



**The  
Arunachal Pradesh Code  
Volume-II**

**CENTRAL ACTS  
(Up to 25-1-1950)**

**IN FORCE IN THE UNION  
TERRITORY OF ARUNACHAL PRADESH**

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**GOVERNMENT OF ARUNACHAL PRADESH  
LAW AND JUDICIAL DEPARTMENT  
1982**

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LAW AND JUDICIAL DEPARTMENT**

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THE ARUNACHAL PRADESH CODE  
VOLUME-II

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YEAR	ACT NO.	SHORT TITLE
1850	21	CASTE DISABILITIES REMOVAL ACT

---

By section 3 read with Schedule to Part B States (Laws) Act, 1951 (III of 1951) a new extent clause was inserted in the Caste Disabilities Removal Act, 1850 (XXI of 1850) and it read as under :—

“Section I (2). It extends to the whole of India except the State of Jammu and Kashmir.”

---

YEAR	ACT NO.	SHORT TITLE
1855	13	FATAL ACCIDENTS ACT

---

By Section 3 read with Schedule to Part B States (Laws) Act, 1951 (III of 1951), a new extent clause was inserted to the Indian Fatal Accidents Act, 1855 (XIII of 1855) and it read as under:—

"Section 1 (2), It extends to the whole of India except the State of Jammu and Kashmir."

---

YEAR	ACT NO.	SHORT TITLE
1857	13	OPIUM ACT

---

By Section 2 of the Opium and Revenue Laws (Extension of Application) Act, 1950 (Act XXXIII of 1950) which came into force on 20th April 1950.

“Section 2. Extensions of certain opium and revenue laws to certain parts of India :—

- (i) The Opium Act, 1857
- (ii) The Opium Act, 1878
- (iii) The Revenue Recovery Act, 1890
- (iv) The Government Trading Taxation Act, 1926
- (v) The Dangerous Drugs Act, 1930
- (vi) The Taxation on Income (Investigation Commission) Act, 1947, and
- (vii) The Payment of Taxes (Transfer of Property) Act, 1949.

and all rules and orders, made thereunder, which are in force immediately before the commencement of this Act in certain parts of India, are hereby extended to and shall be in force in the rest of India except the State of Jammu and Kashmir.”

---

YEAR	ACT NO.	SHORT TITLE
1860	21	SOCIETIES REGISTRATION ACT.

---

By the Arunachal Pradesh Extension of Societies Registration Act (No 6 of 1978)

(See Arunachal Pradesh Code Volume I)

YEAR	ACT NO.	SHORT TITLE
1860	45	INDIAN PENAL CODE

This Act has been extended under five Notifications as under:—  
 (1) No. 4956-P dated 18-8-1916 (2) No. 4958-P dated 18-8-1916  
 (3) No. 4960-P dated 18-8-1916 (4) No. 293-AP dated 24-1-1925  
 (5) No. 297-A.P dated 24-1-1925 to Central and Eastern Sections, Western Section, North East Frontier Tracts and to Lakhimpur Frontier Tracts and to the transferred tracts respectively

Notification

The 18th August, 1916

No. 4956 P. In exercise of the powers conferred by Section 5 of the Scheduled Districts Act, 1874 (XIV of 1874), and with the previous sanction of the Governor General in Council, the Chief Commissioner is pleased to extend the undermentioned enactments to the Central and Eastern Section of the North-East Frontier Tract, namely:—

- (1) The Indian Penal Code 1860 (XLV of 1860).
  - (2) The Indian Police Act, 1861 (V of 1861),
  - (3) The Indian Arms Act, 1878 (XI of 1878),
  - (4) The Assam Land and Revenue Regulation 1886 (I of 1886), with the exception of Sections 3 to 159.
  - (5) The Assam Forest Regulation, 1891 (VII of 1891)
  - (6) The Whipping Act, 1909 (IV of 1909\*)
- (See Assam Gazette of 30th August 1916, Part II Page 1335).

Notification

The 18th August 1916

No. 4958P. In exercise of the powers conferred by Section 5 of the Scheduled Districts Act, 1874 (XIV of 1874), and with the previous sanction of the Governor General in Council, the Chief Commissioner is pleased to extend the undermentioned enactments to the Lakhimpur Frontier Tract, namely:—

- (1) The Indian Penal Code, 1860 (XLV of 1860)

- (2) The Indian Police Act, 1861 (V of 1861).
- (3) The Assam Land and Revenue Regulation, 1886 (I of 1886), with the exception of Sections 3 to 159.
- (4) The Assam Forest Regulation, 1891 (VII of 1891).

[Vide Assam Gazette of 30th August 1916, Part II, Page 1335]

Notification

The 18th August, 1916

No. 4960P. In exercise of the powers conferred by Section 5 of the Scheduled Districts Act, 1874 (XIV of 1874), and with the previous sanction of the Governor General in Council, the Chief Commissioner is pleased to extend the undermentioned enactments to the Western Section of the North-East Frontier Tract, namely:—

Western Section  
North  
East Frontier  
Tract.

- (1) The Indian Penal Code (1860 (XIV of 1860))
- (2) The Indian Police Act, 1861 (V of 1861)
- (3) The Indian Arms Act, 1878 (XI of 1878).
- (4) The Assam Land and Revenue Regulation 1886 (I of 1886), with the exception of sections 3 to 159.
- (5) The Assam Forest Regulation 1891. (VII of 1891)
- (8) The Whipping Act, 1909 (IV of 1909).

(See Assam Gazette of 30th August 1916, Part II, Pages 1335-36)

Notification

The 24th January, 1925

No. 293 A.P. In exercise of the powers conferred by Section 5 of Scheduled Districts Act, 1874 (XIV of 1874) the Governor in Council is pleased to extend the undermentioned enactments to the tracts transferred to the Sadiya Frontier Tracts by Notification No. 7280 A.P dated the 8th December 1921, namely:—

Certain Tract  
in the Sadiya  
Frontier Tract

- (1) The Indian Penal Code, 1860 (XIV of 1860)
- (2) The Indian Police Act, 1861 (V of 1861).
- (3) The Indian Christian Marriage Act, 1872 (XV of 1872)
- (4) The Indian Arms Act, 1878 (XI of 1878).



- (5) The Agriculturists' Loans Act, 1884 (XXI of 1884)
- (6) The Assam Land and Revenue Regulation 1886 (I of 1886), with the exception of sections 3 to 159
- (7) The Assam Forest Regulation, 1891 (VII of 1891).
- (8) The Whipping Act, 1909 (IV of 1909),
- (9) The Assam Rifles Act, 1920 (Assam Act, I of 1920)

(See Assam Gazette of 28th January 1925, Part II, Page 171)

#### Notification

The 24th January, 1925

No. 297 AP. In exercise of the powers conferred by Section 5 of the Scheduled Districts Act, 1874 (XIV of 1874) the Governor in Council is pleased to extend the undermentioned enactments to the tract transferred to the Balipara Frontier Tract by Notification No. 7281 A.P dated the 8th December 1921, namely :—

Certain Tract  
in the Balipara  
Frontier Tract

- (1) The Indian Penal Code, 1860 (XLV of 1860)
- (2) The Indian Police Act, 1861 (V of 1861)
- (3) \* \* \* \* \*
- (4) The Indian Arms Act, 1878 (XI of 1884).
- (5) The Agriculturists' Loans Act, 1884 (XXI of 1884).
- (8) The Whipping Act, 1909 (IV of 1909), 1886 (I of 1886), with the exception of sections 3 to 159
- (7) The Assam Forest Regulation, 1891 (VII of 1920)
- (8) The Whipping Act, 1909 (VI of 1909).
- (9) The Assam Rifles Act. 1920 (Assam Act I of 1891).

(See Assam Gazette of 28th January 1925, Part II Page 172).

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YEAR	ACT NO.	SHORT TITLE
1861	5	POLICE ACT.

---

Extended by notifications issued under Section 5 of the Scheduled Districts Act, 1874.

[See for notifications (5 Nos.) given under Indian Penal Code, 1860 (XLV of 1860)]

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YEAR	ACT NO.	SHORT TITLE
1871	1	CATTLE TRESPASS ACT

---

By NEFA (Extension of Laws) Regulation, 1960 (III of 1960)

[See Arunachal Pradesh Code Vol. I also for modifications]

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YEAR	ACT NO.	SHORT TITLE
1874	3	MARRIED WOMEN'S PROPERTY ACT

---

See Section 2 of the Married Women's Property (Extension) Act, 1959 (LXI of 1959) (with effect from 1-3-1960). Extended to the whole of India except the State of Jammu and Kashmir.

Extract of the extent clause from the Married Women's Property Act, 1874.

"Section 2. Extent and application. It extends to the whole of India except the State of Jammu and Kashmir."

YEAR	ACT NO.	SHORT TITLE
1878	1	OPIUM ACT

By notification No. 4546-AP dated 20-6-29 issued under Section 5 of the Scheduled Districts Act 1874, extending application to the Balipara and Sadiya Frontier Tracts only subject to the modifications to Sections 12, 14, 15, 18, 19, 20 and 21 of the OPIUM ACT 1878. Sections 16 17, 22 and 24 were omitted.

See also Opium and Revenue Laws (Extension of application) Act, 1950 (XXXIII of 1950), under 'Opium Act, 1857 (XIII of 1857)

#### Notification

The 20th June, 1929.

No. 4546 A.P. In exercise of the powers conferred by Section 5 and 5A of the Scheduled Districts Act, 1874 (XIV of 1874), the Governor in Council is pleased to extend the Opium Act, 1878 (I of 1878), as subsequently amended, to the Balipara and the Sadiya Frontier Tracts subject to the modifications specified below:—

- (1) In Section 12, last paragraph, the words "The Political Officer or Assistant Political Officer" shall be substituted for the words "The Collector of the district or Deputy Commissioner"
- (2) In Section 14, the words "any person authorised in this behalf by the Political Officer by name or in virtue of his office" shall be substituted for the words, "any officer ... .. Local Government in this behalf" and the words "between sunrise and sunset" shall be omitted.
- (3) In Section 15, the words "any person authorised in this behalf by the Political Officer by name or in virtue of his office" shall be substituted for the words "any officer of the said Departments".

- (4) In Section 18, the words "any person who without authority" shall be substituted for the words "any officer of the said Departments who without reasonable ground of suspicion".
- (5) In Section 19, the words "the Political Officer, Assistant Political Officer" shall be substituted for the words "the Collector of the district, Deputy Commissioner" and the last sentence shall be omitted.
- (6) In Section 20, the words "Political Officer or Assistant Political Officer" shall be substituted for the words "The Officer in charge of the nearest Police Station".
- (7) In section 21, the words "person" and "the proper authorities" shall be substituted for the words "officer" and "his immediate official superior", respectively.
- (8) Sections 16, 17, 22 and 24 of the said Act be omitted.

(See Assam Gazette of 26th June 1929, Part II, Page 892)

YEAR	ACT NO.	SHORT TITLE
1878	17	NORTHERN INDIA FERRIES ACT

Extended to the Lakhimpur, Sadiya and Balipara Frontier Tracts by notification No. 442-GS and 443-GS Dt. 26-1-1940, issued by the Governor of Assam.

#### Notification

The 26th January, 1940.

No. 442-G.S- In exercise of the power conferred by sub-section (1) of section 92 of the Government of India Act, 1935, the Governor of Assam is pleased to direct that the Northern India Ferries Act, 1878 (XVII of 1878), shall apply to the Lakhimpur Frontier Tract, subject to the modifications, mentioned in the Schedule below:—

#### SCHEDULE

- References to the Provincial Government shall be read as referring to the Governor of Assam.
- In sections 5 and 9, for the words "Magistrate of the district in which such ferry is situate" the words "Deputy Commissioner of Lakhimpur district" shall be substituted.
- In sections 6, 10 and 11, for the words "Magistrate of the district in which such ferry is situate" the words "Deputy Commissioner of Lakhimpur district" shall be substituted and for the words "such Magistrate" the words "the Deputy Commissioner" shall be substituted.
- In clause (a) of section 12, for the words "such division" the words "Lakhimpur Frontier Tract" shall be substituted.

5. In sections 13, 16, 24 and 33, for the words "Magistrate of the district the words "Deputy Commissioner of Lakhimpur district" shall be substituted.
6. In section 32, for the words "Magistrate of district", the words "Deputy Commissioner of Lakhimpur district" shall be substituted, and for the words "such Magistrate" the words "the Deputy Commissioner" shall be substituted.
7. In section 27, for the words "convicting Magistrate or Bench of Magistrates" the words "Deputy Commissioner of Lakhimpur district or any of his Assistants" shall be substituted.
8. The following shall be substituted for section 30:—
 

"30. The Deputy Commissioner of Lakhimpur district or any of his Assistants may try any offence against this Act and shall be guided in regard to procedure by the principles of the Code of Criminal Procedure so far as they are applicable to the circumstances of the Lakhimpur Frontier Tract and consistent with the rules made by the Governor of Assam for the administration of justice therein".
9. In section 31, for the words "Every Magistrate or Bench of Magistrates" the words "The Deputy Commissioner of Lakhimpur district or any of his Assistants" shall be substituted.
10. In section 35, for the words "any Commissioner of a Division or Magistrate of a district" the words "the Deputy Commissioner of Lakhimpur district" shall be substituted.

#### Notification

The 26th January, 1940

- No. 443-G.S- In exercise of the power conferred by sub-section (1) of section 92 of the Government of India Act, 1935, the Governor of Assam is pleased to direct that the Northern India Ferries Act, 1878 (XVII of 1878), shall apply to the Sadiya and Balipara Frontier Tracts, subject to the modifications mentioned in the Schedule below:—

#### SCHEDULE

1. References to the Provincial Government shall be read as referring to the Governor of Assam.



2. In sections 4, 8, 15, and 19, references to the Commissioner of the Division shall be read as referring to the Political Officer of the district.
3. In sections 5, 6, 9, 10, 13, 32 and 33 references to the Magistrate, of the district shall be read as referring to the Political Officer of the district.
4. In sections 11 and 24, references to the Magistrate of the district shall be read as referring to the Political Officer of the district, and references to the Commissioner of the Division shall be read as referring to the Governor of Assam.
5. In section 12,
  - (1) for the words "subject to the control of the Provincial Government, the Commissioner of a Division, or such other officer as the Provincial Government may from time to time appoint in this behalf, by name or in virtue of his office", the words "The Governor of Assam" shall be substituted.
  - (2) In clause (a) of the section, for the words "such division", the words "the Sadiya and Balipara Frontier Tracts" shall be substituted.
  - (3) In the concluding lines of clause (d) for the words "such Commissioner or other officer may from time to time (subject as aforesaid)", the words "the Political Officer may, subject to the control of the Governor of Assam" shall be substituted.
  - (4) In the last sentence of this section, for the words "the Commissioner or other officer as aforesaid" the words "the Political Officer" shall be substituted.
6. In section 16, references to the Commissioner of the Division and the Magistrate of the district shall be read as referring to the Political Officer of the district.
7. In section 27. for the words "convicting Magistrate or Bench of Magistrates" the words "Political Officer or any of his Assistants" shall be substituted.

8. The following shall be substituted for section 30 :—

“30. The Political Officer or any of his Assistants may try any offence against this Act and shall be guided in regard to procedure by the principles of the Code of Criminal Procedure so far as they are applicable to the circumstances of the district and consistent with the rules made by the Governor of Assam for the administration of justice therein”.

9. In section 31, for the words “Every Magistrate or Bench of Magistrates” the words “The Political Officer or any of his Assistants” shall be substituted, and for the words “Commissioner of the Division” the words “the Governor of Assam” shall be substituted.

10. In section 35, for the words “any Commissioner of a Division or Magistrate of a district” the words “the Political Officer of the district” shall be substituted.

J.P MILLS

Secretary to the Governor of Assam

---

YEAR	ACT NO.	SHORT TITLE
1879	6	ELEPHANTS' PRESERVATION ACT

---

By NEFA (Elephants' Preservation) Regulation, 1962 (I  
of 1962)

(See Arunachal Code Vol 1)

YEAR	ACT NO.	SHORT TITLE
1888	3	THE POLICE ACT

By Section 3 read with Schedule to the Part B States (Laws) Act, 1951 (III of 1951), a new extent clause to the Police Act, 1888 (III of 1888) was substituted which read as under:—

"Section 1 (2).— It extends to the whole of India except the State of Jammu and Kashmir, and to the extent to which its provisions relate to the extension of the powers and jurisdiction of members of a police force belonging to any State to railway areas outside that State, it extends also to the State of Jammu and Kashmir"

Again the aforesaid sub-section 2 of Section 1 was substituted by the Jammu and Kashmir (Extension of Laws) Act, 1956 (LXII of 1956), Section 2 and Schedule (with effect from 1-11-56) with a new sub-section which reads as under:—

"Section 1 (2) — It extends to the whole of India."

YEAR	ACT NO.	SHORT TITLE
1890	1	REVENUE RECOVERY ACT

By Section 2 of the Opium and Revenue Laws (Extension of Application) Act, 1950 (XXXIII of 1950) which came into force on 20th April 1950.

[See Opium Act, 1857 (XIII of 1857)]

Extract of the extent clause from the Opium and Revenue Laws (Extension of Application) Act, 1950 (XXXIII of 1950)

"2. Extensions of certain opium and revenue laws to certain parts of India:—

- (i) The Opium Act, 1857
- (ii) The Opium Act, 1878
- (iii) The Revenue Recovery Act, 1890
- (iv) The Government Trading Taxation Act, 1926
- (v) The Dangerous Drugs Act, 1930
- (vi) The Taxation on Income (Investigation Commission) Act, 1947, and
- (vii) The Payment of Taxes (Transfer of Property) Act, 1949.

and all rules and orders made thereunder, which are in force immediately before the commencement of this Act in certain parts of India, are hereby extended to and shall be in force in the rest of India except the State of Jammu and Kashmir."

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YEAR	ACT NO.	SHORT TITLE
1894	1	LAND ACQUISITION ACT

---

By NEFA (Extension of Laws) Regulation, 1960 (III of 1960)

(See Arunachal Code Vol. I also for modification)

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YEAR	ACT NO.	SHORT TITLE
1894	9	PRISONS ACT

---

By NEFA (Extension of Laws) Regulation, 1960  
(III of 1960)

(See Arunachal Pradesh Code Vol. I)

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YEAR	ACT NO.	SHORT TITLE
1897	3	EPIDEMIC DISEASES ACT,

---

By the Assam Excluded Areas (Epidemic Diseases) Regulation, 1941 (III of 1941).

(See Arunāchal Pradesh Code Vol. I).



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YEAR	ACT NO.	SHORT TITLE
1898	6	INDIAN POST OFFICE ACT.

---

By the Assam Excluded Areas (Post Office) Regulation, 1941, (II of 1941).

(See Arunachal Pradesh Code Vol. I)

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YEAR	ACT NO.	SHORT TITLE
1898	9	LIVESTOCK IMPORTATION ACT

---

By substitution of Sub-Section (2) of Section 1, extent clause extending the Act to the whole of India by the Live-Stock Importation (Amendment) Act, 1953 with effect from 16-12-1953.

Extract of the extent clause from the Live-Stock Importation Act, 1898 (Act IX of 1898).

"Section 1 (2). It extends to the whole of India."

---

YEAR	ACT NO.	SHORT TITLE
1899	2	INDIAN STAMP ACT

---

By amendment of the extent clause by Indian Stamp (Amendment) Act, 1955. See also the NEFA (Reorganisation) (Adaptation of Laws) on Union Subjects Order, 1974, amending section 57 of the Indian Stamp Act, 1899 bringing 'Arunachal Pradesh' under the 'Gauhati High Court Jurisdiction'

Extract of the extent clause from the Indian Stamp Act, 1899

"Section 1 \*(2). It extends to the whole of India except the State of Jammu and Kashmir."

\* Substituted for the former sub-section 2 by the Indian Stamp (Amendment) Act, 1955 (XLIII of 1955), Section 3 (with effect from 1-4-1956).

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YEAR	ACT NO.	SHORT TITLE
1900	3	PRISONERS ACT

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By NEFA (Extension of Laws) Regulation, 1960 (III of 1960).

(See Arunachal Pradesh Code Vol I)

YEAR	ACT NO.	SHORT TITLE
1906	3	INDIAN COINAGE ACT

## NOTIFICATION

The 23rd January, 1941

No. 378-G.S- In exercise of the power conferred by sub-section (1) of section 92 of the Government of India Act, 1935, the Governor of Assam is pleased to direct that the Indian Coinage Act, 1906 (Act III. of 1906), shall apply to the Sadiya, Lakhimpur and Balipara Frontier Tracts.

(Assam Gazette dt. 29-1-1941, Part II page 174)

The 28th January, 1941

No. 485-G.S- In exercise of the power conferred by sub-section (1) of section 92 of the Government of India Act, 1935, the Governor of Assam is pleased to direct that the Indian Coinage (Amendment) Act, 1940 (Act VI of 1940), shall apply to the Excluded Areas in Assam specified in the Schedules to the Government of India (Excluded and Partially Excluded Areas) Order, 1936.

J.P MILLS  
Secretary to the Governor of Assam

(Assam Gazette, dt. 5-2-1941 Part II, page 193)

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YEAR	ACT NO.	SHORT TITLE
1908	16	REGISTRATION ACT

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By Section 3 read with Schedule to the Part B States Laws Act, 1951 (III of 1951) a new extent clause was inserted in the Registration Act, 1908 (XVI of 1908) and it read as under:—

"Section 1 (2).— It extends to the whole of India except the State of Jammu and Kashmir."

YEAR	ACT NO.	SHORT TITLE .
1910	9	INDIAN ELECTRICITY ACT

By the Assam North East Frontier (Sadiya, Balipara and Lakhimpur) Tracts (Electricity) , Regulation, 1947 (1 of 1947)

(See Arunachal Pradesh Code, Vol. 1)

YEAR	ACT NO.	SHORT TITLE
1911	2	PATENTS AND DESIGNS ACT

By amendment of the extent clause by the Indian Patents and Designs (Amendment) Act (XXXII of 1950).

Extract of the extent clause from the Designs Act, 1911 (Act II of 1911).

"Section 1 \* (2) It extends to the whole of India."

\*Substituted for the former sub-section by the Indian Patents and Designs (Amendment) Act, 1950 (XXXII of 1950, Section 3 with effect from 18-4-1950).



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YEAR	ACT NO.	SHORT TITLE
1912	2	CO-OPERATIVE SOCIETIES ACT

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By the Assam North East Frontier (Abor Hills, Mishmi Hills, Balipara, Tirap and Lakhimpur) Tracts Co-operative Societies Regulation, 1949 (II of 1949)

(See A.P. Code Vols I and II)

N.B. The Arunachal Pradesh Co-operative Societies Act, 1978 (3 of 1979) shall come into force from such date as the Government may by notification in the Official Gazette appoint.

YEAR	ACT NO.	SHORT TITLE
1914	2	DESTRUCTIVE INSECTS AND PESTS ACT

By Section 3 read with Schedule to the Part B States (Laws) Act, 1951 (III of 1951) a new extent clause was inserted to the Destructive Insects and Pests Act, 1914 (II of 1914), which read as under:—

"Section 1 (2).— It extends to the whole of India except the State of Jammu and Kashmir."

Again in the aforesaid sub-section (2) of Section 1 the words "except the State of Jammu and Kashmir" were omitted by the Jammu and Kashmir (Extension of Laws) Act, 1956 (LXII of 1956) Section 2 and Schedule (with effect from 1-11-56)

## NOTE

The position relating to the applicability of Central enactments made between 13-10-1914 and 1-4-1937 was that:—

With the issue of notifications dated 13-10-1914 under the Assam Frontier Tracts Regulation, 1880, the operation of all laws then in force in the areas, which now comprise the Union Territory of Arunachal Pradesh was barred.

Some Acts which were made before the Government of India Act, 1915 came into force, were specifically extended under the Scheduled Districts Act, 1874. Both the Scheduled Districts Act, 1874 and the Assam Frontier Tracts Regulation ceased to have effect, with effect from 1-4-1937.

All Acts made under the Government of India Act, 1915—1919 subject to their extent clause are applicable to the Union Territory of Arunachal Pradesh, unless their operation was barred under the Assam Frontier Tract Regulation, 1880.

No notification under the aforesaid Regulation was found to be issued in respect of the Acts as follow, and which are applicable to the Union Territory of Arunachal Pradesh proprio-vigore.

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YEAR	ACT NO.	SHORT TITLE
1916	7	INDIAN MEDICAL DEGREES ACT
1916	15	HINDU DISPOSITION OF PROPERTY ACT
1917	1	INLAND STEAM-VESSELS ACT
1917	5	DESTRUCTION OF RECORDS ACT
1917	18	POST OFFICE CASH CERTIFICATES ACT
1918	2	CINEMATOGRAPH ACT
1918	10	USURIOUS LOANS ACT
1918	20	INDIAN COMPANIES (FOREIGN INTERESTS) ACT
1918	23	COTTON CLOTH ACT
1919	1	LOCAL AUTHORITIES PENSION AND GRATUITIES ACT

YEAR	ACT NO.	SHORT TITLE
1919	12	POISONS ACT,

Under notification No. 5022-GS dt. 26-11-1938 Rules made under the Act are applicable to the Sadiya and Balipara Frontier Tracts.

Notification

The 26th November 1938

No. 5022-GS. His Excellency the Governor is pleased to direct that the rules framed by the Provincial Government of Assam under the Poisons Act, 1919 and published in their Notification No. 3631-LSG dt. the 1st July, 1938 shall apply to the Naga Hills district, the Lushai Hills district, the North Cachar Hills Sub-division of the Cachar district and the Lakhimpur Frontier Tract and subject to the following modifications to the Sadiya and Balipara Frontier Tracts:—

C.K. RHODES

Secretary to the Governor of Assam,

(Vide Assam Gazette Nov. 30th 1938 Part II page 1493)

The Act extended proprio vigore. The rules framed in the year 1938, when the provisions of Section 92 (1) of the Government of India Act, 1935 were in force, had to be applied by the Notification above.

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YEAR	ACT NO.	SHORT TITLE
1920	10	INDIAN SECURITIES ACT
1920	14	CHARITABLE AND RELIGIOUS TRUSTS ACT,
1920	15	INDIAN RED CROSS SOCIETY ACT
1920	23	INDIAN RIFLES ACT
1920	33	IDENTIFICATION OF PRISONERS ACT

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YEAR	ACT NO.	SHORT TITLE
1920	34	PASSPORT (ENTRY INTO INDIA) ACT

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See the Indian Passport (Amendment) Act, 1949, (Act XXXVI of 1949) original extension clause substituted with the words "the whole of India".

Extract of the extent clause from the Indian Passport (Entry into India) Act, 1920, (Act XXXIV of 1920)

"Section 1 (2). It shall extend to [the whole of India]".

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YEAR	ACT NO.	SHORT TITLE
1921	18	MAINTENANCE ORDERS ENFORCEMENT ACT
1922	7	EMIGRATION ACT
1922	22	POLICE (INCITEMENT TO DISA- FFECTION) ACT
1923	3	COTTON TRANSPORT ACT
1923	5	INDIAN BOILERS ACT
1923	6	CANTONMENTS (HOUSE ACCO- MMODATION) ACT
1923	7	INDIAN NAVAL ARMAMENT ACT
1923	8	WORKMEN'S COMPENSATION ACT



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YEAR	ACT NO.	SHORT TITLE
1923	19	INDIAN OFFICIAL SECRETS ACT

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See also Section 2 of the Official Secrets (Amendment) Act, 1967 (XXIV of 1967) extending the Act to the whole of India whereby the original extent clause was substituted.

Extract of the extent clause from the Indian Official Secrets Act, 1923 (Act XIX of 1923)

"Section 1 (2). It extends to the whole of India and applies also to servants of the Government and to citizens of India outside India."

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YEAR	ACT NO.	SHORT TITLE
1923	23	LEGAL PRACTITIONERS (WOMEN) ACT
1923	42	MUSSALMAN WAKF ACT
1924	2	CANTONMENTS ACT "
1925	4	INDIAN SOLDIERS (LITIGATION) ACT
1925	12	COTTON GINNING AND PRESS- ING FACTORIES ACT
1925	19	PROVIDENT FUNDS ACT
1925	26	INDIAN CARRIAGE OF GOODS BY SEA ACT.

YEAR	ACT NO.	SHORT TITLE
1926	3	GOVERNMENT TRADING TAXATION ACT

See Opium and Revenue Laws (Extension of Application) Act, 1950 (Act XXXIII of 1950)

Extract of the extent clause

"Section 2. Extension of certain opium and revenue laws to certain parts of India.

- (i) The Opium Act, 1857
- (ii) The Opium Act, 1878
- (iii) The Revenue Recovery Act, 1890
- (iv) The Government Trading Taxation Act, 1926
- (v) The Dangerous Drugs Act, 1930
- (vi) The Taxation on Income (Investigation Commission) Act, 1947, and
- (vii) The Payment of Taxes (Transfer of Property) Act, 1949,

and all rules and orders made thereunder, which are in force immediately before the commencement of this Act in certain parts of India, are hereby extended to and shall be in force in the rest of India except the State of Jammu and Kashmir".

YEAR	ACT NO.	SHORT TITLE
1926	11	PROMISSORY NOTES (STAMP) ACT
1926	16	TRADE UNIONS ACT
1926	21	LEGAL PRACTITIONERS (FEES) ACT
1926	38	INDIAN BAR COUNCILS ACT
1927	17	INDIAN LIGHT HOUSE ACT

YEAR	ACT NO.	SHORT TITLE
1928	12	HINDU INHERITANCE (REMOVAL OF DISABILITIES) ACT

See also the original extent clause as substituted with the words "the whole of India except the State of Jammu and Kashmir" by the Miscellaneous Personal Laws (Extension) Act, 1959, (XLVIII of 1959) Schedule I, Section 3 (with effect from 1-2-60)

Extract of the extent clause from the Hindu Inheritance (Removal of Disabilities) Act, 1928 (Act XII of 1928)

"Section 1 (2). It extends to the whole of India except the State of Jammu and Kashmir."

The old sub-section (2) read as follows :—

"(2). It extends to the whole of India except the territories, which immediately before the 1st November, 1956 were comprised in Part B States."

YEAR	ACT NO.	SHORT TITLE
1929	19	CHILD MARRIAGE RESTRAINT ACT
1930	2	DANGEROUS DRUGS ACT

See the Opium and Revenue Laws (Extension of Application) Act, 1950 (Act XXXIII of 1950)

Extract of the extent clause

"Section 2. Extensions of certain opium and revenue laws to certain parts of India:—

- (i) The Opium Act, 1857
- (ii) The Opium Act, 1878
- (iii) The Revenue Recovery Act, 1890
- (iv) The Government Trading Taxation Act, 1926
- (v) The Dangerous Drugs Act, 1930
- (vi) The Taxation on Income (Investigation Commission) Act, 1947, and
- (vii) The payment of Taxes (Transfer of Property) Act, 1949.

and all rules and orders made thereunder, which are in force immediately before the commencement of this Act in certain parts of India, are hereby extended to and shall be in force in the rest of India except the State of Jammu and Kashmir."

YEAR	ACT NO.	SHORT TITLE
1930	3	SALE OF GOODS ACT
1930	30	HINDU GAINS OF LEARNING ACT

See also extent clause, Sub-section (2), of Section 1 has been amended. The words "Whole of India" have been substituted by section 3 (Schedule-I) of the Miscellaneous Personal Laws (Extension) Act, 1959. (XLVIII of 1959) Section 3 and Schedule-I (with effect from 1-2-1960).

Extract of the extent clause from the Hindu Gains of Learning Act, 1930 (Act XXX of 1930).

"Section 1 (2). It extends to the whole of India except the State of Jammu and Kashmir."

The old Sub-section (2) was as follows :—

"(2) It extends to the whole of India except the territories which immediately before the 1st November 56, were comprised in Part-B States."

YEAR	ACT NO.	SHORT TITLE
1931	16	PROVISIONAL COLLECTION OF TAXES ACT
1932	9	INDIAN PARTNERSHIP ACT
1932	23	CRIMINAL LAW AMENDMENT ACT
1933	2	CHILDREN PLEDGING OF LABOUR ACT
1933	17	INDIAN WIRELESS TELEGRAPHY ACT
1934	2	RESERVE BANK OF INDIA ACT
1934	15	SUGARCANE ACT
1934	19	INDIAN DOCK LABOURERS ACT



YEAR	ACT NO.	SHORT TITLE
1934	22	AIRCRAFT ACT
1934	30	PETROLEUM ACT
1936	3	PARSI MARRIAGE AND DIVORCE ACT
1936	4	PAYMENT OF WAGES ACT
1936	5	DECREES AND ORDERS VALIDA- TING ACT
1936	18	RED CROSS SOCIETY (ALLOCA- TION OF PROPERTY) ACT
1937	1	AGRICULTURAL PRODUCE (GRADING AND MARKING) ACT
1937	6	ARBITRATION (PROTOCOL AND CONVENTION) ACT

## NOTE

The applicability or otherwise of Central enactments made between 1-4-1937 and 25-1-1950 was that :—

the application of any Central enactment was regulated under the provisions of Section 92 of the Government of India Act, 1935. Hence the acts passed during the period 1-4-1937 to 25-1-1950 which were specifically extended by notifications under Section 92 (1) of the Government of India Act, 1935 only applied to these areas, which were the Excluded Areas under the said Act.

Some acts made during the period also came to be extended by virtue of amendment in their extent clause, by laws made by Parliament after the Constitution came into force with effect from 26-1-1950.

See—

1. Section 91—Government of India Act, 1935
2. The Government of India (Excluded and Partially Excluded Areas) Order, 1936.
3. Section 82—Government of India Act, 1935.
4. Extract from the Govt. of India (Adaptation of Indian Laws) Order, 1937. Schedule I and Schedule IX.

YEAR	ACT NO.	SHORT TITLE
1937	26	MUSLIM PERSONAL LAW (SHARIAT) APPLICATION ACT,

Notification  
The 25th June 1943

No.Ex. 249/43-GS. In exercise of the power conferred by sub-section (1) of section 92 of the Govt. of India Act, 1935, the Governor of Assam is pleased to direct that the following Acts shall apply to the Excluded Areas in Assam specified in the Schedule to the Govt. of India, (Excluded and Partially Excluded Areas) Order, 1936.

1. The Muslim Personal Law (Shariat) Application Act, 1937 (Act No. XXVI of 1937).
2. The Muslim Personal Law (Shariat) Application (Amendment) Act 1943 (Act No. XVI of 1943).

C.A. VICKERS,  
Addl. Secretary to the Governor  
of Assam

(Vide Assam Gazette, June 30, 1943 Pt. II P. 603).

YEAR	ACT NO.	SHORT TITLE
1938	4	INSURANCE ACT

By amendment of the extent clause by the Insurance (Amendment) Act, 1950 (Act, XLVII of 1950).

Extract of the extent clause from the 'Insurance Act, 1938' (IV of 1938).

\* Sub-section (2). It extends to the whole of India."

\* Substituted for the former section by the Insurance (Amendment) Act, 1950 (XLVII of 1950), sub-section (2).

YEAR	ACT NO.	SHORT TITLE
1939	4	MOTOR VEHICLES ACT

### Notification

The 24th September 1942

Ex/61/42/44/GS. In exercise of the power conferred by sub-section (1) of section 92 of the Govt. of India Act, 1935 and in supersession of the Governor of Assam's Notification No.2606-GS. dated the 14th Aug. 1939, the Governor of Assam is pleased to direct that the Motor Vehicles Act, 1939 (Act IV of 1939) as for the time being in force in Assam, shall apply to the Excluded Areas of Assam, subject to the following modifications namely:—

1. In chapter I, after section 2 the following sections shall be inserted namely:—

"2.A. In the application of this Act to the excluded areas of Assam all the functions of the Government of Assam and of the Assam Provincial Transport Authority under this Act shall be exercised only by the Governor of Assam acting in his discretion.

Certain functions to be exercised in excluded areas by the Governor in his discretion.

2.B. References to the Province wherever they occur in clause (c) of sub-section (3) of section 9, the proviso to sub-section (1) of section 28, sub-section (3) of section 29, clause (h) of sub-section (2) of section 41, sub-section (1) of section 43, sub-section (3) of section 44 and sub-section (1) of section 72, shall be construed as references to the excluded areas of Assam."

Interpretation

2. In sub-section (1) and (3) of section 43, sub-section (2) of section 44, clauses (a) and (d) of section 64, clause (a) of sub-section (2) of section 68 and sub-section (1) of section 72, the references to Provincial Transport Authorities shall be omitted.

## 3. In section 44,—

(a) in sub-section (1) the words, brackets and figure "constitute for the province a Provincial Transport Authority to exercise and discharge the powers and functions specified in sub-section (3) and shall in like manner", the first proviso and the word "further" shall be omitted, and for the words "district, or the whole area of a presidency town" the words "sub-division or Frontier Tract" shall be substituted;

(b) in sub-section (2) for the words "officials and non-officials" the word "persons" shall be substituted;

(c) in sub-section (3) the words "or if so required by a Regional Transport Authority" shall be omitted.

(d) in sub-section (4) the words "subject to such conditions as may be prescribed" shall be omitted.

## 4. In section 63,—

(a) in sub-section (1), for the words "in any one province shall not be valid in any other province unless countersigned by the Provincial Transport Authority of that other Province", the words "in any province shall not be valid in any excluded areas of Assam unless countersigned by or under the authority of the Governor of Assam in his discretion" shall be substituted;

(b) in sub-section (2),—

(i) for the words "A" the words "The Governor of Assam in his discretion or a", and

(ii) for the words "it" in both places where it occurs the words "he or it" shall be substituted.

5. To sub-section (2) of section 65 the following shall be added, namely:—

“or otherwise amend the said provisions to meet conditions prevailing on any particular road.”

6. In sub-section (4) of section 75 for the words “District Magistrate or Superintendent of Police” the word “officer” shall be substituted.

7. In Chapter VIII, after section III, the following section shall be inserted, namely:—

“IIIA. The Governor of Assam in his discretion may by notification in the Official Gazette, direct that all or any of the provisions of this Chapter or the rules made thereunder shall not apply to motor vehicles plying on any road specified in the said notification.”

Power to exempt.

8. In sub-section (3) of section 133, the words “or by any Provincial Government”, the words “or Provincial” and the words “as the case may be” shall be omitted.

9. Sub-section (3) of section 134 shall be omitted.

C.A. VICKERS

Addl. Secretary to the Governor of Assam

... (Vide Assam Gazette, September 30, 1942, Part II, Page 1209)

YEAR	ACT NO	SHORT TITLE
1939	16	REGISTRATION OF FOREIGNERS ACT

Notification  
The 12th June, 1939.

No. 1596-GS- In exercise of the power conferred by subsection (1) of section 92 of the Govt. of India Act, 1935, the Governor of Assam is pleased to direct that the Registration of Foreigners Act, 1939 (Act XVI of 1939), and the rules framed under section 3 thereof, shall have the like force in all the Excluded and Partially Excluded Areas in Assam specified in the Schedule to the Govt. of India (Excluded and Partially Excluded Areas) Order, 1936 as they have in other parts of Assam.

Chief Secretary  
to the Govt. of Assam.

(Vide Assam Gazette June 14, 1939 Part II Page 795)



YEAR	ACT NO	SHORT TITLE
1940	23	DRUGS ACT

Notification

The 27th September 1946

No. Ex. Misc/12/46/276-GS. In exercise of the powers conferred by sub-section (1) of section 92 of the Govt. of India Act, 1935, the Governor of Assam is pleased to extend the Drugs Act, 1940 (Act XXIII of 1940), to all the Excluded Areas of Assam specified in the Schedule to the Govt. of India (Excluded and Partially Excluded Areas) Order, 1936 as in force for the time being in the Province of Assam, and subject to the modifications in the Schedule hereto annexed.

#### SCHEDULE

1. Sub-section (2) of section 1 shall be omitted.
2. In sub-section (3) of section I, substitute the words, "the Excluded Areas of Assam" for the words "a particular province".
3. References to the "Provincial Govt." shall be read as referring to the "Governor of Assam," wherever these occur in the Act.

R.W. GODFREY  
Secretary to the Governor of Assam.

(Vide Assam Gazette, Oct 2, 1946 Part II Page 1645.)

YEAR	ACT NO.	SHORT TITLE
1941	5	ASSAM RIFLES ACT

Notification

The 22nd April, 1941

No. 2009-GS. In exercise of the powers conferred by sub-section (1) of section 92 of the Govt. of India Act, 1935, the Governor of Assam is pleased to direct that the Assam Rifles Act, 1941 (Act V of 1941) shall apply to the Excluded Areas in Assam specified in the Scheduled to the Govt. of India (Excluded and Partially Excluded Areas) Order, 1936.

J.P. MILLS  
Secretary to the Governor of Assam.

(Vide Assam Gazette, April, 30, 1941 Pt. II P. 599).

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YEAR	ACT NO.	SHORT TITLE
1942	6	THE MULTI-UNIT CO-OPERATIVE SOCIETIES ACT

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By amendment of the extent clause by the Multi-Unit Co-operative Societies (Amendment) Act, 1956 (XXXIV of 1956).

Extract of the extent clause from the Multi-Unit Co-operative Societies Act, 1942 (VI of 1942)

\* Section 1 (2). It extends to the whole of India except the State of Jammu and Kashmir."

\* Substituted for the former Section by the Multi-Unit Co-operative Societies (Amendment) Act, 1956 (XXXIV of 1956), Section 2 (with effect from 28-8-56)

YEAR	ACT NO.	SHORT TITLE
1942	7	*COFFEE ACT

### Notification

The 25th January, 1950

No. EX/Misc./314/49.— In exercise of the powers conferred by sub-section (1) of section 92 of the Govt. of India Act, 1935, as adapted by the India (Provisional Constitution) Order, 1947, the Governor of Assam is pleased to direct that the Coffee Market Expansion Act, 1942 (Act VII of 1942), as amended by the Coffee Market Expansion (Amendment) Act, 1947, (Act No. IV of 1947) shall apply to the Excluded Areas in Assam specified in the Schedule to the Government of India (Excluded and Partially Excluded Areas) Order, 1936 :

Provided that any Court or Authority may construe the provisions of the said Act as so applied, and of any rules, notifications, orders, directions or regulations made or issued thereunder, with such modifications not affecting the substance as may be necessary or proper to adapt them to the matter before that Court or Authority.

R. V. Subramaniam

Dy. Adviser to the Governor of Assam  
for Excluded Areas and States.

(Assam Gazette Extra-Ordinary, dated 25-1-1950)

\* Substituted for the words "Coffee Market Expansion Act" by the "Coffee Market Expansion (Amendment) Act, 1954 (L of 1954), Sec. 3 (with effect from 1-8-1955)

YEAR	ACT NO.	SHORT TITLE
1943	23	WAR INJURIES (COMPENSATION INSURANCE) ACT

Notification

The 11th February 1944

No. Ex. 137/42-GS. In exercise of the powers conferred by sub-section (1) of section 92 of the Govt. of India Act, 1935, the Governor of Assam is pleased to direct that the War Injuries (Compensation Insurance) Act, 1943 (XXIII of 1943) shall apply to all the Excluded Areas in Assam specified in the Schedule to the Govt. of India (Excluded and Partially Excluded Areas) Order, 1936.

R.W GODFREY,

Secretary to the Governor of Assam.

(Vide Assam Gazette, Feb. 16, 1944 Part II Page 99)

Notification

The 7th June 1944

No. W./146/44/9-GS. In exercise of the power conferred by sub-section (1) of section 92 of the Government of India Act, 1935 the Governor of Assam is pleased to direct that the War Injuries (Compensation Insurance) Act, 1943 (Act. No. XXIII of 1943) together with the War Injuries Compensation Insurance Rules 1943, made under sub-section (1) of section 7 and sub-section (1) of section 20 respectively of the aforesaid Act, shall apply to all the Excluded Areas in Assam specified in the Schedule to the Government of India (Excluded and Partially Excluded Areas) Order, 1936, subject to the following modifications, namely:—

(I) Sub-section (3) of section 1 and section 21 of the Act shall be omitted.

(II) The reference to section 545 of the Code of Criminal Procedure, 1896 (V of 1896) in section 11 of the Act, which confers power to pay expenses or compensation out of fine shall be read as referring to the relevant provision of the Rules for the Administration of Justice prescribed under the Scheduled Districts Act for the aforesaid areas.

(III) Sub-clause (2), of clause 1 of the Scheme shall be omitted.

(IV) The reference to the Deputy Commissioner in the Forms appended to the Scheme shall be read, in respect of the Frontier Tracts, as referring to the Political Officer of the Frontier Tract concerned, and in respect of the Lushai Hills to the Superintendent of the Lushai Hills.

(V) For sub-clause (a) of clause 7 of the Instructions appended to Form A in the Scheme, and for sub-rule (a) of rule 6 of the Rules, the following shall be substituted, namely:-

“(a) if the employer had been an employer for one complete quarter before the 1st June 1944, when on or after 10th June, 1944, and not later than 1st August, 1944.”

R.W. GODFREY  
Secretary to the Governor of Assam.

(Vide Assam Gazette; June 14, 1944, Part II, P. 539).

YEAR	ACT NO.	SHORT TITLE
1944	1	CENTRAL EXCISES AND SALT ACT

## NOTIFICATION

The 7th August, 1944

No. Ex/24/44-G.S.—In exercise of the powers conferred by sub-section (1) of section 92 of the Government of India Act, 1935, the Governor of Assam is pleased to direct that the Central Excises and Salt Act, 1944 shall apply to all the Excluded Areas in Assam specified in the Schedule to the Government of India (Excluded and Partially Excluded Areas) Order, 1936 subject to the modifications specified in the Schedule hereto annexed.

Provided that any court or authority may construe the provisions of the said Act as so applied and of any rules, notifications or orders, made or issued thereunder with such modifications not effecting the substance as may be necessary or proper to adapt them to the matter before that Court or Authority.

## SCHEDULE

1. Sub-section (3) of section 1 shall be omitted.
2. Section 12 shall not apply to the Frontier Tracts, viz., Sadiya Frontier Tract, Balipara Frontier Tract, Tirap Frontier Tract and Lakhimpur Frontier Tract, where the Sea Custom Act, 1878, is not in force.
3. Sections 24, 25, 26, 27, 28, 29, 30, 32 and proviso to section 38 shall be omitted.

YEAR	ACT NO	SHORT TITLE
1944	18	PUBLIC DEBT ACT

### Notification

The 17th June, 1947

No. L.99/46/28-GS. In exercise of the powers conferred by sub-section (1) of section 92 of the Govt. of India Act, 1935, the Governor of Assam is pleased to direct that the Public Debt. (Central Govt.) Act, 1944 shall apply to all the Excluded Areas in Assam specified in the Schedule to the Govt. of India (Excluded and Partially Excluded Areas) Order, 1936, subject to the following modifications:-

1. Sub-section (3) of section 1 shall be omitted.

2. Section 7: Insert the following after the words-"the Indian Succession Act, 1925 (XXXIX of 1925)" in this section:--

"and in the case of tribal people whose succession to property is governed by their tribal customs, such person or persons who are certified by the District Magistrate to be legal heir or heirs or nominees of a deceased sole holder of a Govt. security."

3. Section 9 insert the following after the words "Indian succession Act, 1925, (XXXIX of 1925)" in this section:-

"or in case of tribal people, the certificate granted by the District Magistrate referred to in section 7 as modified."

4. "District Magistrate" includes "Political Officers of the Frontier Tracts" and "Superintendent of the Lushai Hills District."

R.W. GODFREY,

Secretary to the Governor of Assam

(Vide Assm Gazette, Jan. 22, 1947, Part I Page 57).



YEAR	ACT NO.	SHORT TITLE
1946	20	INDUSTRIAL EMPLOYMENT (STANDING ORDERS) ACT

Notification

The 6th July 1949

No. Ex. Misc/26/49-Ad. In exercise of the powers conferred by sub-section (1) of section 92 of the Govt. of India Act, 1935, as adapted by the India (Provisional constitution) Order, 1947, the Governor of Assam is pleased to direct that the Industrial Employment (Standing Orders) Act, 1946 (Act No. XX of 1946) shall apply to the Excluded Areas of Assam, specified in the Schedule to the Govt. of India (Excluded and Partially Excluded Areas) Order, 1936.

R. V. SUBRAMANIAM,  
Deputy Adviser to the Governor of Assam for  
Excluded Areas & States.

(Vide the Assam Gazette, July 13, 1949 Pt. II P. No. 1057).

YEAR	ACT NO.	SHORT TITLE
1946	31	FOREIGNERS ACT

## Notification

The 28th February 1947

No. 19/47-GS. In exercise of the powers conferred by subsection (1) of section 92 of the Govt. of India Act, 1935, the Governor of Assam is pleased to direct that the Foreigners Act, 1946 (XXXI of 1946) shall apply to all the Excluded Areas in Assam specified in the Schedule to the Govt. of India (Excluded and Partially Excluded Areas) Order, 1936.

R.W. GODFREY

Secretary to the Governor of Assam

(Vide Assam Gazette, March 5, 1947. Pt. II P. 147).

YEAR	ACT NO.	SHORT TITLE
1947	2	PREVENTION OF CORRUPTION ACT,

## Notification

The 9th May, 1947

No. L/19/47-CS. In exercise of the powers conferred by subsection (1) of section 92 of the Govt. of India Act, 1935, the Governor of Assam is pleased to direct that the Prevention of Corruption Act, 1947 (Act No. II of 1947) shall apply to all the Excluded Areas in Assam specified in the Schedule to the Govt. of India (Excluded and Partially Excluded Areas) Order, 1936

P.F. ADAMS

Secretary to the Governor of Assam

(Vide Assam Gazette, May 14, 1947, Pt. II P. 343).

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YEAR	ACT NO.	SHORT TITLE
1947	14	INDUSTRIAL DISPUTES ACT

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## Notification

The 8th July 1949

No. Ex. Misc/26/49-Ad. In exercise of the powers conferred by sub-section (1) of section 92 of the Govt. of India Act, 1935 as adapted by the India (Provisional Constitution) Order, 1947, the Governor of Assam is pleased to direct that the Industrial Disputes Act, 1947 (Act No. XIV of 1947) shall apply to the Excluded Areas of Assam specified in the Schedule to the Govt. of India (Excluded and Partially Excluded Areas) Order, 1936.

N.K. Rustomji,  
Adviser to the Governor of Assam Excluded  
Areas & States.

(Vide the Assam Gazette, July 13, 1949 Pt. II P. No. 1057).

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YEAR	ACT NO.	SHORT TITLE
1947	15	ARMED FORCES (EMERGENCY, DUTIES) ACT

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## Notification

The 21st April, 1947

No. L. 19/47-G.S. In exercise of the powers conferred by subsection (1) of section 92 of the Government of India Act, 1935, the Governor of Assam is pleased to direct that the Armed Forces (Emergency Duties) Act, 1947 (No. XV of 1947) shall apply to all the Excluded Areas in Assam specified in the Schedule to the Government of India (Excluded and Partially Excluded Areas) Order, 1936.

P.F. ADAMS.

Secretary to the Governor of Assam

(Vide The Assam Gazette April 30, 1947 Part II Page 321)

YEAR	ACT NO.	SHORT TITLE
1947	29	CAPITAL ISSUES (CONTROL) ACT

By amendment of the extent clause by the CAPITAL ISSUES (CONTINUANCE OF CONTROL) (AMENDMENT) ACT, 1956 (XXII of 1956),

Extract of the extent clause from the Capital Issues Control Act, 1947 (XXIX of 1947)

\* "Section 1 (2). It extends to the whole of India except the State of Jammu and Kashmir and it applies also to citizens of India outside India."

\*Substituted for the former sub-section by the Capital Issues (Continuance of Control) (Amendment) Act, 1956 (XXII of 1956) Section 2 with effect from 18-3-1950.

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YEAR	ACT NO.	SHORT TITLE
1947	48	INDIAN NURSING COUNCIL ACT

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By amendment of the extent clause by the INDIAN NURSING COUNCIL (AMENDMENT) ACT, 1957 (XLV of 1957).

Extract of the extent clause from the Indian Nursing Council Act, 1947 (XLVIII of 1947).

\*"Section 1 (2). It extends to the whole of India except the State of Jammu and Kashmir."

\*Substituted for the former sub-section by the Indian Nursing Council (Amendment) Act, 1957 (XIV of 1957).

YEAR	ACT NO.	SHORT TITLE
1948	, 1	FEDERAL COURT (ENLARGEMENT OF JURISDICTION) ACT

Notification

The 25th January, 1950.

No. Ex/Misc./344/49/7.— In exercise of the powers conferred by sub-section (1) of section 92 of the Govt. of India Act, 1935, as adapted by the India (Provisional Constitution) Order, 1947, the Governor of Assam is pleased to direct that the Federal Court (Enlargement of Jurisdiction) Act, 1948 (Act I of 1948), shall apply to the Excluded Areas of Assam specified in the Schedule to the Government of India (Excluded and Partially Excluded Areas) Order, 1936, subject to the following modifications :—

1. For sub-section (2) of section 1 of the said Act, the following shall be substituted, namely :—

"(2). It shall come into force in the Excluded Areas of Assam on the 25th January, 1950, which day is hereinafter referred to as 'the appointed day'."

2. Any Court or Authority may construe the provisions of the said Act as so applied, and of any rules, notifications orders, directions or regulations made or issued thereunder, with such modifications not affecting the substance as may be necessary or proper to adapt them to the matter before that Court or Authority.

R.V. Subramanian  
Deputy Adviser to the Governor of Assam  
for Excluded Areas and States.

(Assam Gazette, Extra Ordinary, dated 25-1-1950)



YEAR	ACT NO.	SHORT TITLE
1948	8	PHARMACY ACT

By amendment of the extent clause (sub-section (2) of section 1) by section 2 of the Pharmacy (Amendment) Act, 1959 (Act XXXIV of 1959) which reads after amendment as under :-

Sub-section-2 "It extends to the whole of India except the State of Jammu and Kashmir (with effect from 1.5.1966.)"

YEAR	ACT NO	SHORT TITLE
1948	11	MINIMUM WAGES ACT

Notification

The 21st May, 1949

No. Ex. Misc/123/48/16-Ad. In exercise of the powers conferred by sub-section (1) of section 92 of the Govt. of India Act, 1935, as adapted by the India (Provisional Constitution) Order, 1947, the Governor of Assam is pleased to direct that the Minimum Wages Act, 1948 shall apply to the Excluded Areas of Assam, specified in the Schedule to the Govt. of India (Excluded and Partially Excluded Areas) Order, 1936,

Provided that any court or authority may construe the provisions of the said Act as so applied, and of any rules, notifications, orders, directions or regulations made or issued thereunder, with such modifications not affecting the substance as may be necessary or proper to adapt them to the matter before that Court or Authority.

R.V. Subramanian

Deputy Adviser to the Governor of Assam,  
for Excluded Areas and States,

(Vide Assam Gazette, June 1, 1949, Part II, Page 793).

YEAR	ACT NO.	SHORT TITLE
1948	12	REHABILITATION FINANCE ADMINISTRATION ACT

By amendment of the extent clause by the REHABILITATION FINANCE ADMINISTRATION (AMENDMENT) ACT, 1950 (1 of 1950).

Extract of the extent clause from the Rehabilitation Finance Administration Act, 1948 (XII of 1948)

\* "Section 1 (2). It extends to the whole of India except the State of Jammu and Kashmir."

\* Substituted for the former sub-section by the Rehabilitation Finance Administration (Amendment) Act, 1950 (1 of 1950) Section 2, (with effect from 18th February, 1950).

YEAR	ACT NO.	SHORT TITLE
1948	15	INDUSTRIAL FINANCE CORPORATION ACT

By amendment of the extent clause by the INDUSTRIAL AND STATE FINANCIAL CORPORATIONS (AMENDMENT) ACT, 1955 (XXVIII of 1955).

Extract of the Extent clause from the Industrial Finance Corporation Act, 1948 (XV of 1948)

\* Section 1 (2). It extends to the whole of India."

\* Substituted for the former sub-section by the Industrial and State Financial Corporations (Amendment) Act, 1955, Section 2. (with effect from 18-9-1955).

YEAR	ACT NO.	SHORT TITLE
1948	16	DENTISTS ACT

By amendment of the extent clause by the DENTISTS (AMENDMENT) ACT, 1955 (XII of 1955).

Extract of the extent clause from the Dentists Act, 1948 (XVI of 1948).

\* "Section 1 (2). It extends to the whole of India except the State of Jammu and Kashmir."

\* Substituted for the former Sub-section by the Dentists (Amendment) Act, 1955 (XII of 1955),, Section 2. (with effect from 16-4-1955).

YEAR	ACT NO.	SHORT TITLE
1948	22	INDIAN POWER ALCOHOL ACT

By amendment of the extent clause by the INDIAN POWER ALCOHOL (AMENDMENT) ACT, 1952 (LXXXIII of 1952)

Extract from the extent clause of the Indian Power Alcohol Act, 1948 (XXII of 1948).

"Section 1 (2). It extends to the whole of India except the State of Jammu and Kashmir."

\* Substituted for the former sub-section by the Indian Power Alcohol (Amendment) Act, 1952 (LXXXIII of 1952, Section 2 (with effect from 26-12-1952)

YEAR	ACT NO.	SHORT TITLE
1948	34	EMPLOYEES' STATE INSURANCE ACT

Notification

The 22nd April 1948)

No. Ex. SFT. 25 49/Ad. In exercise of the powers conferred by sub-section (1) of section 92 of the Govt. of India Act, 1935 as adapted by the India (Provisional Constitution) Order, 1947, the Governor of Assam is pleased to direct that the Employees' State Insurance Act, 1948 (XXXIV of 1948) shall apply to all the Excluded Areas in Assam specified in the Schedule to the Govt. of India (Excluded the Partially Excluded Areas) Order, 1936.

Provided that any Court or Authority may construe the provisions of said Act as so applied, and of any rules, notifications, orders, directions or regulations made or issued thereunder, with such modification not effecting the substance as may be necessary or proper to adapt them to the matter before that court or authority.

R.V. Subramanian  
Deputy Adviser to the Governor of Assam  
for Excluded Areas and States,

(Vide Assam Gazette, April 27, 1949 Part I, Page 567).

YEAR	ACT NO.	SHORT TITLE
1948	38	CONTINUANCE OF LEGAL PROCEEDINGS ACT

Notification

The 15th July, 1949

No. Ex.Misc/106/48-Ad. In exercise of the power conferred by sub-section (1) of section 92 of the Govt. of India Act, 1935, as adapted by the India (Provisional Constitution) Order, 1947 the Governor of Assam is pleased to direct that the Continuance of Legal Proceedings Act, 1948 (Act No. XXXVIII of 1948), shall apply to the Excluded Areas of Assam, specified in the Schedule to the Govt. of India (Excluded and Partially Excluded Areas) Order, 1936.

R.V. Subrahmanian,  
Deputy Adviser to the Governor of Assam for Excluded  
Areas and States.

(Vide Assam Gazette, July, 20, 1949, Part II, Page 1061).



YEAR	ACT NO.	SHORT TITLE
1948	40	INDIAN MATRIMONIAL CAUSES (WAR MARRIAGES) ACT

Notification)

The 15th July 1949

No. Ex. Misc/152/49/Ad. In exercise of the powers conferred by sub-section (1) of section 92 of the Govt. of India Act, 1935, as adapted by the India (Provisional Constitution) Order, 1947, the Governor of Assam is pleased to direct that the Indian Matrimonial Causes (War Marriages) Act, 1948 (Act No. XL of 1948) shall apply to all the Excluded Areas of Assam specified in the Schedule to the Govt. of India (Excluded and Partially Excluded Areas) Order, 1936.

Provided that any court or authority may construe the provisions of the said Act as so applied and of any rules, notifications, orders directions or regulations made or issued thereunder with such modifications not affecting the substance as may be necessary or proper to adapt them to the matter before that court or authority.

R.V. Subrahmanian

Deputy Advised to the Governor of Assam for Excluded  
Areas and States.

(Vide the Assam Gazette, July 20, 1949 Part II Page 1981)

YEAR	ACT NO.	SHORT TITLE
1948	53	OIL FIELDS** (REGULATION AND DEVELOPMENT) ACT

\*\*Substituted for the words "Mines and Minerals" by the Mines and Minerals (Regulation and Development) Act, 1957 (XLVII of 1957), Section 32 and Schedule III, with effect from 1.6.1958.

#### Notification

The 25th January, 1950

No. Ex/MM/7/48/84.—In exercise of the powers conferred by sub-section (1) of section 92 of the Government of India Act, 1935, as adapted by the India (Provisional Constitution) Order, 1947, the Governor of Assam is pleased to direct that the Mines and Minerals (Regulation and Development) Act, 1948, (Act LIII of 1948), shall apply to the Excluded Areas of Assam specified in the Schedule to the Government of India (Excluded and Partially Excluded Areas) Order, 1936 :

Provided that any Court or Authority may construe the provisions of the said Act as so applied, and of any rules, notifications, orders, directions or regulations made or issued thereunder, with such modifications not affecting the substance as may be necessary or proper to adapt them to the matter before that Court or Authority.

R.V. Subramanian  
Deputy Adviser to the Governor of Assam  
for Excluded Areas and States.

(Assam Gazette, Extra-Ordinary dated 25-1-1950)

YEAR	ACT NO.	SHORT TITLE
1948	54	ELECTRICITY (SUPPLY) ACT

Notification

The 25th January 1950

No. Ex./Misc./264/49.—In exercise of the powers conferred by sub-section (1) of section 92 of the Govt. of India Act, 1935, as adapted by the India (Provisional Constitution) Order, 1947, the Governor of Assam is pleased to direct that the Electricity (Supply) Act, 1948 (Act No. LIV of 1948), shall apply to the Excluded Areas of Assam, specified in the Schedule to the Government of India (Excluded and Partially Excluded Areas) Order, 1936 :

Provided that any Court or Authority may construe the provisions of the said Act as so applied, and of any rules, notifications, orders, directions or regulations made or issued thereunder, with such modifications not affecting the substance as may be necessary or proper to adapt them to the matter before that Court or Authority.

R.V. Subramanian  
Deputy Adviser to the Governor of Assam  
for Excluded Areas and States

(Assam Gazette, Extra-Ordinary dated 25-1-1950)

YEAR	ACT NO.	SHORT TITLE
1948	56	TERRITORIAL ARMY ACT

Notification

The 25th April 1949

No. Ex. Misc/2849/6/Ad.— In exercise of the powers conferred by sub-section (1) of section 92 of the Govt. of India Act, 1935, as adapted by the India (Provisional Constitution) Order, 1947, the Governor of Assam is pleased to direct that the Territorial Army Act, 1948 (Act LVI of 1948) shall apply to all the Excluded Areas in Assam, specified in the Schedule to the Govt. of India (Excluded and Partially Excluded Areas) Order, 1936.

R.V. Subramanian  
Deputy Adviser to the Governor of Assam for  
Excluded Areas and States.

YEAR	ACT NO.	SHORT TITLE
1948	62	RESERVE BANK (TRANSFER TO PUBLIC OWNERSHIP) ACT

Notification

The 6th December, 1948

No. Ex./Misc/29/48/199-Ad—In exercise of the power conferred by sub-section (1) of Section 92 of the Government of India Act, 1935, as adapted by the India (Provisional Constitution) Order, 1947, the Governor of Assam is pleased to direct that the Reserve Bank (Transfer to Public Ownership) Act, 1948 (Act No. LXII of 1948), shall apply to all the Excluded Areas in Assam specified in the Schedule to the Government of India (Excluded and Partially Excluded Areas) Order, 1936.

B.C. BHUYAN  
for Adviser to the Governor of Assam  
for Excluded Areas and States

YEAR	ACT NO.	SHORT TITLE
1949	10	THE BANKING (REGULATION) ACT

By amendment of the extent clause by the BANKING COMPANIES (AMENDMENT) ACT, 1950 (XX of 1950).

Extract from the extent clause of the Banking (Regulation) Act, 1949 (X of 1949).

\* "Section 1, (2), It extends to the whole of India.

\* Substituted for the former sub-section by the Banking Companies (Amendment) Act, 1950 (XX of 1950), Section 2. (With effect from 18-3-1950).

YEAR	ACT NO.	SHORT TITLE
1949	22	PAYMENT OF TAXES (TRANSFER OF PROPERTY) ACT

Notification

The 11th October, 1949

No. BA/88/49.—In exercise of the powers conferred by subsection (1) of section 92 of the Govt. of India Act, 1935, as adapted by the India (Provisional Constitution) Order, 1947, the Governor of Assam is pleased to direct that the Payment of Taxes (Transfer of Property) Act, 1949, (Act XXII of 1949) shall apply to all the Excluded Areas in Assam, specified in the Schedule to the Govt. of India (Excluded and Partially Excluded Areas) Order, 1936.

Provided that any Court or authority may construe the provisions of the said Act as so applied, and of any rules notifications orders made or issued thereunder with such modifications not affecting the substance as may be necessary or proper to adapt them to the matter before that court or authority.

R.V. Subramanian

Deputy Adviser to the Governor of Assam for Excluded Areas and States.

(Vide Assam Gazette, Oct. 19, 1949 Part II Page 1403).

YEAR	ACT NO.	SHORT TITLE
1949	54	INDUSTRIAL DISPUTES (BANKING AND INSURANCE COMPANIES) ACT

Notification

The 24th, January, 1950

No. Ex. Misc/63, 49/7. — In exercise of the powers conferred, by sub-section (1) of section 92 of the Govt. of India Act, 1935 as adapted by the India (Provisional Constitution) Order, 1947, the Governor of Assam is pleased to direct that the Industrial Disputes (Banking and Insurance Companies) Act, 1949 (Act No. LIV of 1949) shall apply to Excluded Areas of Assam specified in the Schedule to the Govt. of India (Excluded and Partially Excluded Areas) Order, 1936.

Provided that any court or authority may construe the provisions of the said Act as so applied and of any rule notifications, order, directions or regulations made or issued thereunder, with such modifications not affecting the substance as may be necessary or proper to adapt them to the matter before that court or authority.

R.V. Subramanian,

Deputy Adviser to the Governor of Assam for Excluded Areas and States.

(Vide Assam Gazette, January, 25, 1950 Part II, Page 164).



**PART-II****N-O T E**

The Acts which are applicable to parts of the Union Territory of Arunachal Pradesh under the following notifications.

YEAR	ACT NO.	SHORT TITLE
1872	15	THE INDIAN CHRISTIAN MARRIAGE ACT

## Notification

The 29th September, 1920

No. 8964 P.— In exercise of the power conferred by section 5 of the Scheduled Districts Act, 1874 (XIV of 1874), and with the previous sanction of the Governor General in Council, the Chief Commissioner is pleased to extend the Indian Christian Marriage Act, 1872 (XV of 1872), as subsequently amended, to the Sadiya Frontier Tract. (See Assam Gazette of 6th October 1920, Part II, Page, 171).

The Sadiya Frontier Tract.

## Notification

The 24th January 1925

No. 293 A.P.—In exercise of the powers conferred by section 5 of the Scheduled Districts Act, 1874 (XIV of 1874), the Governor in Council is pleased to extend the undermentioned enactments to the tract transferred to the Sadiya Frontier Tract by Notification No. 7280 A.P. dated the 8th December 1921, namely :—

Certain tract in the Sadiya Frontier Tract.

- (1) The Indian Penal Code, 1860 (XLV of 1860).
- (2) The Indian Police Act, 1861 (V of 1861).
- (3) The Indian Christian Marriage Act, 1872 (XV of 1872).
- (4) The Indian Arms Act, 1878 (XI of 1878).
- (5) The Agriculturists' Loans Act, 1884 (XII of 1884).
- (6) The Assam Land and Revenue Regulation, 1886 (I of 1886), with the exception of sections 3 to 159
- (7) The Assam Forest Regulation, 1891 (VII of 1891).
- (8) The Whipping Act, 1909 (IV of 1909).
- (9) The Assam Rifles Act, 1920 (Assam Act I of 1920).

(See Assam Gazette of 28th January 1925, Part II, Page 171).

YEAR	ACT NO.	SHORT TITLE
1884	12	THE AGRICULTURISTS' LOANS ACT

- Notification

The 20th August, 1919

No. 2557R.— In exercise of the powers conferred by section 5 of the Scheduled Districts Act, 1874 (XIV of 1874), and with the previous sanction of the Governor General in Council, the Chief Commissioner is pleased to extend the Agriculturists' Loans Act, 1884 (XII of 1884), to the following areas :—

Sadiya and  
Balipara Frontier  
Tracts.

- (1) Sadiya Frontier Tract.
- (2) Balipara Frontier Tract.

(Vide Assam Gazette of the 27th August 1919, Part II, Page 1420).

Notification

The 24th January, 1925

No. 297 A.P.— In exercise of the powers conferred by section 5 of the Scheduled Districts Act, 1874 (XIV of 1874) the Governor in Council is pleased to extend the undermentioned enactments to the tract transferred to the Balipara Frontier Tract by Notification No. 7281 A.P. dated the 8th December 1921, namely :—

Certain tract  
in the Balipara  
Frontier  
Tract.

- (1) The Indian Penal Code, 1860 (XLV of 1860).
- (2) The Indian Police Act, 1861 (V of 1861).

+ (3)

- (4) The Indian Arms Act, 1878 (XI of 1878).
- (5) The Agriculturists' Loans Act, 1884 (XXI of 1884).
- (6) The Assam Land and Revenue Regulation, 1886 (I of 1886), with the exception of sections 3 to 159.
- (7) The Assam Forest Regulation, 1891 (VII of 1891). " "
- (8) The Whipping Act, 1909 (IV of 1909).
- (9) The Assam Rifles Act, 1920 (Assam Act I of 1920).

(See Assam Gazette of 28th January 1925 Part II, Page 172).

## APPENDIX-A-111

YEAR	ACT NO.	SHORT TITLE
1886	6	BIRTHS, DEATHS AND MARRIAGES REGISTRATION ACT,

## Notification

The 25th November 1929

No. 7705 A.P.— In exercise of the powers conferred by section 5 of the Scheduled Districts Act, 1874 (XIV of 1874), the Governor in Council is pleased to extend the Births, Deaths and Marriages Registration Act, 1886 (VI of 1886), as subsequently amended, to the Sadiya Frontier Tract

The Sadiya  
Frontier  
Tract.

(See Assam Gazette, dated the 27th November, 1929, Part II, Page 1693).

**List of Bengal/Assam Acts extended to the Territories now comprising the Union Territory of Arunachal Pradesh.**

SI No.	Year	Act No.	Short title	Notification by which extended
1.	1913	3	Begal Public Demands Recovery Act.	No. 10R, dt. the 3rd January, 1920.
2.	1939	4	The Assam Sales of Motor Spirit and Lubricants Taxation Act.	No. 485—GS dt. 30.1. 1940.
3.	1939	9	The Assam Agricultural Income Tax Act.	No. 4574—GS dt. 15th December, 1939.
4.	1944	1	The Assam Maternity Benefit Act.	No. X-95/44/14-05 dt. 5th October 1944.
5.	1946	5	Assam Sales of Motor Spirit and Lubricants Taxation (Amendment) Act.	(i) No. L. 90/47-AD dt. 26.8.1947 extending Amending Acts 5 of 1946, 7 of 1946 and 2 of 1947. (ii) No. L. 90/47/26-AD dt. 17.7.1948 extending Amending Acts, 11 of 1947 and 10 of 1948.
6.	1946	8	The Industrial Statistics (Further Provisions and Validating) Act.	No. L. 118/46/II GS dt. 6th February 1947
7.	1947	7	The Assam Committee of Enquiry (Appointment and Evidence) Act.	See Assam Act 5 of 1946 above.

Sl. No.	Year	Act No.	Short title	Notification by which extended
8.	1947	5	The Assam Maintenance of Public Order Act.	No. L. 163/46 41—AD dt. 15th June, 1948.
9.	1947	6	The Assam Professions, Trades Callings and Employment Taxation Act.	No. L. 90/47/17—AD dt. 9th April, 1948.
10.	1947	17	The Assam Sales Tax Act.	No. Ex. Misc/5/48—AD dt. 2nd February, 1948
11.	1947	23	The Assam Opium Prohibition Act.	No. Ex/Misc/11 47 (a) —AD dt. 25.9.1948.
12.	1947	26	The Assam Home Guards Act	No. Ex/Misc/78/47/ 12 —AD dt. 27.9.1948.
13.	1948	28	The Assam Famine Relief and Insurance Fund Act.	No. Ex. Misc/124/49 —AD dt. 28th June, 1949.
14.	1949	10	The Assam Kala-azar Treatment Act.	No. Ex./Misc/ 256/49—AD. dt. 25th January, 1950.
15.	1949	25	The Assam Land (Requisition and Acquisition) Act.	No. Ex. Misc/157/49--AD dt. 24th January, 1949.

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**NOTE:** For some details on the subject of application of laws, please see judgement of the Supreme Court in 'State of Nagaland-Vrs-Ratan Singh & Others' reported in AIR 1967, SC 212



## APPENDIX-I

CENTRAL ACTS LISTED OUT IN-PART-I AND II-SEPARATED GROUPWISE INDICATING THE ACTS UNDER WHICH THEY WERE EXTENDED.

1. Acts extended under Section 5 of the Scheduled Districts Act, 1874 (XIV of 1874).

YEAR	ACT NO.	SHORT TITLE
1. 1860	45	PENAL CODE
2. 1861	5	POLICE ACT
3. 1872	15	CHRISTIAN MARRIAGE ACT
4. 1884	12	AGRICULTURISTS' LOANS ACT
5. 1886	6	BIRTH, DEATHS AND MARRIAGES REGISTRATION ACT

II. Acts made between 13-10-1914 and 1-4-1937 (Vide Note at page 33)

III. Acts extended by notifications under sub-section (1) of Section 92 of the Government of India Act, 1935.

1. 1878	17	NORTHERN INDIA FERRIES ACT
2. 1906	3	COINAGE ACT
3. 1937	26	MUSLIM PERSONAL LAW (SHARIAT) APPLICATION ACT
4. 1939	4	MOTOR VEHICLES ACT
5. 1939	16	REGISTRATION OF FOREIGNERS ACT
6. 1940	23	DRUGS ACT
7. 1941	5	ASSAM RIFLES ACT

YEAR	ACT NO.	SHORT TITLE
8. 1942	7	COFFEE ACT
9. 1943	23	WAR INJURIES (COMPEN- SATION INSURANCE) ACT
10. 1944	1	CENTRAL EXCISES AND SALT ACT
11. 1944	18	PUBLIC DEBT ACT
12. 1946	20	INDUSTRIAL EMPLOYMENT (STANDING ORDER) ACT
13. 1946	31	FOREIGNERS ACT
14. 1947	2	PREVENTION OF CORRUP- TION ACT
15. 1947	14	INDUSTRIAL DISPUTES ACT
16. 1947	15	ARMED FORCES (EMERGEN- CY DUTIES) ACT
17. 1948	1	FEDERAL COURT (ENLAR- GEMENT OF JURISDICTION) ACT
18. 1948	11	MINIMUM WAGES ACT
19. 1948	38	CONTINUANCE OF LEGAL PROCEEDINGS ACT
20. 1948	40	INDIAN MATRIMONIAL CAU- SES (WAR MARRIAGES) ACT
21. 1948	53	OILFIELDS (REGULATION AND DEVELOPMENT) ACT
22. 1948	54	ELECTRICITY (SUPPLY) ACT
23. 1948	56	TERRITORIAL ARMY ACT

YEAR	ACT NO.	SHORT TITLE
24. 1948	62	RESERVE BANK (TRANSFER- TO PUBLIC OWNERSHIP) ACT
25. 1949	22	PAYMENT OF TAXES (TRA- NSFER OF PROPERTY) ACT
26. 1949	54	INDUSTRIAL DISPUTES (BANKING AND INSURANCE COMPANIES) ACT

#### IV. Acts extended by Regulations

1. 1871	1	CATTLE TRESPASS ACT
2. 1879	6	ELEPHANTS' PRESER- VATION ACT
3. 1894	1	LAND ACQUISITION ACT
4. 1894	9	PRISON ACT
5. 1897	3	EPIDEMIC DISEASES ACT
6. 1898	6	POST OFFICE ACT
7. 1900	3	PRISONERS ACT
8. 1910	9	ELECTRICITY ACT
9. 1912	2	CO-OPERATIVE SOCIETIES ACT

#### V. Acts extended by Section 2 of the Opium and Revenue Laws (Extension of Application) Act, 1950.

1. 1857	13	OPIUM ACT
2. 1878	1	OPIUM ACT
3. 1880	1	REVENUE RECOVERY ACT

YEAR	ACT NO.	SHORT TITLE
4. 1926	3	GOVERNMENT TRADING TAXATION ACT
15. 1930	2	DANGEROUS DRUGS ACT
<b>VI. Acts extended by Post-Constitutional Acts and Amending Acts</b>		
1. 1850	21	CASTE DISABILITIES REMOVAL ACT
2. 1855	13	FATAL ACCIDENTS ACT
3. 1874	3	MARRIED WOMEN'S PROPERTY ACT
4. 1888	3	POLICE ACT
5. 1898	9	LIVESTOCK IMPORTATION ACT
6. 1890	2	STAMP ACT
7. 1908	16	REGISTRATION ACT
8. 1911	2	DESIGNS ACT
9. 1914	2	DESTRUCTIVE INSECTS AND PESTS ACT
10. 1920	34	PASSPORT (ENTRY INTO INDIA) ACT
11. 1923	19	OFFICIAL SECRETS ACT
12. 1928	12	HINDU INHERITANCE (REMOVAL OF DISABILITIES) ACT
13. 1930	30	HINDU GAINS OF LEARNING ACT

YEAR	ACT NO.	SHORT TITLE
14. 1939	4	INSURANCE ACT
15. 1942	6	MULTI-UNIT COOPERATIVE SOCIETIES ACT
16. 1947	29	CAPITAL ISSUES (CONTROL) ACT
17. 1947	48	NURSING COUNCIL ACT
18. 1948	8	PHARMACY ACT
19. 1948	12	REHABILITATION FINANCE ADMINISTRATION ACT
20. 1948	15	INDUSTRIAL FINANCE CORPORATION ACT
21. 1948	16	DENTISTS ACT
22. 1948	22	POWER ALCOHOL ACT
23. 1949	10	THE BANKING REGULATION ACT
<b>VII. Acts extended by Acts made by the Arunachal Pradesh Legislative Assembly.</b>		
1. 1860	21	SOCIETIES REGISTRATION ACT

## APPENDIX—2.

## — NOTE

The Acts which have been specifically barred from application to the areas which now comprise the Union Territory of Arunachal Pradesh.

YEAR	ACT NO.	SHORT TITLE
1920	5	PROVINCIAL INSOLVENCY ACT

Enacted on 25-2-1920

This Act is not extended to the Scheduled Districts under the extent clause.

Sub-section (2) of Section 1 reads as under :—

"1. (2) It extends to the whole of India except the territories which, immediately before the 1st November, 1956, were comprised in part B States and the Scheduled Districts."

YEAR	ACT NO.	SHORT TITLE
1925	39	INDIAN SUCCESSION ACT

### Notification

The 8th September, 1934

No. 5868. A.P.— In exercise of the powers conferred by section 2 of the Assam Frontier Tract Regulation, 1880 (II of 1880), the Governor in Council is pleased to direct that the enactments mentioned in the first column of the Schedule annexed hereto shall cease to be in force in the areas specified in the corresponding entry in the second column thereof with effect from the date of this notification :—

### SCHEDULE

- |                                                           |                                                                                                                                    |
|-----------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------|
| 1. The Indian Succession Act, 1925 (Act XXXIX OF 1925)    | 1. Sadiya, Balipara and Lakhimpur Tracts, The Garo Naga, Lushai and North Cachar Hills and Sibsagar and Nowgong Mikir Hills Tract. |
| 2. The Administrator General's Act 1913 (Act III of 1913) | 2. The Garo, Naga, Lushai and North Cachar Hills and Sibsagar and Nowgong Mikir Hills Tracts.                                      |
| 3. The Indian Limitation Act, 1908 (Act IX of 1908)       | 3. The Garo, Naga Lushai, Khasi and Jaintia and North Cachar Hills and Sibsagar and Nowgong Mikir Hills Tracts.                    |

J.A. DAWSON,

...Chief Secretary to the Govt. of Assam  
(Vide Assam Gazette, September 12, 1934 Part II Page 1183).



## APPENDIX-3

CHRONOLOGICAL LIST OF UNREPEALED ORDINANCES  
IN FORCE IN THE UNION TERRITORY OF ARUNACHAL  
PRADESH

Sl. No.	Year	No.	Short title	Notification by which Extended
1.	1940	4	The Currency Ordinance.	No. 3690—GS dt. 5.8.1940 (AG Dt. 7-8-1940. Part II, Page 1219)
2.	1941	7	The War Injuries Ordinance	No. 5025-GS dt. 26.5.1941 (AG dt. 3.9.1941, Part II, Page 1085)
3.	1942	41	The Armed Forces (Special Powers) Ordinance.	No. S/611/42/7 GS dt. 5.9.1942 (AG dt. 9-9-1942, Part II, page 1045)
4.	1942	56	The Legal Tender (Inscribed Notes) Ordinance	No. EX-199/42/3- GS dt. 11-12-1942 (AG dt. 16-12-1942, Part, II, Page 1417.
5.	1942	60	The Income-tax and Excess Profits-tax (Emergency) Ordinance	No. Ex/195/42/43 -GS dt. 8-12-1942 (AG dt. 16-12-1942, Part, II, page 1417)
6.	1943	16	The Excess Profits-tax Ordinance	No. Ex. 198/42/50-GS dt. 2-6-1943 (AG dt. 9-6-1943, Part II, page 563)
7.	1943	30	The Military Nursing Service Ordinance	No. 281/43-GS dt. 6-11-43 (AG dt. 10-11-1943, Part II, page 857)
8.	1945	24	The War Gratuities (Income-tax Exemption) Ordinance.	No. 132/45-GS dt. 13-9-1945 (AG dt. 19-9-1945, Part II. page 889)
9.	1946	10	The Termination of War (Definition) Ordinance	No. L. 31/46-GS dt. 11-3-1946 (AG dt. 13-3-1946, Part II, page 305)

UNREPEALED ORDINANCES IN FORCE IN THE UNION TERRITORY OF ARUNACHAL PRADESH

NOTIFICATION

**1. The Currency Ordinance, 1940 (Ordinance No. IV of 1940)**

No. 3690—GS, dated 5th August, 1940. In exercise of the power conferred by sub-section (1) of section 92 of the Govt. of India Act, 1935, the Governor of Assam is pleased to direct that the provisions of the Currency Ordinance, 1940 (Ordinance No. IV of 1940) shall have like force in all the Excluded Areas in Assam specified in the Schedule to the Govt. of India (Excluded and Partially Excluded Areas) Order, 1936 as they have in other parts of Assam.

J.P. MILLS

Secretary to the Governor of Assam

(AG, August 7 1940, Part II, Page 1219)

**2. War Injuries Ordinance, 1941 (Ordinance No. VII of 1941)**

No. 5025—GS dated 26th May, 1941. In exercise of the power conferred by sub-section (1) of section 92 of the Govt. of India Act, 1935, the Governor of Assam is pleased to direct that the provisions of the War Injuries Ordinance, 1941 (Ordinance No. VII of 1941) shall have like force in all the Excluded Areas in Assam specified in the Schedule to the Govt. of India (Excluded and Partially Excluded Areas) Order, 1936, as they have in other parts of Assam.

J.P. MILLS,

Secretary to the Governor of Assam

(AG, September 5, 1941, Part II, Page 1085)

**3. The Armed Forces (Special Powers) Ordinance, 1942  
(Ordinance No. XLI of 1942)**

No. S/611/42/7—GS dated 5th September, 1942. In exercise of the power conferred by sub-section (1) of section 92 of the Govt. of India Act, 1935, the Governor of Assam is pleased to direct that the provisions of the Armed Forces (Special Powers) Ordinance, 1942 (Ordinance XLI of 1942) shall have like force in all the Excluded Areas of Assam specified in the Schedule to the Govt. of India (Excluded and Partially Excluded Areas) Order, 1936 as they have in other parts of Assam.

J.P. MILLS

Secretary to the Governor of Assam

(A.G. September 9th, 1942, Part, II, page 1045).

**4. The Legal Tender (Inscribed Notes) Ordinance, 1942 (Ordinance LIX of 1942)**

No. Ex. 199/42/3—GS dt. 11th December, 1942. In exercise of the power conferred by sub-section (1) of section 92 of the Govt. of India Act, 1935, the Governor of Assam is pleased to direct that the provisions of the Legal Tender (Inscribed Notes) Ordinance, 1942 (Ordinance No. LIX of 1942) shall have like force in all the Excluded Areas of Assam specified in the Schedule to the Govt. of India (Excluded and Partially Excluded Areas) Order, 1936, as they have in other parts of Assam.

J.P. MILLS

Secretary to the Governor of Assam

(A.G. December, 1942 Part II, page 1417)

**5. The Income Tax and Excess Profits Tax (Emergency) Ordinance 1942 (Ordinance No. LX of 1942):**

No. Ex/195/42/43—GS dt. 8th December, 1942. In exercise of the power conferred by sub-section (1) of section 92 of the Govt. of India Act, 1935, the Governor of Assam is pleased to direct that the provisions of the Income Tax and Excess Profits Tax (Emergency) Ordinance, 1942 (Ordinance No. LX of 1942) shall have like force in all the Excluded Areas in Assam specified in the Schedule to the Govt. of India (Excluded and Partially Excluded Areas) Order, 1936 as they have in other parts of Assam.

C.A. VICKERS

Addl. Secretary to the Governor of Assam

(AG, December 16, 1942 Part II, page 1417)

**6. The Excess Profits Tax Ordinance, 1943 (Ordinance No. XVI of 1943).**

No. Ex. 198/42/50—GS dt. 2nd June, 1943. In exercise of the power conferred by sub-section (1) of section 92 of the Govt. of India Act, 1935, the Governor of Assam is pleased to direct that the provisions of the Excess Profits Tax Ordinance, 1943 (Ordinance No. XVI of 1943) shall have like force in all the Excluded Areas in Assam specified in the Schedule to the Govt. of India (Excluded and Partially Excluded Areas) Order, 1936, as they have in other parts of Assam.

C.A. VICKERS,

Addl. Secretary to the Governor of Assam.

(AG, June 9, 1943. Part II, Page 563):

**7. Military Nursing Services (India) Ordinance, 1943 (Ordinance No. XXX of 1943).**

No. Ex. 281/43-GS dt. 6th November, 1943. In exercise of the power conferred by sub-section (1) of section 92 of the Govt. of India Act, 1935, the Governor of Assam is pleased to direct that the provisions of Military Nursing Services (India) Ordinance, 1943 (Ordinance No. XXX of 1943) shall apply to all the Excluded Areas in Assam specified in the Schedule to the Govt. of India (Excluded and Partially Excluded Areas) Order, 1936.

R.W. GODFREY,  
Secretary to the Governor of Assam

(AG, November 10, 1943, Part II, Page 857)

**8. The War Gratuities (Income Tax Exemption) Ordinance, 1945 (Ordinance No. XXIV of 1945).**

No. 132/45—GS dt. 13th September, 1945. In exercise of the powers conferred by sub-section (1) of section 92 of the Govt. of India Act, 1935 the Governor of Assam is pleased to direct that the War Gratuities (Income Tax Exemption) Ordinance, 1945 (No. XXIV of 1945) shall apply to all the Excluded Areas in Assam specified in the Schedule to the Govt. of India (Excluded and Partially Excluded Areas) Order, 1936.

R.W. GODFREY  
Secretary to the Governor of Assam

(AG, September 19, 1945 Part II, Page 889)

**9. Termination of War (Definition) Ordinance, 1946 (Ordinance No. X of 1946)**

No. L. 31/46—GS dt. 11th March, 1946. In exercise of the power conferred by sub-section (1) of section 92 of the Govt. of India Act, 1935, the Governor of Assam is pleased to direct that the Termination of War (Definition) Ordinance, (No. X of 1946) shall apply to the Excluded Areas in Assam specified in the Schedule to the Govt. of India (Excluded and Partially Excluded Areas) Order, 1936.

R.W. GODFREY,  
Secretary to the Governor of Assam

((A.G. March 13, 1946, Part II, Page 305)

## APPENDIX-4

THE SCHEDULED DISTRICTS ACT, 1874  
(Act No. XIV of 1874)

An Act to ascertain the enactment in force in various parts of British India, and for other purposes.

WHEREAS various parts of British India have never been brought within, or have from time to time been removed from, the operation of the general Acts and Regulations and the jurisdiction of the ordinary Courts of Judicature;

Preamble

AND WHEREAS doubts have arisen in some cases as to which Acts or Regulations are in force in such parts and in other cases as to what are the boundaries of such parts :

AND WHEREAS among such parts are the territories specified in the first schedule hereto annexed, and it is expedient to provide readier means than now exist for ascertaining the enactments in force in such territories and the boundaries thereof, and for administering the law therein ;

AND WHEREAS it is expedient to declare that certain Acts are in force in a tract of land lying between the Railway Station at Satna and the eastern boundary of the Jabalpur Division ;

(It is hereby enacted as follows :)

Short title

1. This Act may be called the Scheduled Districts Act, 1874.

This Act extends in the first instance to the whole of British India other than the territories mentioned in the First Schedule hereto annexed, and it shall come into force in each of the Scheduled Districts on the issue of a notification under section 3 relating to such district.

Local extent

In this Act the term "Scheduled Districts" means the territories mentioned in the First Schedule hereto annexed; and from the date fixed in the resolution next hereinafter mentioned, it shall also include any other territory to which the Secretary of State for India, by resolution in Council may declare the provisions of the 33rd of Victoria, Chapter 3, section 1, to be applicable.

Interpretation clause

2. The enactments mentioned in the Second Schedule hereto, annexed shall be repealed.

Repeal of enactments

3. The Local Government \* \* \* \* \* may from time to time, by notification \* \* \* \* \* in the local Gazette \*\*—

Notification of enactments in force in Scheduled Districts.

- (a) declare what enactments are actually in force in any of the Scheduled Districts, or any part of any such district,
- (b) declare of any enactment that it is not actually in force in any of the districts or in any part of any such district,
- (c) correct any mistake of fact in any notification issued under this section :

Provided that a declaration once made under clause (a) or clause (b) of this section shall not be altered by any subsequent declaration other than a declaration under clause (c) of this section.

4. On the issue, under section 3, of a notification declaring what enactments are in force, or not in force in any Scheduled District, the enactments so notified shall be deemed to be in force or not in force, according to the tenor of the notification, in such district, and every such notification shall be binding on all courts of law.

Effect of notification under Section 3.

5. The Local Government \* \* \* \* \* may, from time to time, by notification \* \* \* \* \* in

Power to extend enact-



the local Gazette \* \* \* \* \* extend to any of the Scheduled Districts or to any part of any such district, any enactment which is in force in any part of British India at the date of such extension.

5A. In declaring an enactment in force in a Scheduled Districts or part thereof under section 3 of this Act, or in extending an enactment to a Scheduled District or part thereof under Section 5 of this Act, the Local Government \* \* \* \* \* may declare the operation of the enactment to be subject to such restrictions and modifications as that Government thinks fit.

6. The Local Government may from time to time :

- (a) appoint officers to administer civil and criminal justice and to superintend the settlement and collection of the public revenue, and all matters relating to rent and otherwise to conduct the administration, within the Scheduled District.
- (b) regulate the procedure of the officers so appointed ; but not so as to restrict the operation of any enactment for the time being in force in any of the said districts,
- (c) direct by what authority any jurisdiction, powers or duties incident to the operation of any enactment for the time being in force in such district shall be exercised or performed.

7. All rules heretofore prescribed by the Governor-General in Council or the Local Government for the guidance of officers appointed within any of the Scheduled Districts for all or any of the purposes mentioned in section 6, and in force at the time of the passing of this Act, shall continue to be in force unless and until the Governor-General in Council, or the Local Government, as the case may be, otherwise directs.

ments to.  
Scheduled  
District.

Modification  
of enactments  
in their appli-  
cation to  
Scheduled  
District.

Appointment  
of officers  
and regula-  
tion of their  
procedure.

Continuance  
of existing  
rules and  
officers.

All existing officers so appointed previous to the date on which this Act comes into force in such districts shall be deemed to have been appointed hereunder.

8. Whenever any question arises as to the line of boundary between any of the Scheduled Districts and other territory, such officer as the Local Government or (where the said district and the other territory are not subject to the same Local Government) as the Governor-General in Council from time to time appoints, may consider and determine such line of boundary; and the order made thereon by such officer, if confirmed by the Government which appointed him, shall be conclusive in all Courts of Justice.

Settlement of question as to boundary.

9. Any person liable to be imprisoned or to be transported beyond sea under any order or sentence passed by any officer appointed under section 6 may (subject to such rules as the Local Government may from time to time prescribe in this behalf) be imprisoned in such jail or transported to such place as the Local Government directs.

Place of imprisonment or transportation.

10. Acts No. III of 1867, \* \* \* and No. XXV of 1869 are hereby declared to be in force in the tract of land ceded to the British Government in the year 1863 and lying between the Railway Station at Satna and the eastern boundary of the Jabalpur District.

Extension to Satna strip of Acts relating to public gambling and salt.

11. Nothing contained in this Act or in any notification issued under the power hereby conferred shall be deemed,—

Saving of criminal jurisdiction over European British subjects, and savings of other laws.

- (a) to affect the criminal jurisdiction of any Court over European British subjects, or
- (b) to affect any law other than laws contained in Acts or Regulations or in Rules made in exercise of powers conferred by such Acts or Regulations.

THE FIRST SCHEDULE

See Section I,

Part 1

Scheduled Districts, 5 Madras.

1-In Ganjam

Part X

The Chief Commissioner of Assam

THE SECOND SCHEDULE

(See Section 2)

Number and Year	Title
-----------------	-------

\* \* \* \* \*

SCHEDULED DISTRICTS (1874 : Act XIV)

Presidency, or province	Scheduled Districts	No. and date of notification	Gazette in which the notification is published
-------------------------	---------------------	------------------------------	------------------------------------------------

Assam	The Chief Commissioner-ship of Assam	1651, dated 3rd November 1877, dated 7th Nov. 1877	Gazette of India, 1877 Pt. 1 p. 662 Assam Gazette, 1877 part, 1, page 383
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**ACT DECLARED TO BE IN FORCE IN THE CENTRAL AND  
EASTERN SECTIONS OF THE NORTH-EAST FRONTIER  
TRACT.**

**NOTIFICATIONS**

No. 4955P. dated the 18th August, 1916. In exercise of the powers conferred by Section 3, clause (a) of the Scheduled Districts Act, 1874 (XIV of 1874), and with the previous sanction of the Governor General in Council, the Chief Commissioner is pleased to declare the said Act, to be in force in the Central and Eastern Sections of the North-East Frontier Tract.

(Vide Assam Gazette of 30th August, 1916, Part II, page 1335).

Jr

**ACT DECLARED TO BE IN FORCE IN THE LAKHIMPUR  
FRONTIER TRACT.**

No. 4957P dated the 18th August, 1916. In exercise of the powers conferred by Section 3, clause (a), of the Scheduled Districts Act, 1874 (XIV of 1874), and with the previous sanction of the Governor General in Council, the Chief Commissioner is pleased to declare the said Act, to be in force in the Lakhimpur Frontier Tract.

(Vide Assam Gazette of 30th August, 1916, Part II,  
page 1335)

**ACT DECLARED TO BE IN FORCE IN WESTERN SECTION  
OF THE NORTH-EAST FRONTIER TRACT.**

No. 4959P dated the 18th August 1916 In exercise of the powers conferred by Section 3, clause (a), of the Scheduled Districts Act, 1874 (XIV of 1874), and with the previous sanction of the Governor General in Council, the Chief Commissioner is pleased to declared the said Act to be in force in the Western Section of the North-East Frontier Tract.

(Vide Assam Gazette of 30th August, 1916, Part II, page 1335).

DECLARED THAT ACT IS IN FORCE IN THE TRACT TRANSFERRED TO SADIYA FRONTIER TRACT BY NOTIFICATION NO. 7280 AP., DATED THE 8TH DECEMBER, 1921.

#### NOTIFICATIONS

No. 292AP., dated the 24th January, 1925. In exercise of the powers conferred by Section 3, clause (a) of the Scheduled Districts Act, 1874 (XIV of 1874) the Governor in Council is pleased to declare the said Act to be in force in the tract transferred to the Sadiya Frontier Tract by Notification No. 7280 AP, dated the 8th December 1921.

(Vide Assam Gazette of 28th January, 1925, Part II, page 171).

DECLARED THAT THE ACT IS IN FORCE IN THE TRACT TRANSFERRED TO THE BALIPARA FRONTIER TRACT BY NOTIFICATION NO. 7281 A.P. DATED THE 8TH DECEMBER, 1921.

No. 296 AP. dated the 24th January, 1925. In exercise of the power conferred by Section 3, clause (a) of the Scheduled Districts Act, 1874 (XIV of 1874) the Governor in Council is pleased to declare the said Act to be in force in the tract transferred to the Balipara Frontier Tract by Notification No. 7281 AP. dated the 8th December, 1921.

(Vide Assam Gazette of the 28th January, 1925, Part II, page 171).

## APPENDIX-5

THE ASSAM FRONTIER TRACTS REGULATION, 1880<sup>1</sup>

## (REGULATION II OF 1880)

WHEREAS it is expedient to provide for the removal of certain frontier tracts in Assam inhabited or frequented by barbarous or semi-civilised tribes from the operation of enactments in force therein ; It is hereby enacted as follows:

Preamble,

1. This regulation may be called the Assam Frontier Tracts Regulation, 1880.

Short title

It extends to such frontier tracts within the territories [for the time being]<sup>2</sup> administered by the Chief Commissioner of Assam [as he]<sup>3</sup> may, by notification in the [local Gazette]<sup>4</sup> from time to time direct and it shall come into force in each of such tracts on such day as [he]<sup>3</sup> in like manners directs in this behalf.

Local extent

Commencement

- 
1. The Regulation has been extended by notifications to the districts of the Sadiya, Balipara and Lakhimpur Frontier Tracts, the areas added to the Lakhimpur Frontier Tract by notification No. 2847 A.P. dated 12th August, 1929 the areas transferred to the Balipara Frontier Tract by Notification No. 1470 A.P., dated 26th February, 1931, see Vol. III Appendix II Table C.
  2. The words in square brackets were inserted by Assam Frontier Tracts Regulation [1880], Amendment Regulation, 1898 (II of 1898).
  3. Substituted for the words "the Governor General in Council" by section 2 of the Devolution Act, 1920, (XXVIII of 1920.)
  4. Substituted for the words "Gazette of India" by Act XXVIII of 1920.

2. When this Regulation has been extended in manner hereinbefore prescribed to any tract, the Chief Commissioner may from time to time ( \* \* \* \* \* )<sup>6</sup> by notification in the local Gazette, direct that any enactment in force in such tract shall cease to be in force therein, but not so as to affect the criminal jurisdiction of any Court over European British subjects.

Power to direct that enactments shall cease to be in force.

3. Whenever any question arises as to the line of boundary between any tract to which the provisions of this Regulation have been extended as aforesaid and the adjoining territory in British India, such officer as the Chief Commissioner of Assam from time to time appoints may consider and determine such line of boundary; and the order made thereon, by such officer, if confirmed by the said Chief Commissioner, shall be conclusive.

Settlement of question as to boundary.

- 
5. The concluding paragraph of s. 1 which was repealed by the Assam Frontier Tracts Regulation [1880] Amendment Regulation, 1898 [II of 1898 s.2, (2) is omitted. It ran thus :

"Every notification extending this Regulation to any tract shall specify the boundaries by which such tract is separated from the adjoining territory in British India".

6. The words "with the previous sanction of the Governor-General in Council" were omitted by Act XXVIII of 1920.

NOTIFICATIONS UNDER WHICH THE ASSAM FRONTIER TRACTS REGULATION, 1880 (2 OF 1880) HAD BEEN EXTENDED.

NOTIFICATIONS

No. 979 E.B. dated 25th September, 1914 In exercise of the powers conferred by Section 1 of the Assam Frontier Tracts Regulation, 1880 (II of 1880), the Governor General in Council is pleased to direct that the said Regulation shall extend to the tract comprising the hills inhabited or frequented by Bhutias, Akas, Daflas, Miris and Abors and separated from the Darrang and Lakhimpur Districts by the line specified below :—

(boundary description omitted)

No. 5691 A.P. dated the 9th November, 1926. In modification of Notification No. 977 EB dated the 25th September, 1914 of the Government of India in the Foreign and Political Department, and No. 7280 A.P. dated the 8th December, 1921, of the Government of Assam in the Appointment and Political Department, and in exercise of the powers conferred by Section 1 of the Assam Frontier Tracts Regulation, 1880 (II of 1880), the Governor in Council is pleased to direct that the said Regulation shall extend to the tract known as the Sadiya Frontier Tract, which is separated from the Lakhimpur district and the Lakhimpur Frontier Tract by the line specified below :—

(boundary description omitted)

No. 5763 A.P. dated the 12th August, 1929. In modification of Government Notification No. 2874 A.P., dated the 26th April, 1923 and in exercise of the powers conferred by Section I of the Assam Frontier Tracts Regulation, 1880 (II of 1880), the Governor in Council is pleased to direct that the said Regulation shall extend to the tract known as the Lakhimpur Frontier Tract, which is separated from the Lakhimpur districts and the Sadiya Frontier Tract by the line specified below :—

(boundary description omitted)

No. 6779 A.P., dated the 2nd November, 1934. In modification of Notification No. 978 EB dated the 25th September, 1914, of the Government of India, in the Foreign and Political Department as amended upto date, and in exercise of the powers conferred by



Section 1 of the Assam Frontier Tracts Regulation, 1880 (II of 1880), the Governor in Council is pleased to direct that the said Regulation shall extend to the tract known as the Balipara Frontier Tract comprising the hills inhabited or frequented by Bhutias, Akas, Daflas, Miris and Abors and separated from the Darrang and Lakhimpur districts by the line specified below :—

(boundary description omitted)

## APPENDIX-6

## NOTIFICATIONS DATED 13-10-1914 ISSUED UNDER THE ASSAM FRONTIER TRACTS REGULATION, 1880 (2 of 1880) BARRING APPLICATION OF ALL LAWS

## NOTIFICATIONS

No. 5463P dated 13th October, 1914. In exercise of the powers conferred by section 2 of the Assam Frontier Tracts Regulation, 1880 (II of 1880) and with the previous sanction of the Governor General in Council, the Chief Commissioner is pleased to direct that all enactments now in force in the Lakhimpur Frontier Tract, or in any part thereof, with the exception of the aforesaid Regulation, shall cease to be in force therein with effect from the date of this notification :

Provided always that nothing contained in this notification shall affect the criminal jurisdiction of any court over European British subjects and provided further that the Code of Criminal Procedure, 1898 (Act V of 1898) as amended from time to time shall apply to the trial of such subjects.

(See Assam Gazette of 14th October, 1914, Part II, page 2007).

No. 5467P dated 13th October, 1914.—In exercise of the powers conferred by section 2 of the Assam Frontier Tracts Regulation, 1880 (II of 1880), and with the previous sanction of the Governor General in Council, the Chief Commissioner is pleased to direct that all enactments now in force in the western Section, North East Frontier Tract, or in any part thereof, with the exception of the aforesaid Regulation, shall cease to be in force therein with effect from the date of this notification ;

Provided always that nothing contained in this notification shall affect the criminal jurisdiction of any court over European British subjects and provided further that the Code of Criminal Procedure, 1898 (Act V of 1898), as amended from time to time shall apply to the trial of such subjects.

(See Assam Gazette of 14th October, 1914, Part II, page 2007).

No. 5459P dated 13th October, 1914. In exercise of the powers conferred by section 2 of the Assam Frontier Tracts Regulation, 1880 (II of 1880), and with the previous sanction of the Governor General in Council, the Chief Commissioner is pleased to direct that all enactments now in force in the Central and Eastern Sections, North East Frontier Tract, or in any part thereof, with the exception of the aforesaid Regulation, shall cease to be in force therein with effect from the date of this notification.

Provided always that nothing contained in this notification shall affect the criminal jurisdiction of any court over European British subjects and provided further that the Code of Criminal Procedure, 1898 (Act V of 1898), as amended from time to time shall apply to the trial of such subjects.

(See Assam Gazette of 14th October, 1914, Part II, page 2007)

## APPENDIX-7

## THE GOVERNMENT OF INDIA ACT, 1915-19

(Extract of Sections 52 and 71)

52A (1) The Governor-General in Council may, after obtaining an expression of opinion from the local government and the local legislature affected, by notification, with the sanction of His Majesty previously signified by the Secretary of State in Council, constitute a new governor's province, or place part of a governor's province under the administration of a deputy-governor to be appointed by the Governor-General, and may in such case apply, with such modifications as appear necessary or desirable, all or any of the provisions of this Act relating to governor's provinces, or provinces under a lieutenant governor or chief commissioner, to any such new province or part of a province.

Constitution of new provinces, etc. and provision as to backward tracts.

(2) The Governor-General in Council may declare any territory in British India to be a "backward tract," and may, by notification, with such sanction as aforesaid, direct that this Act shall apply to that territory subject to such exceptions and modifications as may be prescribed in the notification.

Where the Governor-General in Council has, by notification, directed as aforesaid, he may, by the same or subsequent notification, direct that any Act of the Indian legislature shall not apply to the territory in question or any part thereof, or shall apply to the territory or any part thereof subject to such exceptions or modifications as the Governor-General thinks fit, or may authorise the governor in council to give similar directions as respects any Act of the local legislature.

65. (1) The Indian legislature has power to make laws— Power of Indian legislature

- (a) for all persons, for all courts, and for all places and things, within British India; and
- (b) for all subjects of His Majesty and servants of the Crown within other parts of India; and
- (c) for all native Indian subjects of His Majesty, without and beyond as well as within British India; and
- (d) for the Government officers, soldiers (airmen) and followers in His Majesty's Indian forces, wherever they are serving, in so far as they are not subject to the Army Act of the Air Force Act, and
- (e) for all persons employed or serving in or belonging to the Royal Indian Marine Service; and
- (f) for repealing or altering any laws which for the time being are in force in any part of British India or apply to persons for whom the Indian legislature has power to make laws.

(2) Provided that the Indian Legislature has not, unless expressly so authorised by Act of Parliament, power to make any law repealing or affecting —

- (i) any Act of Parliament passed after the year one thousand eight hundred and sixty and extending to British India including the Army Act, the Air Force Act or any Act amending the same; or

- (ii) any Act of Parliament enabling the Secretary of State in Council to raise money in the United Kingdom for the Government of India ;

and has not power to make any law affecting the authority of Parliament, or any part of the unwritten laws or constitution of the United Kingdom of Great Britain and Ireland whereon may depend in any degree the allegiance of any person to the Crown of the United Kingdom, or affecting the sovereignty or dominion of the Crown over any part of British India.

(3) The Indian legislature has no power without the previous approval of the Secretary of State in Council to make any law empowering any court other than a high court, to sentence to the punishment of death any of His Majesty's subjects born in Europe, or the children of such subjects, or abolishing any high court.

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## REGULATIONS AND ORDINANCES

71. (1) The local Government of any part of British India to which this section for the time-being applies may propose to the Governor-General in Council the draft of any regulation for the peace and good government of that part, with the reasons for proposing the regulation. Power to make Regulations.

(2) Thereupon the Governor-General in Council may take any such draft and reasons into consideration ; and when any such draft has been approved by the Governor-General, it shall be published in the Gazette of India and in the local official gazette, if any, and shall thereupon have the like force of law and be subject to the like disallowance as if it were an Act of the Indian legislature.

(3) The Governor-General shall send to the Secretary of State in Council an authentic copy

of every regulation to which he has assented to under this section.

(3a) A regulation made under this section for any territory shall not be invalid by reason only that it confers or delegates power to confer on courts or administrative authorities power to sit or act outside the territory in respect of which they have jurisdiction or functions, or that it confers or delegates power to confer appellate jurisdiction or functions on courts or administrative authorities sitting or acting outside the territory.

(4) The Secretary of State may, by resolution in council, apply this section to any part of British India, as from a date to be fixed in the resolutions, and withdraw the application of this section from any part to which it has been applied.

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## APPENDIX-8

GOVERNMENT OF INDIA NOTIFICATION  
No. 5G DATED 3-1-1921

In exercise of the powers conferred by sub-section (2) of section 52A of the Government of India Act the Governor General in Council is pleased to declare the territories in the Province of Assam which are specified in the Schedule hereto annexed to be "backward tracts" and further with the sanction of His Majesty which has been signified by the Secretary of the State in Council, to direct that the said Act in its application to the said territories shall be subject to the exceptions and modifications specified in the Second column of the said Schedule.

Further, in exercise of the like powers, the Governor General in Council is pleased to authorise the Governor of Assam in Council to direct that any Act of the local legislature of Assam shall not apply to the said territories, or to any part thereof, or shall apply thereto subject to such exceptions or modifications as the Governor may think fit.

## SCHEDULE

Territories	Exceptions and modifications
<ol style="list-style-type: none"> <li>1. The Garo Hills District</li> <li>2. The British portions of the Khasi &amp; Jaintia Hills district other than the Shillong Municipality and Cantonment.</li> <li>3. The Mikir Hills (in Nowgong Sibsagar Districts)</li> <li>4. The North Cachar Hills (in Cachar District)</li> <li>5. The Naga Hills District</li> <li>6. The Lushai Hills District</li> <li>7. The Sadiya Frontier Tract,</li> <li>8. The Balipara Frontier Tract.</li> <li>9. The Lakhimpur Frontier Tract.</li> </ol>	<p>The provisions of the said act which confer powers on the Indian Legislature of Assam to make laws, respectively, for British India and for the Province of Assam shall be construed as requiring these legislatures, when making laws solely applicable to all or any of the territories specified in column I to insert in every law so made a provision that such law shall come into operation only on such date and subject to such exceptions and modifications if any, as the Governor in council or the Governor in Council by notification in the Gazette, as the case may be, may direct.</p>



## APPENDIX-9

## GOVERNMENT OF INDIA ACT, 1935

(Extracts of Sections 91 and 92)

91. (1) In this Act the expressions "Excluded Areas" and "Partially Excluded Areas" mean respectively such areas as His Majesty may by order in Council declare to be excluded areas or partially excluded areas.

The Secretary of State shall lay the draft of the order which it is proposed to recommend His Majesty to make under this sub-section before Parliament within six months from the passing of this Act.

(2) His Majesty may at any time by Order in Council :

(a) direct that the whole or any specified part of an excluded area shall become, or become part of, a partially excluded area ;

(b) direct that the whole or any specified part of a Partially Excluded area shall cease to be a Partially Excluded area or a part of such an area ;

(c) alter, but only by way of rectification of boundaries, any Excluded or Partially Excluded Area :

(d) on any alteration of the boundaries of a province, or the creation of a new province, declare any territories not previously included in any province to be, or to form part of, an Excluded Area or a partially Excluded Area

and any such order may contain such incidental and consequential provisions as appear to His Majesty to be necessary and proper, but save as aforesaid the Order in Council made under sub-section (1) of the section shall not be varied by any subsequent order.

92. (1) The executive authority of a province extends to Excluded and Partially Excluded areas therein but, notwithstanding anything in this Act, no Act of the Federal Legislature or of the Provincial Legislature, shall apply to an Excluded Area or Partially Excluded Area unless the Governor in giving such a direction with respect to any Act may direct that the Act shall in its application to the area, or to any specified part thereof, have effect subject to such exception or modifications as he thinks fit.

(2) The Governor may make regulations for the peace and good government of any area in a province which is for the time being an excluded area, or a partially excluded area, and any regulations so made may repeal or amend any Act of the Federal Legislature or of the Provincial Legislature, or any existing Indian law, which is for the time being applicable to the area in question.

Regulations made under this sub-section shall be submitted forthwith to the Governor-General and until assented to by him in his discretion shall have no effect and the provisions of this part of this Act with respect to the power of His Majesty to disallow Act shall apply in relation to any such regulations assented to by the Governor-General as they apply in relation to Acts of a Provincial Legislature assented to by him.

(3) The Governor shall, as respects any area in a province which is for the time being an excluded area, exercise his function in his discretion.

## APPENDIX-10

THE GOVERNMENT OF INDIA (EXCLUDED AND  
PARTIALLY EXCLUDED AREAS) ORDES, 1936.

AT THE COURT AT BUCKINGHAM PALACE.  
The 3rd day of March, 1936.

Present,

THE KING'S MOST EXCELLENT MAJESTY IN COUNCIL

WHEREAS by sub section (1) of section ninety-one of the Government of India Act, 1935 (hereafter in this Order referred to as "the Act"), His Majesty in Council is empowered to declare what areas are to be excluded areas and partially excluded areas within the meaning of the Act :

AND WHEREAS a draft of this Order has been laid before Parliament in accordance with the provisions of sub-section (1) of section three hundred and nine of the Act and an Address has been presented to His Majesty by both Houses of Parliament praying that an Order may be made in the terms of this Order :

NOW, THEREFORE, His Majesty, in the exercise of the powers conferred on him aforesaid and of all other powers enabling him in that behalf, is pleased by and with the advice of his Privy Council to Order, and it is hereby ordered as follows :—

1. This Order may be cited as "The Government of India (Excluded and Partially Excluded Areas) Order, 1936."
2. The areas specified in Part I of the Schedule to this Order shall be the excluded areas, and the areas specified in Part II of that Schedule the partially excluded areas, within the meaning of the Act.
3. Any reference in the said Schedule to any District, administrative area or estate shall be construed as a reference to that District, area or estate as existing on the first day of January, nineteen hundred and thirtysix.

M.P.A. Hankey.

SCHEDULE

PART I. —EXCLUDED AREAS

MADRAS

\* \* \* \* \*

BENGAL

\* \* \* \* \*

THE PANJAB

\* \* \* \* \*

ASSAM

The North-East Frontier Tracts. (Sadiya, Balipara and Lakhimpur)

The Naga Hills District

The Lushai Hills District.

The North Cachar Hills Sub-division of the Cachar District.

THE NORTH-WEST FRONTIER PROVINCE

\* \* \* \* \*

PART II — PARTIALLY EXCLUDED AREAS

\* \* \* \* \*

## APPENDIX-11

## PARAGRAPHS 12, 18, 19 and 20 OF THE THEN SIXTH SCHEDULE TO THE CONSTITUTION OF INDIA

12. Application of Acts of Parliament and of the Legislature of the State to autonomous districts and autonomous regions ;—

(1), Notwithstanding anything in this Constitution —

- (a) no Act of the Legislature of the State in respect of any of the matters specified in paragraph 3 of this Schedule as matters with respect to which a District Council, or a Regional Council may make laws, and no Act of the Legislature of the State prohibiting or restricting the consumption of any non-distilled alcoholic liquor, shall apply to any autonomous district or autonomous region unless in either cases the District Council for such district or having jurisdiction over such region by public notification so directs, and the District Council in giving such direction with respect to any Act may direct that the Act shall in its application to such district or region or any part thereof have effect subject to such exception or modifications as it thinks fit;
- (b) the Governor may, by public notification, direct that any Act of Parliament or of the Legislature of the State to which the provisions of clause (a) of this sub-paragraph do not apply shall not apply to an autonomous district or an autonomous region, or shall apply to such district or region or any part thereof subject to such exceptions or modifications as he may specify in the notification.

(2) Any direction given under sub-paragraph (1) of this paragraph may be given so as to have retrospective effect.

18. Application of the provisions of this schedule to areas specified in Part B of the table appended to paragraph 20 :—

(1) The Governor may —

(a) subject to the previous approval of the President, by public notification, apply all or any of the foregoing provisions of this Schedule to any tribal area specified in Part B of the table appended to paragraph 20 of this Schedule or any part of such area and thereupon such area or part shall be administered in accordance with such provisions, and

(b) with like approval, by public notification, exclude from the said table any tribal area specified in Part B of that table or any part of such area.

(2) Until a notification is issued under sub-paragraph (1) of this paragraph in respect of any tribal area specified in Part B of the said table or any part of such area, the administration of such area or part thereof, as the case may be, shall be carried on by the President through the Governor of Assam as his agent and the provisions of Art. 240 shall apply thereto as if such area or part thereof were a Union territory specified in that article.

(3) In the discharge of his functions under sub-paragraph (2) of this paragraph as the agent of the President the Governor shall act in his discretion.

19. Transitional provisions.

(1) As soon as possible after the commencement of this Constitution shall take steps for the constitution of a District Council for each autonomous district in the State under this Schedule and; until a District Council is so constituted for an autonomous district the administration of such district shall be vested in the Governor and the following provisions shall apply to the administration of the areas within such district instead of the foregoing provisions of this Schedule, namely :—

(a) no Act of Parliament or of the Legislature of the State shall apply to any such area unless the Governor by public notification so directs; and

the Governor in giving such a direction with respect to any Act may direct that the Act shall, in its application to the area or to any specified part thereof, have effect subject to such exceptions or modifications as he thinks fit ;

(b) the Governor may make regulations for the peace and good Government of any such area and any regulations so made may repeal or amend any Act of Parliament or of the Legislature of the State or any existing law which is for the time being applicable to such area.

(2) Any direction given by the Governor under clause (a) of sub-paragraph (1) of this paragraph may be given so as to have retrospective effect.

(3) All regulations made under clause (b) of sub-paragraph (1) of this paragraph shall be submitted forthwith to the President and, until assented to by him, shall have no effect

#### 20. Tribal areas :—

(1) The area specified in Part A and B of the table below shall be the tribal areas within the State of Assam.

(2) The United Khasi Jaintia Hills District shall comprise the territories which before the commencement of this Constitution were known as the Khasi State and the Khasi and Jaintia Hills District excluding any areas for the time being comprised within the cantonments and municipality of Shillong but including so much of the area comprised within the municipality of Shillong as former part of the Khasi State of Myllem ;

Provided that for the purposes of clauses (e) and (f) of sub-paragraph (1) of paragraph 3, paragraph 4, paragraph 5, paragraph 6, sub-paragraph (2), clauses (a), (b) and (d) of sub-paragraph (3) and sub-paragraph (4) of paragraph 8, and clause (d) of sub-paragraph (2) of paragraph 10 of this Schedule, no part of the area comprised within the municipality of Shillong shall be deemed to be within the District.

(2A) The Mizo District shall comprise the area which at the commencement of this Constitution known as the Lushai Hills District.

(3) Any reference in the table below to any district (other than the United Khasi-Jaintia Hills District and the Mizo District) or administrative area shall be construed as a reference to that district or area at the commencement of this Constitution :

Provided that the tribal areas specified in Part B of the table below shall not include any such areas in the plains as may, with the previous approval of the President, be notified by the Governor of Assam in that behalf.

## T A B L E

### PART-A

1. The United Khasi-Jaintia Hills District
2. The Garo Hills District.
3. The Mizo District \* \* \* \* \*
4. The North Cachar Hills.
5. The Mikir Hills.

### PART-B

1. North East Frontier Tract including Balipara<sup>1</sup> Frontier Tract, Tirap Frontier Tract, Abor Hills District and Mishimi Hills District.



## APPENDIX—12

THE NORTH EASTERN AREAS (RE—ORGANISATION)  
ACT, 1971

( Act No. XVIII of 1971 )

[Extracts of sections 7, 77 and 79]

**7. Formation of the Union Territory of Arunachal Pradesh.**—On and from the appointed day\* there shall be formed a new union territory, to be known as, the Union Territory of Arunachal Pradesh, comprising the territories which immediately before that day were comprised in the tribal areas specified in Part B of the table appended to paragraph 20 of the Sixth Schedule to the Constitution (but excluding the areas covered by notification No.TAD/R/35/50/109, dated the 23rd February, 1951 issued by the Governor of Assam under the proviso to sub-paragraph (3) of the said paragraph 20) and known as the North-East Frontier Agency and thereupon the said territories shall cease to form part of the existing State of Assam.

\*i.e. 21-1-1972.

**77. Territorial extent of laws.**—The provisions of Part II shall not be deemed to have effected any change in the territories to which any law in force immediately before the appointed day extends or applies, and the territorial references in any such law to the existing State of Assam or the autonomous State of Meghalaya or the Union territory of Manipur or the Union territory of Tripura or the North-East Frontier Agency shall, until otherwise provided by a competent Legislature or other competent authority, be construed as meaning the territories within that State or autonomous State or Union territory or Agency immediately before the appointed day.

**79. Power to adapt laws.**—For the purpose of facilitating the application of any law in relation to any of the States or Union territories formed or established by the provisions of Part II, the appropriate Government may, before the expiration of two years from the appointed day, by order, make such adaptations and modifications of the law, whether by way of repeal or amendment, as may be necessary or expedient, and thereupon every such law shall have effect subject to the adaptations and modifications so made until altered, repealed or amended by a competent Legislature or other competent authority.

**Explanation.**—In this section, the expression “the appropriate Government” means—

- (a) as respects any law relating to a matter enumerated in the Union List in the Seventh Schedule to the Constitution, the Central Government; and
- (b) as respects any other law,—
  - (i) in its application to a State, the State Government, and
  - (ii) in its application to a Union territory, the Central Government.

## APPENDIX—13

THE GOVERNMENT OF UNION TERRITORIES  
ACT, 1963

( Act No. 20 of 1963 )

An Act to provide for Legislative Assemblies and Councils of Ministers for certain Union territories and for certain other matters.

Be it enacted by Parliament in the Fourteenth Year of the Republic of India as follows :—

PART—I<sup>1</sup>

## PRELIMINARY

1. (1) This Act may be called the GOVERNMENT OF UNION TERRITORIES ACT, 1963.

Short title  
and  
commence-  
ment.

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

[ Provided that it shall come into force in the Union Territory of Mizoram on such date, being a date not earlier than the date of commencement of the Government of Union Territories (Amendment) Act, 1971, as the Central Government, may, by notification, in the Official Gazette appoint.]<sup>1</sup>

[ Provided further that it shall come into force in the Union Territory of Arunachal Pradesh on such date, being a date not earlier than the date of commencement of the Government of Union Territories (Amendment) Act, 1975 as the Central Government may by notification in the Official Gazette appoint.]<sup>2</sup>

[ Provided also that subject to the preceding provisions<sup>3</sup> different dates may be appointed for different provisions of this Act and for different Union Territories and any reference in any such provision to the commencement of this Act shall be construed as a reference to the coming into force of that provision.

- 
1. Inserted by Act 83 of 1971, Section 2 (1) (i)
  2. Inserted by Act 29 of 1975, Section 2 (i)
  3. The words in the original sub-section (2) of Section 1, "Provided that" were substituted by the words "Provided further that" by Act 83 of 1971, section 2 (ii) ; Again the words "Provided further that" were substituted by Act 29 of 1975, Section 2 (ii).

2. (1) In this Act, unless the context otherwise requires,— Definitions and interpretation.

- (a) "Administrator" means the administrator of a Union territory appointed by the President under article 239 ;
- (b) "article" means an article of the Constitution ;
- (c) "assembly constituency" means a constituency provided under this Act for the purpose of elections to the Legislative Assembly of a Union territory ;
- (d) "Election Commission" means the Election Commission appointed by the President under article 324 ;
- (e) "Judicial Commissioner" includes an Additional Judicial Commissioner ;
- (f) "Scheduled castes" in relation to a Union territory mean such castes, races or tribes or parts of or groups within such castes, races or tribes as are deemed under article 341 to be scheduled castes in relation to that Union territory ;
- (g) "Scheduled tribes" in relation to a Union territory mean such tribes or tribal communities or parts of or groups within such tribes or tribal communities as are deemed under article 342 to be scheduled tribes in relation to that Union territory ;
- (h) "Union territory" means any of the Union territories of [x x x]<sup>1</sup> [x x x]<sup>2</sup> Goa, Daman and Diu, [Pondicherry, Mizoram and Arunachal Pradesh.]<sup>3</sup>

(2) Any reference in this Act to laws made by Parliament shall be construed as including a reference to Ordinances promulgated by the President under article 123 and a reference to Regulations made by the President under article 240.

- 
1. The words "Himachal Pradesh" omitted by Act 53 of 1970 section 48.
  2. The words "Manipur, Tripura" omitted by Act 81 of 1971 section 75, Cl. (a)
  3. Substituted by Act 29 of 1975, section 3. By Act 83 of 1971, section 3, the word "Mizoram" was inserted.

## PART—II

## LEGISLATIVE ASSEMBLIES

3. (1) There shall be a Legislative Assembly for each Union territory. Legisla-  
tive Assem-  
blies for  
Union terri-  
tories and  
their com-  
position.

(2) The total number of seats in the Legislative Assembly of a Union territory to be filled by persons chosen by direct election shall be forty in the case of the Union territory of Himachal Pradesh and thirty in the case of any other Union territory.

(3) The Central Government may nominate not more than three persons, not being persons, in the service of Government, to be members of the Legislative Assembly of a Union territory.

(4) [Seats shall be reserved for the Scheduled castes<sup>2</sup> in the Legislative Assemblies of the Union territories of Goa, Daman and Diu and Pondicherry, and for the Scheduled Tribes in the Legislative Assembly of the Union territory of Goa, Daman and Diu]<sup>1</sup>

(5) The number of seats reserved for the Scheduled castes Scheduled tribes in the Legislative Assembly [of any Union territory]<sup>2</sup> under sub-section (4) shall bear, as nearly as may be, the same proportion to the total number of the seats in the Assembly as the population of the Scheduled castes in the Union territory or the Scheduled tribes in the Union territory, as the case may be, in respect of which seats are so reserved, bears to the total population of the Union territory.

(6) Notwithstanding anything in the foregoing provisions of this section, the provisions relating to

1. Substituted by Act No. 86 of 1976, Section 2 (i)

Earlier, the words "the Union territory of Pondicherry" were substituted in Section 3 (4) for the words "every Union Territory other than the Union Territory of Goa, Daman and Diu" by Section 4 (i) of Act No. 83 of 1971

2. Substituted for "of the Union Territory of Pondicherry" by Act No. 86 of 1976 Section 2 (ii)

Earlier, the words "of Union Territory of Pondicherry" were substituted in Section 3 (5) for the words "of any Union Territory" by section 4 (ii) of Act No. 83 of 1971.

the reservation of seats for the Scheduled castes and the Scheduled tribes [in the Legislative Assemblies of the Union territories of Goa, Daman and Diu and Pondicherry] shall cease to have effect on the same date on which the reservation of seats for the Scheduled castes and the Scheduled tribes in the House of the People shall cease to have effect under article 334 :

Provided that nothing in this sub-section shall affect any representation in the Legislative Assembly of a Union territory until the dissolution of the then existing Assembly.

4. A person shall not be qualified to be chosen to fill a seat in the Legislative Assembly of a Union territory unless he—

- (a) is a citizen of India and makes and subscribes before some person authorised in that behalf by the Election Commission an oath or affirmation according to the form set out for the purpose in the First Schedule ;
- (b) is not less than twenty-five years of age ; and
- (c) possesses such other qualifications as may be prescribed in that behalf by or under any law ;

Qualification for membership of Legislative Assembly.

5. The Legislative Assembly of a Union territory, unless sooner dissolved, shall continue for five years from the date appointed for its first meeting and no longer, and the expiration of the said period of five years shall operate as a dissolution of the Assembly.

Duration of Legislative Assembly.

Provided that the said period may, while, a Proclamation of Emergency, issued under clause (1) of article 352 is in operation, be extended by the President by order for a period not exceeding one year

- 
1. Substituted for "in the Legislative Assembly of the Union territory of Pondicherry" by Act No. 86 of 1976, Section 2 (iii).

Earlier, the words "in the Legislative Assembly of the Union territory of Pondicherry" in Section 3.(6) were substituted for the words "in the Legislative Assemblies of the Union territories" by Section 4 (iii) of Act No. 83 of 1971.

at a time and not extending in any case beyond a period of six months after the Proclamation has ceased to operate.

6. (1) The Administrator shall, from time to time, summon the Legislative Assembly to meet at such time and place as he thinks fit, but six months shall not intervene between its last sitting in one session and the date appointed for its first sitting in the next session.

Sessions of  
Legislative  
Assembly,  
proroga-  
tion and  
dissolution.

(2) The Administrator may from time to time

(a) prorogue the Assembly;

(b) dissolve the Assembly.

7. (1) Every Legislative Assembly shall as soon as may be, choose two members of the Assembly to be respectively Speaker and Deputy Speaker thereof and so often as the office of Speaker or Deputy Speaker becomes vacant, the Assembly shall choose another member to be Speaker or Deputy Speaker, as the case may be.

Speaker  
and  
Deputy  
Speaker  
of Legisla-  
Assembly.

(2) A member holding office as Speaker or Deputy Speaker of an Assembly;

(a) shall vacate his office if he ceases to be a member of the Assembly;

(b) may at any time by writing under his hand addressed, if such member is the Speaker, to the Deputy Speaker, and if such member is the Deputy Speaker, to the Speaker, resign his office;

(c) may be removed from his office by a resolution of the Assembly passed by a majority of all the then members of the Assembly;

Provided that no resolution for the purpose of clause (c) shall be moved unless at least fourteen days' notice has been given of the intention to move the resolution:

Provided further that whenever the Assembly is dissolved the Speaker shall not vacate his office until immediately before the first meeting of the Assembly after the dissolution.

(3) While the office of Speaker is vacant, the duties of the office shall be performed by the Deputy

Speaker or, if the office of Deputy Speaker is also vacant by such member of the Assembly as may be determined by the rules of procedure of the Assembly.

(4) During the absence of the Speaker from any sitting of the Assembly, the Deputy Speaker, or, if he is also absent, such person as may be determined by the rules of procedure of the Assembly, or, if no such person is present, such other person as may be determined by the Assembly, shall act as Speaker.

(5) There shall be paid to the Speaker and the Deputy Speaker of the Legislative Assembly such salaries and allowances as may be respectively fixed by the Legislative Assembly of the Union territory by law and, until provision in that behalf is so made such salaries and allowances as the Administrator may, with the approval of the President, by order determine.

(1) At any sitting of the Legislative Assembly, while any resolution for the removal of the Speaker from his office is under consideration, the Speaker, or while any resolution for removal of the Deputy Speaker from his office is under consideration, the Deputy Speaker, shall not, though he is present, preside and the provisions of sub-section (4) of section 7 shall apply in relation to every such sitting as they apply in relation to a sitting from which the Speaker or, as the case may be, the Deputy Speaker is absent.

Speaker or Deputy Speaker not to preside while resolution for his removal from office is under consideration.

(2) The Speaker shall have the right to speak in, and otherwise to take part in the proceedings of, the Legislative Assembly while any resolution for his removal from office is under consideration in the Assembly and shall, notwithstanding anything in section 12, be entitled to vote only in the first instance on such resolution or, on any other matter during such proceedings but not in the case of an equality of votes.

(1) The Administrator may address the Legislative Assembly and may for that purpose require the attendance of members.

Right of Administrator to address

(2) The Administrator may also send messages to the Assembly whether with respect to a Bill then pending in the Assembly, or, otherwise, and when a message is sent, the Assembly shall, with all convenient dispatch consider any matter required by the message to be taken into consideration.

and send messages to Legislative Assembly.

10. Every Minister shall have the right to speak in and otherwise to take part in the proceedings of the

Rights of Ministers



Legislative Assembly of the Union territory, and to speak in, and otherwise to take part in the proceedings of, any committee of the Legislative Assembly of which he may be named a member, but shall not by virtue of this section be entitled to vote. as respects Legislative Assembly.

11. Every member of the Legislative Assembly of a Union territory shall, before taking his seat, make and subscribe before the Administrator, or some person appointed in that behalf by him, an oath or affirmation according to the form set out for the purpose in the First Schedule. Oath or affirmation by members.

12. (1) Save as otherwise provided in the Act, all questions at any sitting of Legislative Assembly of a Union territory shall be determined by a majority of votes of the members present and voting other than the Speaker or person acting as such. Voting in Assembly, power of Assembly to act notwithstanding vacancies and quorum.

(2) The Speaker or person acting as such shall not vote in the first instance but shall have and exercise a casting vote in the case of an equality of votes.

(3) The Legislative Assembly of a Union territory shall have power to act notwithstanding any vacancy in the membership thereof, and any proceedings in the Legislative Assembly of a Union territory shall be valid notwithstanding that it is discovered subsequently that some person who was not entitled so to do, sat or voted or otherwise took part in the proceedings.

(4) The quorum to constitute a meeting of the Legislative Assembly of a Union territory shall be one-third of the total number of members of the Assembly.

(5) If at any time during a meeting of the Legislative Assembly of a Union territory there is no quorum, it shall be the duty of the Speaker, or person acting as such, either to adjourn the Assembly or to suspend the meeting until there is a quorum.

13. (1) No person shall be a member both of Parliament and of the Legislative Assembly of a Union territory and if a person is chosen a member both of Parliament and of such Assembly, then at the expiration of such period as may be specified in the rules made by the President, that person's seat in Parliament shall become vacant, unless he has previously resigned his seat in the Legislative Assembly of the Union territory. Vacation of seats.

(2) If a member of the Legislative Assembly of a Union territory —

- (a) becomes subject to any disqualification mentioned in section 14 for membership of the Assembly, or
- (b) resigns his seat by writing under his hand addressed to the Speaker,

his seat shall thereupon become vacant.

(3) If for a period of sixty days a member of the Legislative Assembly of a Union territory is without permission of the Assembly absent from all meetings thereof, the Assembly may declare his seat vacant :

Provided that in computing the said period of sixty days, no account shall be taken of any period during which the Assembly is prorogued or is adjourned for more than four consecutive days.

14. (1). A person shall be disqualified for being chosen as, and for being, a member of the Legislative Assembly of a Union territory—

Disqualifications for membership

- (a) if he holds any office of profit under the Government of India or the Government of any State or the Government of any Union territory, other than an office declared by law made by Parliament or by the Legislative Assembly of the Union territory not to disqualify its holder; or
- (b) if he is for the time being disqualified for being chosen as, and for being, a member of either House of Parliament under the provisions of sub-clause (b), sub-clause (c) or sub-clause (d) of clause (1) of article 102 or of any law made in pursuance of that article.

(2). For the purpose of this section, a person shall not be deemed to hold an office of profit under the Government of India or the Government of any State or Union territory.

(3) If any question arises as to whether a member of the Legislative Assembly of a Union territory has become disqualified for being such a member under the provisions of sub-section (1), the question shall be referred for the decision of the President and his decision shall be final.

(4) Before giving any decision on any such question the President shall obtain the opinion of the Election Commission and shall act according to such opinion.

15. If a person sits or votes as a member of the Legislative Assembly of a Union territory before he has complied with the requirements of section 11 or when he knows that he is not qualified or that he is disqualified for membership thereof he shall be liable in respect of each day on which he so sits or votes to a penalty of making-five hundred rupees to be recovered as a debt due to the Union.

Penalty for sitting and voting before  
affirmation or when not qualified or when disqualified

16. (1) Subject to the provisions of this Act and to the rules and standing order regulating the procedure of the Legislative Assembly, there shall be freedom of speech in the Legislative Assembly of every Union territory.

Powers, privileges, etc. of members

(2) No member of the Legislative Assembly of a Union territory shall be liable to any proceedings in any court in respect of anything said or any vote given by him in the Assembly or any committee thereof, and no person shall be so liable in respect of the publication by or under the authority of such Assembly of any report, paper, votes or proceedings.

(3) In other respects, the powers, privileges and immunities of the Legislative Assembly of a Union territory and of the members and the committees thereof shall be such as are for the time being enjoyed by the House of the People and its members and committees.

(4) The provisions of sub-section (1), (2) and (3) shall apply in relation to persons who by virtue of this Act have the right to speak in, and otherwise to take part in the proceedings of, the Legislative Assembly of a Union territory or any committee thereof as they apply in relation to members of that Assembly.

17. Members of the Legislative Assembly of a Union territory shall be entitled to receive such salaries and allowances as may from time to time be determined by the Legislative Assembly of the Union territory by law and, until provision in that behalf, is so made

Salaries and allowances of members.

such salaries and allowances as the Administrator may with the approval of the President, by order determine.

18. (1) Subject to the provisions of this Act, the Legislative Assembly of a Union territory may make law for the whole or any part of the Union territory with respect to any of the matters enumerated in the State List, or the Concurrent List in the Seventh Schedule to the Constitution in so far as any such matter is applicable in relation to Union territories.

Extent of legislative powers.

(2) Nothing in sub-section (1) shall derogate from the powers conferred on Parliament by the Constitution to make laws with respect to any matter for a Union territory or any part thereof.

19. The property of the Union shall, save in so far as Parliament may by law otherwise provide, be exempted from all taxes imposed by or under any law made by the Legislative Assembly of a Union territory or by or under any other law in force in a Union territory.

Exemption of property of the Union from taxation.

Provided that nothing in this section shall, until Parliament by law otherwise provides prevent any authority within a Union territory from levying any tax on any property of the Union to which such property was immediately before the commencement of the Constitution liable or treated as liable, so long as that tax continues to be levied in that Union territory.

20. [(1)<sup>1</sup> The provisions of article 286, article 287 and article 288 shall apply in relation to any law passed by the Legislative Assembly of a Union territory with respect to any of the matters referred to in those articles as they apply in relation to any law passed by the Legislature of a State with respect to those matters.

Restrictions on laws passed by Legislative Assembly with respect to certain matters.

[(2) The provisions of article 304 shall, with the necessary modifications, apply in relation to any law passed by the Legislative Assembly of a Union territory with respect to any of the matters referred to in that article as they apply in relation to any law passed by the Legislature of a State with respect to those matters.]<sup>2</sup>

21. [If any provision of law made by the Legislative Assembly of Union territory with respect to any matter enumerated in the State List in the Seventh Schedule to

Inconsistency between laws

1. Original Section 20, renumbered as sub-section (1) of Section 20 by Act 83 of 1971, Section 5.

2. Inserted by Act 83 of 1971, Section 5.

the Constitution is repugnant to any provision of a law made by Parliament with respect to that matter, whether passed before or after the law made by the Legislative Assembly of the Union territory, or, if any provision of a law made by the Legislative Assembly of a Union territory with respect to any matter enumerated in the Concurrent List in the Seventh Schedule to the Constitution is repugnant to any provision of any earlier law, (other than a law made by the Legislative Assembly of the Union territory, with respect to that matter), then, in either case, the law made by Parliament, or, as the case may be such earlier law shall prevail and the law made by the Legislative Assembly of the Union territory shall, to the extent of the repugnancy, be void :

Provided that if such law made by the Legislative Assembly of the Union territory has been reserved for consideration of the President and has received his assent, such law shall prevail in that Union territory :

Provided further that nothing in this section shall prevent Parliament from enacting at any time any law with respect to the same matter including a law adding to, amending, varying or repealing the law so made by the Legislative Assembly of the Union territory.]<sup>1</sup>

22 No Bill or amendment shall be introduced into, or moved in the Legislative Assembly of a Union territory without the previous sanction of the Administrator, if such Bill or amendment makes provision with respect to any of the following matters, namely:—

Sanction of the Administrator required for certain legislative proposals.

- (a) constitution and organisation of the court of the Judicial Commissioner,
- (b) jurisdiction and powers of the court of the Judicial Commissioner with respect to any of the matters in the State List or the Concurrent List in the Seventh Schedule to the Constitution.

23. (1) A Bill or amendment shall not be introduced into, or moved in, the Legislative Assembly of a Union territory except on the recommendation of the Administrator

'Special' provisions as to

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1. Substituted by Act 29 of 1975, Section 4 Earlier by Section 6 of Act 83 of 1971; (Section 2), was substituted with a new Section.

trator, if such Bill or amendment makes provision for financial any of the following matters namely:— Bills.

- (a) the imposition, abolition, remission, alteration or regulation of any tax;
- (b) the amendment of the law with respect to any financial obligations undertaken or to be undertaken by the Government of the Union territory;
- (c) the appropriation of moneys out of the Consolidated Fund of the Union territory;
- (d) the declaring of any expenditure to be expenditure charged on the Consolidated Fund of the Union territory or the increasing of the amount of any such expenditure;
- (e) the receipt of money on account of the Consolidated Fund of the Union territory or the custody or issue of such money.

Provided that no recommendation shall be required under this sub-section for the moving of an amendment making provision for the reduction or abolition of any tax;

(2) A Bill or amendment shall not be deemed to make provision for any of the matters aforesaid by reason only that it provides for the imposition of fines or other pecuniary penalties, or for the demand or payment of fees for licences or fees for services rendered, or by reason that it provides for the imposition, abolition, remission, alteration or regulation of any tax by any local authority or body for local purposes.

(3) A Bill which, if enacted and brought into operation would involve expenditure from the Consolidated Fund of a Union territory shall not be passed by the Legislative Assembly of the Union territory unless the Administrator has recommended to that Assembly the consideration of the Bill.

24- (1) A Bill pending in the Legislative Assembly of a Union territory shall not lapse by reason of the prorogation of the Assembly. Procedure as to lapsing of Bills.

(2) A Bill which is pending in the Legislative Assembly of a Union Territory, shall lapse on a dissolution of the Assembly.

25. [ When a Bill has been passed by the Legislative Assembly of a Union Territory, it shall be presented to the Administrator and the Administrator shall declare, either that he assents to the Bill or that he withholds assent therefrom or that he reserves the Bill for the consideration of the President:

Assent to Bills.

Provided that the Administrator may, as soon as possible after the presentation of the Bill to him for assent, return the Bill if it is not a Money Bill together with a message requesting that the Assembly will re-consider the Bill or any specified provision thereof, and, in particular, will consider the desirability of introducing any such amendments as he may recommend in his message and, when a Bill is so returned, the Assembly will reconsider the Bill accordingly, and if the Bill is passed again with or without amendment and presented to the Administrator for assent, the Administrator shall declare either that he assents to the Bill or that he reserves the Bill for the consideration of the President:

Provided further that the Administrator shall not assent to, but shall reserve for the consideration of the President, any Bill which—

(a) in the opinion of the Administrator would, if it became law, so delegate from the powers of the High Court as to endanger the position which that Court is, by the Constitution, designated to fill; or

(b) relates to any of the matters specified in clause (1) of article 31 A; or

(c) the President may, by order, direct to be reserved for his consideration; or

(d) relates to matters referred to in sub-section (5) of section 7 or section 17 or section 34 or sub-section (6) of section 45 or in entry 1 or entry 2 of the State List in the Seventh Schedule to the Constitution;

Provided also that without prejudice to the provisions of the second proviso, the Administrator shall not assent to, but shall reserve for the consideration of

the President, any Bill which has been passed by the State Legislative Assembly of the Union territory of Mizoram and which relates to any area comprised in any autonomous district in that Union territory under the Sixth Schedule to the Constitution.

*Explanation*.— For the purposes of this section and section 25A, a Bill shall be deemed to be a Money Bill if it contains only provisions dealing with all or any of the matter specified in subsection (1) of section 23 or any matter incidental to any of those matters and, in either case, there is endorsed thereon the certificate of the Speaker of the Legislative Assembly signed by him that it is a Money Bill.

25A. When a Bill is reserved by the Administrator for the consideration of the President, the President shall declare either that he assents to the Bill or that he withholds assent therefrom :

Provided that where the Bill is not a Money Bill, the President may direct the Administrator to return the Bill to the Legislative Assembly together with such a message as is mentioned in the first proviso to section 25 and, when a Bill is so returned, the Assembly shall reconsider it accordingly within a period of six months from the date of receipt of such message and, if it is again passed by the Assembly with or without amendment, it shall be presented again to the President for his consideration.]<sup>1</sup>

26. No act of the Legislative Assembly of a Union territory and no provision in any such Act shall be invalid by reason only that some previous sanction or recommendation required by this Act was not given if assent to that Act was given [by the Administrator, or, on being reserved by the Administrator for the consideration of the President, by the President]<sup>2</sup>.

27. (1) The Administrator of each Union territory shall in respect of every financial year cause to be laid before

1. Substituted by Act 83 of 1971, Section 7.
2. Substituted for "by the President" by Act 29 of 1975, Section 5.

Bill reserved for consideration.

Requirement as to sanction and recommendation to be regarded as matters of procedure only.

Annual financial



the Legislative Assembly of the Union territory, with the previous approval of the President, a statement of the estimated receipt and expenditure of the Union territory for that year, in this part referred to as the "annual financial statement".

(2) The estimates of expenditure embodied in the annual financial statement shall show separately—

- (a) the sums required to meet expenditure described by this Act as expenditure charged upon the Consolidated Fund of the Union territory, and
- (b) the sums required to meet other expenditure proposed to be made from the Consolidated Fund of the Union territory;

and shall distinguish expenditure on revenue account from other expenditure.

(3) The following expenditure shall be expenditure charged on the Consolidated Fund of each Union territory:—

- (a) the emoluments and allowances of the Administrator and other expenditure relating to his office as determined by the President by general or special order;
- (b) the charges payable in respect of loans advanced to the Union territory from the Consolidated Fund of India including interest, sinking fund charges and redemption charges, and other expenditure connected therewith;
- (c) the salaries and allowances of the Speaker and the Deputy Speaker of the Legislative Assembly;
- (d) expenditure in respect of the salaries and allowances of a Judicial Commissioner;
- (e) any sums required to satisfy any judgement, decree or award of any court or arbitral tribunal;
- (f) expenditure incurred by the Administrator in the discharge of his special responsibility;

- (g) any other expenditure declared by the Constitution, or by law made by Parliament or by the Legislative Assembly of the Union territory to be so charged.

28. (1) So much of the estimates as relate to expenditure charged upon the Consolidated Fund of a Union territory shall not be submitted to the vote of the Legislative Assembly of a Union territory, but nothing in this sub-section shall be construed as preventing the discussion in the Legislative Assembly of any of those estimates.

Procedure in Legislative Assembly, with respect to estimates.

(2) So much of the said estimates as relates to other expenditure shall be submitted in the form of demands for grants to the Legislative Assembly, and the Legislative Assembly shall have power to assent, or to refuse to assent, to any demand, or to assent to any demand subject to a reduction of the amount specified therein.

(3) No demand for a grant shall be made except on the recommendation of the Administrator.

29. (1) As soon as may be after the grants under section 28 have been made by the Assembly, there shall be introduced a Bill to provide for the appropriation out of the Consolidated Fund of the Union territory of all moneys required to meet—

Appropriation Bills.

(a) the grants so made by the Assembly, and

(b) the expenditure charged on the Consolidated Fund of the Union territory but, not exceeding in any case the amount shown in the statement previously laid before the Assembly.

(2) No amendment shall be proposed to any such Bill in the Legislative Assembly which will have the effect of varying the amount or altering the destination of any grant so made or of varying the amount of any expenditure charged on the Consolidated Fund of the Union territory and the decision of the person presiding as to whether an amendment is inadmissible under this sub-section shall be final.

(3) Subject to the other provisions of this Act, no money shall be withdrawn from the Consolidated Fund of the Union territory except under appropriation made by law passed in accordance with the provisions of this section.

## 30. (1) The Administrator shall—

Supplementary  
additional or  
excess  
grants.

- (a) if the amount authorised by any law made in accordance with the provisions of Section 29 to be expended for a particular service for the current financial year is found to be insufficient for the purposes of that year or when a need has arisen during the current financial year for supplementary or additional expenditure upon some new service not contemplated in the annual financial statement for that year, or
- (b) if any money has been spent on any service during a financial year in excess of the amount granted for that service and for that year,

cause to be laid before the Legislative Assembly of the Union territory, with the previous approval of the President, another statement showing the estimated amount of that expenditure or cause to be presented to the Legislative Assembly of the Union territory with such previous approval a demand for such excess, as the case may be.

(2) The provisions of Sections 27, 28 and 29 shall have effect in relation to any such statement and expenditure or demand and also to any law to be made authorising the appropriation of moneys out of the Consolidated Fund of the Union territory to meet such expenditure or grant in respect of such demand as they have effect in relation to the annual financial statement and the expenditure mentioned therein or to a demand for a grant and the law to be made for the authorisation of appropriation of moneys out of the Consolidated Fund of the Union territory to meet such expenditure or grant.

31. (1) Notwithstanding anything in the fore-going provisions of this Part, the Legislative Assembly of a Union territory shall have power to make any grant in advance in respect of the estimated expenditure for a part of any financial year pending the completion of the procedure prescribed in Section 28 for the voting of such grant and the passing of the law in accordance with the provisions of Section 29 in relation to that expenditure and the Legislative Assembly shall have power to authorise by law the withdrawal of the moneys from the Consolidated Fund of the Union territory for the purposes for which the said grant is made.

(2) The provisions of Section 28 and 29 shall have effect in relation to the making of any grant under sub-section (1) or to any law to be made under that sub-section as they have effect in relation to the making of a grant, with regard to, any expenditure mentioned in the annual financial statement and the law to be made for the authorisation of appropriation of moneys out of the Consolidated Fund of the Union territory to meet such expenditure.

32. Notwithstanding anything in the foregoing provisions of this Part, the Administrator may authorise such expenditure from the Consolidated Fund of Union territory as he deems necessary for a period of not more than six months beginning with the date of the constitution of the Consolidated Fund of the Union territory, pending the sanction of such expenditure by the Legislative Assembly of the Union territory.

Authorisation of expenditure pending its sanction by Legislative Assembly.

33. (1) The Legislative Assembly of a Union territory may make rules for regulating, subject to the provisions of this Act, its procedure and the conduct of its business :

Rules of procedure.

Provided that the Administrator shall, after consultation with the Speaker of the Legislative Assembly and with the approval of the President, make rules—

- (a) for securing the timely completion of financial business ;
- (b) for regulating the procedure of, and the conduct of, business in, the Legislative Assembly in relation to any financial matter or to any Bill for the appropriation of moneys out of the Consolidated Fund of the Union territory ;
- (c) for prohibiting the discussion of, or the making of questions on, any matter which effects the discharge of the functions of Administrator in so far as he is required by this Act to act in his discretion.

(2) Until rules are made under sub-section (1), the rules of procedure and standing orders with respect to the Legislative Assembly of the State of Uttar Pradesh in force immediately before the commencement of this Act in any Union territory shall have effect in relation to the Legislative Assembly of that Union territory subject to such modifications and adaptations as may be made therein by the Administrator ;

[Provided that the provisions of this sub-section shall apply in relation to (the Legislative Assemblies of the Union territories of Arunachal Pradesh and Mizoram)<sup>1</sup> as if for the words the State of "Uttar Pradesh" the words "the State of Assam" had been substituted.]<sup>2</sup>

34. (1) The Legislative Assembly of a Union territory may by law adopt any one or more of the languages in use in the Union territory or Hindi as the official language or languages to be used for all or any of the official purposes of the Union territory.

Provided that so long as the Legislative Assembly of the Union territory of Pondicherry does not decide otherwise, the French language shall continue to be used as an official language of that Union territory for the same official purposes for which it was being used in that territory immediately before the commencement of this Act :

Official language or languages of Union territory and language to be used in Legislative Assembly thereof.

Provided further that the President may by order direct—

- (i) that the official language of the Union territory shall be adopted for such of the official purposes of the Union territory as may be specified in the order;
- (ii) that any other language shall also be adopted throughout the Union territory, or such part thereof for such of the official purposes of the Union territory as may be specified in the order if the President is satisfied that a substantial proportion of the population of the Union territory desires the use of that other language for all or any of such purposes.

(2) The business in the Legislative Assembly of a Union territory shall be transacted in the official language or languages of the Union territory or in Hindi or in English :

Provided that the Speaker of the Legislative Assembly or person acting as such, as the case may be, may permit any member who cannot adequately express himself in any of the languages aforesaid to address the Assembly in his mother-tongue.

1. Substituted for<sup>1</sup> "The Legislative Assembly of the Union Territory of Mizoram" by Act 29 of 1975, section 6

2. Inserted by Act 83 of 1971, section 8.

35. Notwithstanding anything contained in section 34, until Parliament by law otherwise provides, the authoritative texts, Language to be used for Acts, Bills, etc.,

- (a) of all Bills to be introduced or amendments there- to to be moved in the Legislative Assembly of a Union territory,
- (b) of all Acts passed by the Legislative Assembly of a Union territory, and
- (c) of all orders, rules, regulations and bye-laws issued under any law made by the Legislative As- ssembly of a Union territory,

shall be in 'English language':

Provided that where the Legislative Assembly of a Union territory has prescribed any language other than the English language for use in Bills introduced in or Acts passed by, the Legislative Assembly of the Union territory or in any order, rule, regulation or bye-law issued under any law made by the Legislative Assembly of the Union territory, a translation of the same in the English language published under the authority of the Administrator in the Official Gazette shall be deemed to be the authoritative text thereof in the English language.

36. No discussion shall take place in the Legislative Assembly of a Union territory with respect to the con- duct of any Judicial Commissioner or of any judge of the Supreme Court or of a High Court in the discharge of his duties. Restriction on discussion in the Legisla- tive As- sembly.

37. (1) The validity of any proceedings in the Legis- lative Assembly of a Union territory shall not be called in question on the ground of any alleged irregularity of procedure. Courts not to inquire into pro- ceedings

(2) No officer or member of the Legislative Assem- bly of a Union territory in whom powers are vested by or under this Act for regulating procedure or the conduct of business, or for maintaining order in the Legislative Assembly shall be subject to the jurisdiction of any court in respect of the exercise by him of those powers. of Legis- lative As- sembly.

## PART—III

## DELIMITATION OF CONSTITUENCIES

38. In this Part, unless the context otherwise requires,- Definitions.

- (a) "associate member" means a member associated with Delimitation Commission under Section 42 [or with the Election Commission under Section 43A]<sup>1</sup> [or Section 43C]<sup>2</sup> ;
- (b) "Delimitation Commission" means the Delimitation Commission constituted under Section 3 of the Delimitation Commission Act, 1962 ;
- [(bb) "Election Commission" means the Election Commission appointed by the President under Article 324]<sup>3</sup> ;
- (c) "latest census figures" means the census figures in a Union territory ascertained at the latest census of which, the finally published figures are available ;
- (d) "Parliamentary Constituency" means a constituency provided by law for the purpose of elections to the House of the People from a Union territory including the Union territory of Delhi.

39. For the purpose of election to the Legislative Assembly of a Union territory, the Union territory shall be divided into single-member Assembly constituencies in accordance with the provisions of this Part in such manner that the population of each of the constituencies shall, so far as practicable, be the same throughout the Union territory. Assembly constituencies.

40. There shall be allotted one seat to the Union territory of Pondicherry in the House of the People and that Union territory shall form one Parliamentary constituency. Representation of Pondicherry in the House of the People.

41. (1) It shall be the duty of the Delimitation Commission-- Duties of Delimitation Commission.

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1. Inserted by Act 83 of 1971, Section 9 (i)
2. Inserted by Act 29 of 1975, Section 7.
3. Inserted by Section 9 (ii) of Act 83 of 1971.

- (a) to delimit the Assembly constituencies in each Union territory, and
  - (b) to determine, on the basis of the latest census figures, the number of seats to be reserved for the Scheduled Castes and for the Scheduled Tribes in the Legislative Assembly of a Union territory other than the Union territory of Goa, Daman and Diu, and the constituencies in which these seats shall be so reserved.
- (2) It shall also be the duty of the Delimitation Commission,
- (a) to readjust, on the basis of the latest census figures the division of each of the Union territories of Delhi, Himachal Pradesh, Manipur and Tripura into Parliamentary constituencies, the [number being 7,4,2 and 2]<sup>1</sup>,
  - (b) to determine the constituency in which the seat shall be reserved for the Scheduled Castes or for the Scheduled Tribes, as the case may be, and
  - (c) to divide the Union territory of Goa, Daman and Diu into two single-member Parliamentary constituencies.

42. (1) For the purpose of assisting the Delimitation Commission in its duties, the Delimitation Commission shall associate with itself,—

Associate members.

- (a) in respect of the Union territory of Delhi, all the members of House of the People representing that Union territory ;
- (b) in respect of each of the Union Territories of Himachal Pradesh, Manipur and Tripura, all the members of the House of the People representing that Union territory and three members of the Legislative Assembly of that Union territory to be nominated by the Speaker of the Assembly from among the members thereof ;
- (c) in respect of the Union territory of Goa, Daman and Diu, the two members of the House of the People representing that Union territory ;

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1. Substituted for "total number thereof remaining the same" by Act 19 of 1966, Section 37.



(d) in respect of the Union territory of Pondicherry, three members of the Legislative Assembly of that Union territory to be nominated by the Speaker of the Assembly from among the members thereof.

(2) The nomination of members of the several Legislative Assemblies under sub-section (1) shall be made by the respective Speakers thereof, as soon as practicable and shall be communicated to the Delimitation Commission.

(3) If owing to death or resignation the office of the associate member falls vacant, it shall be filled as soon as practicable under and in accordance with the foregoing provisions of this section.

(4) None of the associate members shall have the right to vote or to sign any decision of the Delimitation Commission.

43. The provisions of Section 7, 9, 10 and 11 of the Delimitation Commission Act, 1962, shall apply, as far as may be, in relation to the delimitation of Parliamentary and Assembly constituencies under this Part as they apply in relation to the delimitation of Parliamentary and Assembly constituencies under the Act.

Procedure as to delimitation.

43.A (1) The provisions of Sections 39 to, 43 (both inclusive) shall not apply to the delimitation of constituencies for the purpose of elections to the Legislative Assembly of the Union territory of Mizoram.

Special provisions for delimitation of constituencies of Mizoram Legislative Assembly.

(2) The Election Commission shall, in the manner herein provided, distribute the seats assigned to the Legislative Assembly of the Union territory of Mizoram under sub-section (2) of Section 3 to single member assembly constituencies and delimit them on the basis of the latest census figures having regard to the provisions of the Constitution and to the following provisions :—

(a) all constituencies shall, as far as practicable be geographically compact areas ;

- (b) in delimiting the constituencies, regard shall be had to physical features, existing boundaries of administrative units, facilities, of communication and public convenience.

(3) For the purpose of assisting in the performance of its functions under sub-section (2), the Election Commission shall associate with itself as associate member—

- (a) all the persons who having been elected to the Legislative Assembly of the State of Assam from the Lungleh, Aijal East and Aijal West territorial constituencies, are members of that Assembly immediately before the day appointed under clause (b) of section 2 of the North-Eastern Areas (Reorganisation) Act, 1971; and
- (b) such three elected members of the District Council of the Mizo District as the Chairman thereof may nominate:

Provided that none of the associate members shall have a right to vote or sign any decision of the Election Commission.

(4) If owing to death or resignation, of office of any associate member falls vacant, it shall be filled if practicable, in accordance with the provisions of sub-section (3).

(5) The Election Commission shall—

- (a) publish its proposals for the delimitation of constituencies, together with the dissenting proposals, if any, of any associate member who desires publication thereof in the Official Gazette and in such other manner as the Commission may consider fit, together with a notice inviting objections and suggestions in relation to the proposals specifying a date on or after which the proposals will be further considered by it;
- (b) consider all objections and suggestions which may have been received by it before the date so specified;
- (c) after consideration of objections and suggestions which may have been received by it

before the date so specified determine by one or more orders the delimitation of constituencies and cause such order or orders to be published in the Official Gazette, and upon such publication, the order or orders shall have the full force of law and shall not be called in question in any court.

(6) The Election Commission may, from time to time, by notification in the Official Gazette—

- (a) correct any printing mistake in any order made under sub-section (5) or any error arising therein from inadvertent slip or omission;
- (b) where the boundaries or name of any territorial division mentioned in any such order or orders are or is altered, make such amendments as appear to it to be necessary or expedient for bringing such order up-to-date.

(7) Every order made under sub-section (5) and every notification issued under sub-section (6) shall be laid as soon as may be after it is made or issued before the Legislative Assembly of the Union territory of Mizoram.

(8) All things done, and all steps taken, before the commencement of this Act in the Union territory of Mizoram with a view to delimiting the territorial constituencies of that Union territory for purposes of elections to the Legislative Assembly of that Union territory shall, in so far as they are in conformity with the foregoing provisions of this section, be deemed to have been done or taken under those provisions as if those provisions were in force at the time such things were done or such steps were taken.]<sup>1</sup>

[43.B In the House of the People to be constituted after the general election to that House to be held after the commencement of the Government of Union Territories (Amendment) Act, 1975 and thereafter, there shall be allotted two seats to the Union territory of Arunachal Pradesh and the First Schedule to the Representation of the People Act, 1950 shall be deemed to have been amended accordingly. Representation of Arunachal Pradesh in the House of the People.]

43. C (1) The provisions of Sections 39 to 43 (both inclusive) shall not apply to the delimitation of Parliamentary constituencies in the Union territory, of Arunachal Pradesh or to the delimitation of constituencies for the purpose of election to the Legislative Assembly of that Union territory.

Special provisions for delimitation of Parliamentary constituencies in Arunachal Pradesh and constituencies of Arunachal Pradesh Legislative Assembly.

(2) The Election Commission shall divide the Union territory of Arunachal Pradesh into two single member Parliamentary constituencies on the basis of the latest census figures.

(3) The Election Commission shall also, in the manner herein provided, distribute the seats assigned to the Legislative Assembly of the Union territory of Arunachal Pradesh under sub-section (2) of Section 3 to single-member Assembly constituencies and delimit them on the basis of the latest census figures having regard to the following provisions :—

- (a) all constituencies shall as far as practicable, be geographically compact areas ;
- (b) every Assembly constituency shall be so delimited as to fall only within one Parliamentary constituency ;
- (c) in delimiting the constituencies, regard shall be had to physical features, existing boundaries of administrative units, facilities of communication and public convenience.

(4) For the purpose of assisting in the performance of its functions under sub-section (2) and (3), the Election Commission shall associate with itself as associate members—

- (a) the member of the House of the People representing the Union territory of Arunachal Pradesh ;
- (b) such five members of the Legislative Assembly of the Union territory of Arunachal Pradesh as the

Speaker of that Assembly shall, having regard to the composition of the Legislative Assembly nominate :

Provided that none of the associate members shall have a right to vote or sign any decision of the Election Commission.

(5) If owing to death or resignation, the office of an associate member falls vacant, it shall be filled, if practicable, in accordance with the provisions of sub-section (4).

(6) The Election Commission shall —

- (a) publish its proposals for the delimitation of constituencies together with the dissenting proposals, if any, of any associate member who desires publication thereof in the Official Gazette in such other manner as the Commission may consider fit, together with a notice inviting objections and suggestions after in relation to the proposals and specifying a date on or which the proposals will be further considered by it;
- (b) consider all objections and suggestions which may have been received by it before the date so specified;
- (c) after consideration of objections and suggestions which may have been received by it before the date so specified; determine by one or more orders the delimitation of constituencies and cause such order or orders to be published in the Official Gazette; and upon such publication, the order or orders shall have the full force of law and shall not be called in question in any court.

(7) The Election Commission may, from time to time by notification in the Official Gazette—

- (a) correct any printing mistake in any order made under sub-section (6) or any error arising there-in from inadvertent slip or omission;
- (b) where the boundaries or name of any territorial division mentioned in any such order or orders are or is altered, make such amendments as appear to it to be necessary or expedient for bringing such order up-to-date.

(8) Every order made under sub-section (6) and every notification issued under sub-section (7) shall be laid as soon as may be after it is made or issued before the House of the People and the Legislative Assembly of the Union territory of Arunachal Pradesh.

(9) All things done, and all steps taken, before the commencement of this Act in the Union territory of Arunachal Pradesh with a view to delimiting the territorial constituencies of that Union territory for purposes of elections to the Legislative Assembly of that Union territory shall, in so far as they are in conformity with the foregoing provisions of this section, be deemed to have been done or taken under those provisions as if those provisions were in force at the time such things were done or such steps were taken.]

[43D. (1) The Election Commission shall determine on the basis of the latest census figures—

(i) the number of seats to be reserved for the Scheduled Castes and for the Scheduled tribes in the Legislative Assembly of the Union Territory of Goa, Daman and Diu (hereafter in this section referred to as the Legislative Assembly) having regard to the provisions of sub-section (5) of Section 3; and

(ii) the constituencies in which those seats shall be so reserved having regard to the provisions of clause (c), or, as the case may be, clause (d) sub-section (1) of Section 9 of the Delimitation Act and without altering the extent of any constituency as delimited by the Delimitation Commission.

Special provision for determination of constituencies in the Legislative Assembly of Goa, Daman and Diu for Scheduled Castes and Scheduled Tribes.

(2) The Election Commission shall—

(a) publish its proposals for the determination of the constituencies in which seats shall be reserved for the Scheduled Castes or for the Scheduled Tribes, as the case may be, in the Gazette of India and in the Official Gazette of the Union territory of Goa, Daman and Diu and also in such other manner as the Election Commission may consider it, together with a notice inviting objections and suggestions in relation to the proposals and specifying a date on or after which the proposals will be further considered by it ;

- (b) consider all objections and suggestions which may have been received by it before the date so specified;
- (c) after consideration of objections and suggestions which may have been received by it before the date so specified, determine by one or more orders the number of seats to be reserved for the Scheduled Castes or for the Scheduled Tribes, as the case may be in the Legislative Assembly and the constituencies in which those seats shall be so reserved and cause such order or orders to be published in the Gazette of India and in the Official Gazette of the Union territory of Goa, Daman and Diu; and upon such publication in the Gazette of India, the order or orders shall have the full force of law and shall not be called in question in any court and the Second Schedule to the Representation of the People Act, 1950 and the order made by the Delimitation Commission under Section 9 of the Delimitation Act in relation to the Legislative Assembly shall be deemed to have been amended accordingly.

43 of 1950

(3) Subject to the provisions of sub-section (4), the readjustment of representation of any territorial constituencies in the Legislative Assembly necessitated by any order made by the Election Commission under this section, shall apply in relation to every election to the Legislative Assembly held after the publication in the Gazette of India, under sub-section (2), of such order.

(4) Nothing contained in the foregoing sub-sections shall affect the representation in the Legislative Assembly existing on the date of publication in the Gazette of India, under sub-section (2), of any order made by the Election Commission.

(5) The Election Commission may, from time to time, by notification, in the Gazette of India, and in the Official Gazette of the Union territory of Goa, Daman and Diu—

- (a) correct any printing mistake in any order made under sub-section (2) or any error arising therein from inadvertent slip or omission;
- (b) where the boundaries or name of any territorial division mentioned in any such order are, or is,

altered, make such amendments as appear to it to be necessary or expedient for bringing such order up-to-date.

(6) Every order made under sub-section (2) and every notification issued under sub-section (5) shall be laid, as soon as may be, after it is made or issued before the Legislative Assembly.

Explanation—In this section,—

- (a) "Delimitation Act" means the Delimitation Act, 76 of 1972 1972;
- (b) "Delimitation Commission" means the Delimitation Commission constituted under Section 3 of the Delimitation Act.]<sup>1</sup>

#### PART—IV

#### COUNCIL OF MINISTERS

44. (1) There shall be a Council of Ministers in each Union territory with the Chief Minister at the head to aid and advise the Administrator in the exercise of his functions in relation to matters with respect to which the Legislative Assembly of the Union territory has power to make laws except in so far as he is required by or under this Act in his discretion or by or under any law to exercise any judicial or quasi-judicial functions :

Council  
of Minis-  
ters.

Provided that in case of difference of opinion between the Administrator and his Ministers on any matter, the Administrator shall refer it to the President for decision and act according to the decision given thereon by the President, and pending such decision, it shall be competent for the Administrator in any case where the matter is in his opinion so urgent that it is necessary for him to take immediate action, to take such action or to give such direction in the matter as he deems necessary.

[ Provided further that in the Union territory of Mizoram every decision taken by a Minister or by the Council of Ministers in relation to any matter concerning any area comprised in any autonomous district in that Union territory under the Sixth Schedule to the Constitution shall be subject to the concurrence of the Administrator and nothing in this sub-section shall be construed as preventing the Administrator in case of any difference of opinion between him and his

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1. Section 43D inserted by Act 86 of 1976, Section 3.



Ministers from taking such action in respect of the administration of such area as he, in his discretion, considers necessary.]<sup>1</sup>

[ (2) In the exercise of his functions the Administrator of each of the Union territories of Arunachal Pradesh and Mizoram shall have special responsibility for the security of the border and for that purpose he may issue such directions and take such measures as he may think necessary. ]<sup>2</sup>

(3) If and in so far as any special responsibility of the Administrator is involved under this Act, he shall, in the exercise of his functions, act in his discretion.

(4) If any question arises as to whether any matter is or is not a matter as respects which the Administrator is by or under this Act required to act in his discretion decision of the Administrator thereon shall be final.

(5) If any question arises as to whether any matter is not a matter as respects which the Administrator is required by any law to exercise any judicial or quasi judicial functions, the decision of the Administrator thereon shall be final.

(6) The question whether any, and if so, what advice was tendered by Ministers to the Administrator shall not be inquired into in any court.

45. (1) The Chief Minister shall be appointed by the President and the other Ministers shall be appointed by the President on the advice of the Chief Minister. Other provisions as to Ministers.

(2) The Ministers shall hold office during the pleasure of the President.

(3) The Council of Ministers shall be collectively responsible to the Legislative Assembly of the Union territory.

1. Inserted by Act 83 of 1971, section 11 (a)

2. Inserted by Act 83 of 1971, section 11 (b) and amended by Act 25 of 1975, section 9 which substituted "each of the Union Territories of Arunachal Pradesh and Mizoram" for "the Union territory of Mizoram." Earlier original sub-section 2 was substituted by Act 53 of 1970, section 48. and the whole original sub-section was omitted later by Act 81 of 1971, section 75 (b)

(4) Before a Minister enters upon his office, the Administrator shall administer to him the oaths of office and of secrecy according to the forms set out for the purpose in the First Schedule.

(5) A Minister who for any period of six consecutive months is not a member of the Legislative Assembly of the Union territory shall at the expiration of that period cease to be a Minister.

(6) The salaries and allowances of Ministers shall be such as the Legislative Assembly of the Union territory may from time to time by law determine, and until the Legislative Assembly so determines shall be determined by the Administrator with the approval of the President.

46. (1) "The President shall make Rules—

"Conduct of business.

(a) for the allocation of business to the Ministers; and

(b) for the more convenient transaction of business with the Ministers including the procedure to be adopted in the case of a difference of opinion between the Administrator and the Council of Ministers or a Minister.

(2) Save as otherwise provided in this Act, all executive action of the Administrator, whether taken on the advice of his Ministers or otherwise, shall be expressed to be taken in the name of the Administrator.

(3) Orders and other instruments made and executed in the name of the Administrator, shall be authenticated in such manner as may be specified in rules to be made by the Administrator, and the validity of an order or instrument which is so authenticated shall not be called in question on the ground that it is not an order or instrument made or executed by the Administrator.

## PART—V

### MISCELLANEOUS AND TRANSITIONAL PROVISIONS

47. (1) As from such date as the Central Government may, by notification in the Official Gazette, appoint in this behalf, all revenues received in a Union territory by the Government of India or the Administrator of the Union territory in relation to any matter with respect to which the Legislative Assembly of the Union

Consolidated Fund of the Union territory.

territory has power to make laws, and all grants made, and all loans advanced to the Union territory from the Consolidated Fund of India and all moneys received by the Union territory in repayment of loans shall form one Consolidated Fund to be entitled "the Consolidated Fund of the Union territory".

(2) No moneys out of the Consolidated Fund of a Union territory shall be appropriated except in accordance with and for the purposes and in the manner provided in, this Act.

(3) The custody of the Consolidated Fund of a Union territory, the payment of moneys into such Fund, the withdrawal of moneys therefrom and all other matters connected with or ancillary to those matters shall be regulated by rules made by the Administrator with the approval of the President.

48. (1) There shall be established Contingency Fund in the nature of an imprest to be entitled "the Contingency Fund of the Union territory" into which shall be paid from and out of the Consolidated Fund of the Union territory such sums as may, from time to time, be determined by law made by the Legislative Assembly of the Union territory; and the said Fund shall be held by the Administrator to enable advances to be made by him out of such Fund. Contingency Fund of the Union territory.

(2) No advances shall be made out of the Contingency Fund of the Union territory except for the purposes of meeting unforeseen expenditure pending authorisation of, such expenditure by the Legislative Assembly of the Union territory under appropriations made by law.

(3) The Administrator may make rules regulating all matters connected with or ancillary to the custody of, the payment of moneys into, and the withdrawal of moneys from, the Contingency Fund of the Union territory.

49. The reports of the Comptroller and Auditor General of India relating to the accounts of a Union territory for any period subsequent to the date referred to in sub-section (1) of Section 47 shall be submitted to the Administrator who shall cause them to be laid before the Legislative Assembly of the Union territory. Audit reports.

50. Notwithstanding anything in this Act, the Relation Administrator and his Council of Ministers shall be under of Admi-

the general control of, and comply with such particular directions, if any, as may from time to time be given by, the President.

Administrator and his Ministers to President.

51. If the President, on receipt of a report from the Administrator of a Union territory or otherwise, is satisfied—

Provision in case of failure of constitutional machinery.

- (a) that a situation has arisen in which the administration of the Union territory cannot be carried on in accordance with the provisions of this Act, or
- (b) that for the proper administration of the Union territory it is necessary or expedient so to do, the President may, by order, suspend the operation of all or any of the provisions of this Act for such period as he thinks fit and make such incidental or consequential provisions as may appear to him to be necessary or expedient for administering the Union territory in accordance with the provisions of article 239:

52. [Where the Legislative Assembly of a Union territory is dissolved, or its functioning as such Assembly remains suspended, on account of an order under Section 51 it shall be competent for the President to authorise when the House of the People is not in session expenditure from the consolidated fund of that Union territory pending the sanction of such expenditure by Parliament ]<sup>1</sup>

Authorisation of expenditure by President.

53. (1) As soon as practicable after the commencement of this Act, elections shall be held in accordance with law—

Provision for election to Parliament from Goa, Daman and Diu, and Pondicherry.

- (a) to fill the seats in the House of the People allotted to the Union territory of Goa, Daman and Diu; and
- (b) to fill the seats in the House of the People and the seat in the Council of States allotted to Union territory of Pondicherry.

1. Inserted new Section 52 by Union Territory Act. No. 1 of 1980., Earlier, original section 52 was omitted by Act 81 of 1971, Section 75 (c)

(2) Notwithstanding anything contained in any other law for the time being in force, the members nominated to represent the Union territory of Goa, Daman and Diu in the House of the People shall continue to be such until the election of the members to fill the two seats in that House allotted to that Union territory;

Provided that where the dates of election of the members are different the members so nominated shall cease to be members of that House on the earlier or those two dates.

*Explanation*—In this sub-section, the expression 'date of election' has the same meaning as in Section 67A of the Representation of the People Act, 1951

54. [On and from the commencement of this Act in the Union territory of Mizoram and until other provisions in this behalf are made by a competent Legislature or other competent authority, the administration of justice in those areas of that Union territory which are not comprised in any autonomous district under the Sixth Schedule to the Constitution shall be carried on so far as may be, in accordance with the provisions of paragraphs 4 and 5 of that Schedule, as if those areas were comprised in an autonomous district under that Schedule and the provisions of the said paragraphs were in force in those areas and for this purposes—

Transitional provisions for administration of justice in certain areas in the Union territory of Mizoram.

- (i) all powers and functions of the District Council under the provisions of the said paragraph 4 shall be exercised and discharged by the Administrator or any officer appointed by him in this behalf,
- (ii) the said paragraph 5 shall have effect as if reference to the District Council, the Regional Council and the courts constituted by the District Council, by whatever form of words, had been omitted therefrom; and
- (iii) references to Governor in the said paragraphs 4 and 5 shall be construed as references to the Administrator]<sup>1</sup>

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1. Section 54 substituted by Act 83 of 1971

[54A. (1) Notwithstanding anything contained in this Act (including provisions relating to the strength of the Legislative Assembly of the Union territory of Arunachal Pradesh), until the Legislative Assembly of the Union territory of Arunachal Pradesh has been duly constituted and summoned to meet for the first session under and in accordance with the provisions of this Act, there shall be a provisional Legislative Assembly which shall consist of members, being those persons referred to in clause (b) (c) and (d) of Section 3 of North-East Frontier Agency (Administration) Supplementary Regulation, 1971 and who are functioning, immediately before the commencement of this Act in the Union territory of Arunachal Pradesh, as members of the Pradesh Council constituted under the said Section 3.

Provision as to provisional Legislative Assembly of Arunachal Pradesh.

2. The term of office of the members of the provisional Legislative Assembly shall expire immediately before the first meeting of the Legislative Assembly duly constituted after the first general election to that Assembly.

3. The provisional Legislative Assembly constituted under this section shall, for so long as it is in existence, be deemed to be the Legislative Assembly duly constituted under this Act and accordingly other provisions of this Act, so far as they may, be apply in relation to the provisional Legislative Assembly as they apply in relation to the Legislative Assembly.]<sup>1</sup>

55. For the removal of doubts it is hereby declared that—

contracts and suits,

(a) all contracts in connection with the administration of a Union territory are contracts made in the exercise of the executive power of the Union ;

(b) all suits and proceedings in connection with the administration of a Union territory shall be instituted by or against the Government of India.

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1. Section 54A inserted by Act 29 of 1975, Section 1

56. If any difficulty arises in relation to the transition from the provisions of any of the laws repealed by this Act or in giving effect to the provisions of this Act and, in particular, in relation to the constitution of the Legislative Assembly for any Union territory, the President may by order do anything not inconsistent with the provisions of this Act which appear to him to be necessary or expedient for the purpose of removing the difficulty.

Power of President to remove difficulties.

57. (1) The enactments specified in the Second Schedule—
- (a) shall, together with all rules, notification and orders made or issued thereunder, extend to and come into force in the Union territories of Goa, Daman and Diu and Pondicherry; and
- (b) shall be subject to the amendments mentioned in the fourth column of the said Schedule.

Amendment to certain enactments.

(2) All things done, and all steps taken, before the commencement of this Act in connection with the preparation or revision of electoral rolls for the purpose of elections to the House of the People from the Union territories of Goa, Daman and Diu, and Pondicherry, and to the Legislative Assemblies of those Union territories shall, in so far as they are, in conformity with the provisions of the Representation of the People Act, 1950, as amended by this Act, be deemed to have been done in accordance with law.

43 of 1950

58. (1) The following laws are hereby repealed:—

- (a) The Territorial Councils Act, 1956;
- (b) the Decree No. 46-2381 dated the 25th October, 1946, as subsequently amended, relating to the Representative Assembly of the State of Pondicherry;
- (c) the Decree No. 47-1490, dated the 12th August, 1947, as subsequently amended, relating to the setting up of a Council of Government in the State of Pondicherry;
- (d) the State of Pondicherry (Representation of the People) Order, 1955, in so far as it relates to the Representative Assembly of Pondicherry.

Repeal and savings.

(2) Notwithstanding the repeal of the Territorial Councils Act, 1956—

- (a) every officer and other employee of the Territorial Council of a Union territory serving under the Council immediately before such repeal shall become an officer or other employee of Government and shall be employed in connection with the administration of the Union territory with such designation as the Administrator may determine and shall hold office by the same tenure and at the same remuneration and conditions of service, as he would have, but for such repeal, held the same and shall continue, to do so unless and until such tenure, remuneration and terms and conditions are duly altered by the Administrator :

Provided that —

- (i) the tenure, remuneration and terms and conditions of service of any such officer or other employee shall not be altered to his disadvantage without the previous sanction of the Central Government;
- (ii) any service rendered by any such officer or other employee before such repeal shall be deemed to be service rendered in connection with the administration of the Union territory ;
- (iii) the Administrator may employ any such officer or other employee in the discharge of such functions as the Administrator may think proper and every such officer or other employee shall discharge those functions accordingly ;
- (b) anything done or any action taken (including any notification, order, scheme, rule, form, notice or bye-law made or issued, any licence or permission granted) under the repealed Act shall in so far as it is not inconsistent with the provisions of this Act, continue in force unless and until it is superseded by anything done or any action taken in accordance with law ;
- (c) all debts, obligations and liabilities incurred, all contracts entered into and all matters and things engaged to be done by, with or for the Territorial Council before such repeal shall be deemed to have been incurred, entered into or engaged to be done in exercise of the executive power of the Union for the purposes of the administration of the Union territory ;



- (d) all assessments, valuations, measurements or divisions made by the Territorial Council shall, in so far as they are not inconsistent with the provisions of this Act, continue in force unless and until they are superseded by any assessment, valuation, measurement or division made by the Administrator in accordance with law ;
- (e) all properties, movable and immovable, and all interests of whatsoever nature and kind, vested in the Territorial Council immediately before such repeal shall, with all rights of whatsoever description, used, enjoyed or possessed by that Council, vest in the Union territory for the purposes of the administration of the Union territory ;
- (f) all rates, taxes, cesses, fees, rents, fares and other charges which immediately before such repeal were being lawfully levied by the Territorial Council shall continue to be levied at the same rate at which they were being levied by the Council immediately before such repeal until provision to the contrary is made by law ;
- (g) all rates, taxes, cesses, fees, rents, fares and other charges due to the Territorial Council immediately before such repeal shall be deemed to be due to the Union in connection with the administration of the Union territory ;
- (h) all suits, prosecutions and other legal proceedings instituted or which might have been instituted by or against the Territorial Council may be continued or instituted by or against the Government of India.

## THE FIRST SCHEDULE.

[ See Sections 4(a), 11 and 45(4) ]

## FORMS OF OATHS OR AFFIRMATIONS

## I

Form of Oath or Affirmation to be made by a Candidate for Election to the Legislative Assembly

"I, A.B., having been nominated as a candidate to fill a seat in the Legislative Assembly of..... do swear in the name of God / solemnly affirm that I will bear true faith and allegiance to the Constitution of India as by law established and that I will uphold the sovereignty and integrity of India."

## II

Form of Oath or Affirmation to be made by a Member of the Legislative Assembly of a Union Territory

"I, A.B., having been elected ( or nominated ) a member of the Legislative Assembly of..... do swear in the name of God / solemnly affirm that I will bear true faith and allegiance to the Constitution of India as by law established, that I will uphold the sovereignty and integrity of India, and that I will faithfully discharge the duty upon which I am about to enter."

## III

Form of Oath of Office for a Member of the Council of Ministers of a Union Territory

"I, A.B., do swear in the name of God / solemnly affirm that I will bear true faith and allegiance to the Constitution of India as by law established, that I will uphold the sovereignty and integrity of India, that I will faithfully and conscientiously discharge my duties as a Minister for the Union territory of....., and that I will do right to all manner of people in accordance with the Constitution and the law without fear or favour, affection or ill-will."

Form of Oath of Secrecy for a Member of the  
Council of Ministers of a Union Territory

"I, A.B. do swear in the name of God / solemnly affirm  
that I will not directly or indirectly communicate or reveal  
to any person or persons any matter which shall be  
brought under my consideration or shall become known  
to me as a Minister for the Union Territory of .....  
..... except as may be required for the due dis-  
charge of my duties as such Minister."

## THE SECOND SCHEDULE

(See Section 57)

## ENACTMENTS AMENDED

Year 1	Number 2	Short Title 3	Amendments 4
1950	43	The Representation of the People Act, 1950.	<p data-bbox="793 420 1052 554">In Section 4, in sub-section (1), the words "to Goa Daman and Diu" shall be omitted.</p> <p data-bbox="793 579 1052 798">In Section 13B, in sub-section (1) for the words "a Union territory" the words "the Union territory of Delhi" shall be substituted.</p> <p data-bbox="793 823 1052 1041">In Section 13D, in sub-section (1) and (2), for the words "a Union territory" the words "the Union territory of Delhi" shall be substituted</p> <p data-bbox="793 1066 1052 1150">In Section 27A,— (i) sub-section (2) shall be omitted ;</p> <p data-bbox="793 1176 1052 1318">(ii) for sub-section (4), the following sub-section shall be substituted, namely :—</p> <p data-bbox="793 1344 1052 1554">“(4) The electoral college for each of the Union territories of Himachal Pradesh, Manipur, Tripura, and Pondicherry shall consist of the elected</p>

1	2	3	4
			<p>members of the Legislative Assembly constituted for that territory under the Government of Union territories Act, 1963.”</p> <p>In the First Schedule, —</p> <p>(j) after the entry “24. Goa, Daman and Diu 2”, the entry “25. Pondicherry..... 1” shall be inserted and the existing entry relating to North East Frontier Tract shall be renumbered as entry 26 ;</p> <p>(ii) for the total, the following total shall be substituted namely :—</p> <p>“Total.....508”</p>
1950	43	The Representation of the People Act, 1950.	<p>In the Second Schedule, after entry 15 relating to Nagaland, the following entries shall be inserted, namely :—</p> <p>“16. Himachal Pradesh 40 17. Manipur 30 18. Tripura 30 19. Goa, Daman and Diu 30 20. Pondicherry 30”</p>

1	2	3	4
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The Fifth Schedule shall be omitted ;

1951	43	The Representation of the People Act, 1951.	In Section 4 the words "to Goa, Daman and Diu" shall be omitted ;
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In Section 15, in sub-section (2), (i) for the words "the Governor" the words "the Governor or Administrator as the case may be" shall be substituted.

(ii) in the proviso, the words and figures "or under the provisions of section (5) of the Government of Union Territories Act, 1963, as the case may be" shall be added at the end.

In Section 32, the words and figures "or under the provisions of the Government of Union Territories Act, 1963 as the case may be," shall be added at the end.

In Section 36, in clause (a) of sub-section (2), —

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(i) the words "and" occurring after the figures "191" shall be omitted ;

(ii) for the words and figures "Part II of this Act" the words and figures "Part II of this Act and Sections 4 and 14 of the Government of Union Territories Act, 1963" shall be substituted.

In Section 55, the words and figures "or under the Government of Union Territories Act, 1963, as the case may be", shall be added at the end.

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In Section 100 in clause (a) of sub-section (1), after the words "this Act", the words and figures "or the Government of Union Territories Act, 1963", shall be inserted.

1	2	3	4
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1956	07	The States Re-organisation Act, 1956	In Section 15 of the States Re-organisation Act, 1956,—
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(i) in clause (d), after the word "Maharashtra", the words "and the Union territories of Dadra and Nagar Haveli Goa, Daman and Diu" shall be inserted ;

(ii) In clause (e), after the word "Kerala" the word "and the Union territory of Pondicherry" shall be inserted.

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## **NOTE**