

22

XXII

ASSAM ACT XXII OF 1953

THE ASSAM NOWGONG AND SIBSAGAR (ASSIMILATION OF LAWS) ACT, 1953.

(Passed by the Assembly)

(Received the assent of the President on the 13th July, 1953)

[Published in the *Assam Gazette*, dated 29th July 1953]

Preamble.

Whereas by virtue of notification No. TAD/R/31/50, dated the 5th September, 1952, certain areas hereinafter referred to as "the said areas" have been excluded from the Mikir Hills Autonomous District ;

And whereas the said areas are comprised within the territorial limits of the districts of Nowgong and Sibsagar ;

And whereas it is expedient that the laws in force in the said areas with respect to the matters enumerated in List II in the Seventh Schedule to the Constitution, shall be assimilated to the laws in force with respect to the said matters in the rest of the districts of Nowgong and Sibsagar in the manner hereinafter appearing ;

It is hereby enacted as follows :—

Short title,
extent and
commence-
ment.

1. (1) This Act may be called the Assam Nowgong and Sibsagar (Assimilation of Laws) Act, 1953.

(2) It extends to the areas specified in the Schedule to this Act.

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

Definitions.

2. In this Act—

(a) 'appointed day' means the date appointed under sub-section (3) of section 1 of this Act;

(b) 'law' means any Act, Ordinance, Regulation, Rule, Order or bye-laws relating to any matter enumerated in List II in the Seventh Schedule to the Constitution;

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

Assimilation
of laws.

3. (1) All laws which immediately before the appointed day extend to, or are in force in, the scheduled areas shall on that day cease to be in force in the said scheduled areas except as respects things done or omitted to be done before that day, and for the removal of doubts, it is hereby declared that section 6 of the Assam General Clauses Act, 1915 shall apply in relation to such cesser as it applies in relation to the repeal of an enactment by a State Act.

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

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

[Price anna 1 or 1d.]

Act II of
1915.

Transitional provisions.

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

Savings.

5. Notwithstanding anything contained in section 3, all suits, cases and other legal proceedings between the parties all of whom belong to the Scheduled Tribes specified in item 2 of Part I—Assam, of the Schedule to the Constitution (Scheduled Tribes) Order, 1950, or such other Tribe or Tribes, as may be specified in this behalf, shall be tried and continue to be tried under the Rules for the Administration of Justice and Police in the Sibsagar and Nowgong Mikir Hills Tracts as if this Act had not been passed.

Provision for removal of difficulties.

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

SCHEDULE

1. (a) Portion of Gobha mauza that was originally in the Mikir Hills Tracts, including Sonaikuchi Reserved Forest.

(b) Kholahat Reserved Forest.

(c) Portion of Lumding Reserved Forest falling in Lanka Mauza in original Mikir Hills Tracts.

(d) Portion of Lumding Mauza west of the line described below :—

From the point where the eastern boundary of Namati Mauza meets the Kaki Jan, the line runs up the Kaki Jan to its source; thence in a south-easterly direction in a straight line across the hill ridges to the confluence of Panpri stream with the Lanka Jan; thence up the Lanka Jan to its source; thence in a southerly direction along the eastern boundary of the Lumding Reserved Forest to the junction of Lankanasang Nadi with the Bara Langpher river; thence in a straight line due south till that line meets the southern boundary of the Lumding Mauza.

(e) Dobaka Reserved Forest.

(f) Suang Reserved Forest.

(g) Diyu Valley South Reserved Forest.

(h) Bagser Reserved Forest.

2. (a) Panbari Reserved Forest.
- (b) Upper Daigusung Reserved Forest.
- (c) Lower Daigurung Reserved Forest.
- (d) Village Lands of Châtiani Pathar, Dokhara Pathar and Murphuloni of Mauza Marangi in original Mikir Hills Tracts.
- (e) Portion of Barpathar Mauza east of Dhansiri river and north-east of Garampani-Kaliani road.
- (f) Portion of Ghiladhari Mauza in original Mikir Hills Tracts.
- (g) Portion of Sarupathar Mauza east of Dhansiri river.