

UNION TERRITORIES (LAWS) ACT, 1950

30 of 1950

[15th April, 1950]

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UNION TERRITORIES (LAWS) ACT, 1950

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STATEMENT OF OBJECTS AND REASONS "Out of the States specified in Part C of the First Schedule to the Constitution, only three, namely, Ajmer, Coorg and Delhi, have been provided easy means of legislation to meet local requirements. Art.242 of the Constitution of India enables the Coorg Legislative Council to enact measures for that State, while Ajmer-Merwara (Extension of Laws) Act, 1947, and S.7 of the Delhi Laws Act, 1912, empower the Central Government to extend to Ajmer and Delhi, respectively, any enactment which is in force in any Part A State or any other Part C State. This latter power has been frequently availed of in the past for extending to Delhi and Ajmer Provincial Acts, with modifications to suit local conditions, thereby saving very considerable expenditure of time and labour in the Central Legislature. It is proposed that the same power should be conferred on the Central Government in relation to the other seven Part C States. Merged State (Laws) Act, 1949, which came into force on 1st January, 1950. inter alia provided for the extension of all the more important Central Acts and Ordinance to four of the new Chief Commissioners' Provinces (now "Part C States"), namely. Bhopal, Bilaspur, Himachal Pradesh and Kutch. Three more Chief Commissioners' Provinces, namely, Manipur, Tripura and Vindhya

Pradesh, subsequently came into existence on the 23rd January, 1950 by virtue of the States Merger (Chief Commissioners' Provinces) Order, 1950, It is necessary to extend the above mentioned Central Acts and Ordinances proprio vigore to these three Part C States, instead of relying on the corresponding law, if any, which may have been in force in corresponding Indian State at the time it was taken over by the Central Government or may subsequently have been applied by order Extra-Provincial Jurisdiction Act. As regards Manipur which has large tribal areas, it is considered that Code Of Criminal Procedure, 1973 and certain other Acts should not be brought into force immediately in the whole State but should be applied later on with modifications for which power would be available under clause 2 of this Bill. Indian Penal Code, 1860 has also to be slightly modified in its application to this State in view of certain peculiar marriage customs prevailing there. The Bill is designed to give effect to the above proposals.-Gaz. of Ind., 1950, Pt. II S. p. 193.

1. Short title and commencement :-

(1) This Act may be called THE ¹ [UNION TERRITORIES] (LAWS) ACT, 1950.

(2) It shall come into force on the 16th day of April, 1950.

1. Substituted for the words "Part C States" by 2 A.L.O., 1956 [w.e.f. 1-11-1956].

2. Power to extend enactments to certain Union territories :-

The Central Government may, by notification in the Official Gazette, extend to ¹[the Union territory of Delhi, Himachal Pradesh] Manipur, ²or Tripura ³or to any part of such territory], with such restrictions and modifications as it thinks fit, any enactment which is in force in a [State] at the date of the notification; ² [* * *].

1. Substituted for the words "any Part C State (other than Coorg and the Andaman and Nicobar Islands) or to any part of such State" by 2 A.L.O., 1956 (w.e.f. 1-11-1956).

2. The words "and, provision may be made in any enactment so extended for the re- peal or amendment of any corresponding law (other than a Central Act) which is for the time being applicable to that Part C State" were omitted by the Repealing and Amending Act, 1952 (48 of 1952), S. 3 and Sch, II (2-8-1952).

3. H. P., Manipur and Tripura are States now-See Acts 53 of 1970 (25-1-1971) and 81 of 1971 (21-1-1972).

3. Extension of laws to Tripura, Vindhya Pradesh and Manipur :-

(1) The Acts and Ordinances specified in the Schedule to the Merged States (Laws) Act, 1949 , are hereby extended to, and shall be in force in, the States of Tripura and Vindhya Pradesh, as they are generally in force in the territories to which they extend immediately before the commencement of this Act.

(2) ¹[Subject to the provisions contained in sub-section (2A), the Acts and Ordinances referred to in sub-section (1)], are hereby extended to, and shall be in force in, the State of Manipur as they are generally in force in the territories to which they extend immediately before the commencement of this Act. Provided that Indian Penal Code, 1860 in its application to the State of Manipur shall have effect as if-

(a) in section 361, for the word "eighteen" the word "fifteen" had been substituted, and

(b) in section 375, for the word "sixteen" in clause Fifthly the word "fourteen" had been substituted, and for the word "fifteen" in the Exception the word "thirteen" had been substituted.

²(2A) The Acts specified in Part A of the Schedule to this Act shall not extend to the State of Manipur, and the Acts specified in Part B thereof shall extend to, and be in force in. that State only as from the date of commencement." of the Union Territories (Laws) Amendment Act. 1956. and shall with effect from that date, be amended in the manner and to the extent specified in the said Part.]

(3) For the purpose of facilitating the application in the said States of any such Act or Ordinance as aforesaid any Court or other authority may construe the Act or ordinance with such alterations not affecting the substance as may be necessary or proper to adapt it to the matter before the Court or other authority. ³ [Explanation- For the purposes of this section and section 4, any reference to the State of Manipur or Tripura in relation to any period after the 31st October, 1956, shall be construed as a reference to the Union territory of Manipur or Tripura as the case may be.]

1. Substituted for the words "the Acts and Ordinances referred to in subsection (1), other than those specified in the Schedule to this Act", by the Union Territories (Laws) Amendment Act, 1956 (68 of

1956), S. 2 (w.e.f. 1-1-1957).

2. Inserted, Substituted for the words "the Acts and Ordinances referred to in subsection (1), other than those specified in the Schedule to this Act", by the Union Territories (Laws) Amendment Act, 1956 (68 of 1956), S. 2 (w.e.f. 1-1-1957).

3. That is, 1st January, 1957.

4. Repeals and Savings :-

Section 7 of the Delhi Laws Act, 1912 , the Ajmer Merwara (Extension of Laws) Act, 1947, and any law which immediately¹ [before the coming into force of any Act or Ordinance extended by this Act to any of the States of Manipur, Tripura and Vindhya Pradesh is in force in that State and corresponds to the Act or Ordinance as so extended], are hereby repealed: Provided that the repeal 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, 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: Provided further that, subject to the preceding proviso, 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 law shall be deemed to have been done or taken under section 2 or, as the case may be, under the corresponding provision of the Act or Ordinance² [as extended] to the State by section 3 , and shall continue in force accordingly, unless and until superseded by anything done or any action taken under the said section 2 or, as the case may be, under the said Act or Ordinance.

1. Substituted for the words "before the commencement of this Act is in force in any of the States of Manipur, Tripura and Vindhya Pradesh and corresponds to an Act or Ordinance extended to that State by this Act" by the Union Territories (Laws) Amendment Act, 1956 (68 of 1956), S. 3 (w.e.f. 1-1-1957).

2. Substituted for the words "as now extended", Substituted for the words "before the commencement of this Act is in force in any of the States of Manipur, Tripura and Vindhya Pradesh and

corresponds to an Act or Ordinance extended to that State by this Act" by the Union Territories (Laws) Amendment Act, 1956 (68 of 1956), S. 3 (w.e.f. 1-1-1957).

SCHEDULE 1

THE SCHEDULE

(See section 3 (2A)) PART A Acts not extended to Manipur by this Act Year Number Short Title 1 2 3 1866 XXI The Converts'.Marriage Dissolution Act, 1866 1872 XV The Christian Marriage Act, 1872b[* * * * *] 1879 XVIII The Legal Practitioners Act, 1879 PART B Acts extended to Manipur by this Att as from the commencementc of the Union Territories (Laws) Amendment Act, 1956. Year Number Short Title Amendment (if any) 1 2 3 4 1873 X The Oaths Act, 1873 In Section 1 .for the second para. graph, the I 'Ilowing paragraph shall be substituted namely;- "It extends to the whole ol India except the State ol Jammu and Kashmir." 1882 IV The Transfer of Property Act, 1882. 1887 VII The Suits Valuation Act, 1887. 1898 V TheCode of Criminal Procedure, 1908(1) In section 1, in sub.section (2), the words "and the Union territory of Manipur" shall be omitted, and (2) in section 93A, in sub-section (1), the words "or in the Union territory, of Manipur" shall be omitted. 1908 V The Code of Civil Procedure, 1908. In Section 1, in sub-section(P) the word "and' at the end of clause (c).andclause (d) shailbe omitted. 1925 XXXIX The Succession Act, 1925