the Burhi Dihing river; thence down the Burhi Dihing river to its junction with the Manmaw Jan; thence up the Manmaw Jan and Manggang Khasi stream as far as it forms the eastern boundary of the Upper Dihing reserved forest; thence along the western boundary of the Upper Dihing reserved forest (east block) to the point where it meets the Pengri Hka: thence down the Pengri Hka to the Burhi Dihing river and up the Burhi Dihing to the starting point.