



The West Bengal State Laws (Extension to Cooch Behar) Act, 1950

Act 30 of 1950

Keyword(s):

Extension of Laws, Cooch Behar, Repeal of Corresponding Laws

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West Bengal Act XXX of 1950¹

THE WEST BENGAL STATE LAWS (EXTENSION TO COOCH BEHAR) ACT, 1950.

[20th April, 1950.]

An Act to provide for the extension of certain laws to Cooch Behar.

WHEREAS it is expedient to provide for the extension of certain laws to the territories comprised in the merged State of Cooch Behar (in this Act referred to as Cooch Behar);

It is hereby enacted as follows:—

1. This Act may be called the West Bengal State Laws (Extension to Cooch Behar) Act, 1950.

Short title.

2. (1) The Acts specified in the Schedule are hereby extended to, and shall be in force in, Cooch Behar.

Extension of laws.

(2) All rules, orders, regulations, by-laws, delegations and appointments made, all notifications, directions and instructions issued, all forms prescribed and all schemes and instruments framed or executed under the Acts specified in the Schedule shall, as far as may be, apply to Cooch Behar.

3. If immediately before the commencement of this Act there is in force in Cooch Behar an Act, Ordinance, Regulation or other law corresponding to an Act specified in the Schedule, such corresponding law shall upon the commencement of this Act, stand repealed.

Repeal of corresponding laws.

4. (1) The repeal by section 3 of any corresponding law in force in Cooch Behar immediately before the commencement of this Act shall not affect—

Savings.

- (a) the previous operation of any such law, or
- (b) any penalty, forfeiture or punishment incurred in respect of any offence committed against any such law, or
- (c) any investigation, legal proceeding or remedy in respect of any such penalty, forfeiture or punishment,

and any such investigation, legal proceeding or remedy may be instituted, continued or enforced and any such penalty, forfeiture or punishment may be imposed as if this Act had not been passed.

(2) Subject to the provisions of sub-section (1) anything done or any action taken including any rule, order, regulation, by-law, delegation or appointment made, any notification, direction or instruction issued, any form prescribed, any scheme or instrument framed or executed, any certificate, patent, permit or licence granted or registration effected, under

¹For Statement of Objects and Reasons, see the *Calcutta Gazette, Extraordinary*, dated the 21st February, 1950, Pt. IV, page 227; for proceedings of the West Bengal Legislative Assembly, see the Proceedings of the meeting of the West Bengal Legislative Assembly, held on the 28th February, 1950.

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[West Ben. Act XXX of 1950.]

(Sections 5, 6, and the Schedule.)

such corresponding law shall be deemed to have been done or taken under the corresponding provision of the Act as now extended to Cooch Behar, and shall continue in force accordingly unless and until superseded by anything done or any action taken under the said Act.

Powers of Courts and other authorities for purposes of facilitating application of laws.

5. For the purpose of facilitating the application of any Act specified in the Schedule any Court or other authority may construe such Act with such alterations, not affecting the substance, as may be necessary or proper to adapt it to the matter before the Court or other authority.

Removal of difficulties.

6. If any difficulty arises in giving effect to any provisions of this Act or of any Act extended to Cooch Behar by this Act the State Government, as occasion may require, may by order do anything which appears to the State Government to be necessary for the purpose of removing the difficulty.

THE SCHEDULE.

[See section 2(1).]

Year.	Number.	Short title.
(1)	(2)	(3)
		<i>Acts.</i>
1919	IV ..	The Bengal Primary Education Act, 1919.
1930	VI ..	The Bengal Criminal Law Amendment Act, 1930.
1930	VII ..	The Bengal (Rural) Primary Education Act, 1930.
1940	XXI ..	The Bengal Co-operative Societies Act, 1940.
1948	XIII ..	The West Bengal Factories and Mines (Control of Dismantling) Act, 1948.
1948	XXXII ..	The West Bengal Black Marketing Act, 1948.

¹For notification under section 6 of the Act relating to application of the Bengal (Rural) Primary Education Act, 1930 (Ben. Act VII of 1930) with certain modifications to Cooch Behar in the matter of—

- (1) establishing a District School Board for the district of Cooch Behar. *see* notification No. 8467 Edn./9B-10/59, dated 4.8.59, published in the *Calcutta Gazette, Extraordinary*, of 1959, Part I, pages 1661-1662, as amended by notification No. 3439 Edn.(G)/9B-10/59, dated 29.8.60, published in the *Calcutta Gazette, Extraordinary* of 1960, Part I, page 2249.
- (2) levy and realisation of primary education cess in the district of Cooch Behar. *see* notification No. 8468 Edn./9B-10/59, dated 4.8.59, published in the *Calcutta Gazette, Extraordinary*, of 1959, Part I, pages 1662-1663.