

RAMPUR (APPLICATION OF LAWS) ACT, 1950

[U. P. ACT No. XII of 1950]

1-Short title, extent and commencement

2-Definition

3-Extension of enactments

4-Appointment of authorities or officers

5-Repeal of corresponding state laws XLVII of 1947

6-Exception

7-Legal Practitioners

8-Powers of courts and other authorities for adaptation

9-Power to remove difficultie

10-Repeal of U. P. Ordinance no. XIII of 1949 U. P. Act I of 1904

RAMPUR (APPLICATION OF LAWS) ACT, 1950¹

[U. P. Act No. XII of 1950]

[Passed in Hindi by the Uttar Pradesh Legislative Assembly on March 1, 1950, and by the Uttar Pradesh Legislative Council on March 9, 1950.]

Received the assent of the Governor on March 16, 1950, under section 200 of the Constitution of India and was published in the *Uttar Pradesh Gazette (Extraordinary)* dated March 16, 1950.]

AN

ACT

Authoritative English text of the Rampur (Vidhiyon ko lagu karne ka) Adhiniyam (Act), 1950

WHEREAS by virtue of the State Merger (U.P.) Order, 1949, Rampur has to be administered as part of Uttar Pradesh ;

AND WHEREAS by the Rampur (Application of Laws) Ordinance, 1949, certain laws in force in the rest of Uttar Pradesh have been extended and applied to Rampur ;

AND WHEREAS the said Ordinance has to be replaced by an Act of the Legislature ;

IT is hereby enacted as follows ;

**Short title,
extent and
commencement**

1. (1) This Act may be called the Rampur (Application of Laws) Act, 1950.

(2) It extends to the whole of Rampur.

(3) It shall be deemed to have come into force from the thirtieth day of December, 1949.

Definition

2. In this Act unless there is anything repugnant in the subject or context—

(a) “authority” includes a committee, board or tribunal ;

(b) “Rampur” shall have the meanings assigned to it in the Rampur (Administration) Order, 1949 ;

(c) “State Government” means the Government of Uttar Pradesh;

(d) “State law” includes Act, rule, regulation, by-law, order or circular having the force of law and in force in Rampur before the thirtieth day of December, 1949.

1. For Statement of Object and reasons please see *Uttar Pradesh Gazette (Extraordinary)*, dated February 22, 1950.

Extension of enactments

3. (1) The enactments mentioned in Schedule I are hereby extended to and shall apply to Rampur subject to —

(i) any amendment to which they were generally subject in or in their application to United Provinces on November 30, 1949 ;

(ii) the modifications and restrictions, if any, specified in the Schedule aforesaid, and

(iii) the subsequent provisions of this Act.

(2) Notwithstanding anything in any such enactment is shall, except where expressly provided in the said Schedule, come into force with effect from such date as the State Government may, by notification in official Gazette, appoint in this behalf and different dates may be appointed for different provisions of an enactment or for different parts of Rampur.

(3) Where any enactment is enforced by or under sub-section (2), the State Government may give such direction as may be necessary for the transfer of—

(a) any suit, case or other proceeding pending or which may have been instituted or commenced on the day immediately before the enforcement of the said enactment, before any court or tribunal abolished by virtue, or as a consequence of the extension and application, of such enactment ;

(b) any proceeding, matter or work pending or which may have been instituted or commenced on the said date before any officer or authority who has ceased to exercise jurisdiction, by virtue, or as consequence of the extension and application, of such enactment.

Appointment of authorities or officers

4. Where an enactment extended to, and in force in, Rampur by or under this Act provides for the establishment, constitution or appointment of any authority or officer, the State Government may, notwithstanding anything contained in such enactment —

(a) direct that till such authority or the officer has been appointed, established or constituted as aforesaid, the power, duties or functions exercisable or dischargeable by such authority or officer shall be exercised or discharged by such authority or officer and in such manner as the State Government may specify in this behalf ; or

(b) where such officer or all or any of the members constituting such authority are to be elected, nominate such officer or member for the purpose of constituting or establishing the authority and the officer or the member so nominated shall, for the purposes of the enactment be deemed as if he had been duly elected in accordance therewith ;

(c) fix the term of officer of such officer or member ; and

(d) provide for the representation of Rampur upon any committee or board and nominate its representatives.

**Repeal of
corresponding
state laws**

XLVII of 1947

5. (1) if immediately before the commencement of this Act there is in force in Rampur, any state law corresponding to the enactment mentioned in Schedule I, whether such state law is in force by virtue of an Order under the Extra-Provincial Jurisdiction Act, 1947, or by virtue of any other legislative power, such corresponding state law shall, with effect from the date and to the extent to which an enactment comes into force under and in accordance with sub-section (2) of section (3), stand repealed.

(2) The state laws mentioned in Schedule II are hereby repealed with effect from the date of the commencement of this Act.

Exception

6. (1) Where any state law has been repealed under sub-section (1) or (2) of section 5—

X of 1897

(a) if the corresponding enactment mentioned in Schedule I is a Central Act, the provisions of section 6 of the General Clauses Act, 1897, shall apply to the state law so repealed as if it had been an enactment repealed by a Central Act,

**U. P. Act I of
1904**

(b) if the corresponding enactment mentioned in Schedule I is an United Provinces Act, the provisions of section 6 of the United Provinces General Clauses Act, 1904, shall apply to the state law so repealed as if it has been an enactment repealed by an United Provinces Act.

(2) Any reference in any state law repealed by this Act to an officer, authority or court shall, for purposes of any pending proceeding or investigation or enforcement of any right, privilege, obligation or liability acquired, accrued or incurred thereunder be construed as a reference to the corresponding officer, authority or court appointed or constituted by or under the enactments herein by this Act extended to and in force in Rampur :

Provided that if any question arises as to who such corresponding officer, authority or court is, the decision of the State Government thereon shall be final.

(3) Subject to the provisions of sub-sections (1) and (2), anything done or any action taken including any appointment or delegation made, notification, order, instruction or direction issued, rule, regulation, form, by-law or scheme framed, certificate, patent, permit or licence granted or registration effected, under such corresponding law shall—

(a) be deemed to have been taken or done under the corresponding provision of the enactments herein by this Act extended to, and in force in, Rampur, and

(b) continue in force accordingly unless and until directed otherwise or superseded by anything done or any action taken under the said enactments by the State Government or other competent authority :

Provided that notwithstanding anything in the said enactment, the State Government may in any case quash any pending proceeding.

**Legal
Practitioners**

7. (1) Any person who, on the date immediately before the commencement of this Act, was in accordance with the state law, entitled as of right to practice as an advocate, vakil or mukhtar in the courts established on that date in Rampur shall, notwithstanding anything contained in any law, be entitled during a limited period of six months next hereinafter to practice in the courts already established in Rampur.

(2) No advocate, vakil or mukhtar shall merely by reason of the provisions of sub-section (1) be deemed to be entitled to practice in such courts after the expiry of the said period.

**Powers of
courts and
other
authorities
for
adaptation**

8. For the purpose of facilitating the application in Rampur of any enactment specified in Schedule I, any court or other authority may construe the provisions of any such enactment with such alteration or modification, not affecting the substance, as may be necessary or proper in order to adapt it to the matter before the court, or authority as the case may be.

**Power to
remove
difficulties**

9. (1) Whereas difficulties may arise in relation to the transition from the provisions of state laws to the provisions of the enactments extended to, and in force in, Rampur by this Act ;

And whereas the nature of those difficulties and of the provisions which should be made for meeting them, cannot at the date of the passing of this Act be fully foreseen ;

The State Government may, for the purpose of facilitating such transition by an order, but not affecting the substance—

(a) direct that the provisions of any of the enactments extended to and in force in Rampur by this Act shall for a period of six months from the commencement of this Act have effect subject to such consequential changes and modifications as may be so specified, and

(b) make such other temporary provisions for the purpose of removing any such difficulties as aforesaid as may be so specified.

(2) No order shall be made under this section after the expiration of six months from the date of commencement of this Act.

**Repeal of U. P.
Ordinance no.
XIII of 1949
U. P. Act I of
1904**

10. The Rampur (Application of Laws), Ordinance, 1949, is hereby repealed and the provisions of sections 6 and 24 of the United Provinces General Clauses Act, 1904, shall apply to it as if it had been an Act repealed by an United Provinces Act.

SCHEDULE I

PART I

Regulations and Central Acts

Serial no.	Year	No. of the Acts	Subject or Short Title of Regulations or Acts	Modifications, if any, and the date of commencement
1	1793	XXXVIII	The Indian Civil Service (Bengal) Loans Prohibition Regulation, 1793.	To come into force at once
2	1799	V	The Bengal Wills and Intestacy Regulation, 1799.	Ditto.
3	1817	XX	The Bengal Police Regulation, 1817.	Ditto.
4	1822	XI	The Bengal Government Indemnity Regulation, 1822.	Ditto.
5	1823	VI	The Bengal Indigo Contracts Regulation, 1823.	Ditto.
6	1823	VII	The Indian Civil Service (Bengal) Loans Prohibition Regulation, 1823.	Ditto.
7	1825	XI	The Bengal Aluvian and Diluvion Regulation, 1825.	Ditto.
8	1827	V	The Bengal Attached Estates Management Regulation, 1827	Ditto.
9	1829	XVII	The Bengal Sati Regulation, 1829	Ditto.
10	1830	V	The Bengal Indigo Contracts Regulation, 1830.	Ditto.
11	1831	XI	Police Powers of Tahsildars	Ditto.
12	1836	X	The Bengal Indigo Contracts Act, 1836	Ditto.
13	1846	I	The Legal Practitioners Act, 1846	. . .
14	1850	XVIII	The Judicial Officers Protection Act, 1850	To come into force at once
15	1850	XXXVII	The Public Servants (Inquiries) Act, 1850	Ditto.
16	1853	XX	The Legal Practitioner Act, 1853	. . .
17	1856	XII	The Civil Courts Amins Act, 1856	To come into force at once

Serial no.	Year	No. of the Acts	Subject or Short Title of Regulations or Acts	Modifications, if any, and the date of commencement
18	1860	XXI	The Societies Registration Act, 1860	Ditto.
19	1861	V	The Police Act, 1861	Ditto.
20	1863	XXIII	The Waste Land (Claims) Act, 1863	Ditto.
21	1867	XXII	The Sarais Act, 1867	Ditto.
22	1867	III	The Public Gambling Act, 1867 . . . . .	. . . . .
23	1869	XIII	Procedure of High Court, Agra	To come into force at once.
24	1870	VII	The Court Fees Act, 1870	Ditto.
25	1871	I	The Cattle Trespass Act, 1871	To come into force at once.
26	1873	VIII	The Northern India Canal and Drainage Act, 1873.	. . . . .
27	1873	XVI	The North-Western Provinces Village and Road Police Act, 1873.	. . . . .
28	1876	XIX	The Dramatic Performance Act, 1876	. . . . .
29	1878	VI	The Indian Treasure Trove Act, 1878	To come into force at once.
30	1878	XVII	The Northern India Ferries Act, 1878	. . . . .
31	1879	XIV	The Hackney Carriage Act, 1879 . . . . .	. . . . .
32	1879	XVIII	The Legal Practitioners Act, 1879 . . . . .	. . . . .
33	1880	I	The Religious Societies Act, 1879 . . . . .	. . . . .
34	1880	XIII	The Vaccination Act, 1880 . . . . .	. . . . .
35	1881	XI	The Municipal Taxation Act, 1881	. . . . .
36	1882	V	The Indian Easement Act, 1882	To come into force at once.
37	1883	XIX	The Land Improvement Loans Act, 1883	Ditto.
38	1884	XII	The Agriculturists Loans Act, 1884	Ditto.
39	1886	VI	The Births, Deaths and Marriages Registration Act, 1886.	. . . . .
40	1887	VII	The Suits Valuation Act, 1887 . . . . .	. . . . .
41	1887	IX	The Provincial Small Cause Courts Act, 1887.	. . . . .

Serial no.	Year	No. of the Acts	Subject or Short Title of Regulations or Acts	Modifications, if any, and the date of commencement
42	1890	I	The Revenue Recovery Act, 1890 . .	To come into force at once
43	1890	VI	The Charitable Endowments Act, 1890 . .	
44	1894	I	The Land Acquisition Act, 1894 . .	To come into force at once
45	1894	IX	The Prisons Act, 1894	Ditto.
46	1897	III	The Epidemic Diseases Act, 1897 . .	Ditto.
47	1897	VIII	The Reformatory Schools Act, 1897	Ditto.
48	1899	II	The Indian Stamp Act, 1899 . . . .	. .
49	1899	XIII	The Glanders and Farcy Act, 1899 . .	. .
50	1900	III	The Prisoners Act, 1900	To come into force at once
51	1910	V	The Dourine Act, 1910 . . . .	. .
52	1912	II	The Co-operative Societies Act, 1912	To come into force at once
53	1912	VIII	The Wild Birds and Animals Protection Act, 1912.	Ditto.
54	1914	IX	The Local Authorities Loans Act, 1914	Ditto.
55	1917	V	The Destruction of Records Act, 1917	Ditto.
56	1918	X	The Usurious Loans Act, 1918 . .	Ditto.
57	1920	III	The United Provinces Town Improvement (Appeals) Act, 1920.	Ditto.
58	1920	XIV	The Charitable and Religious Trusts Act, 1920.	. .
59	1920	XXXIII	The Identification of Prisoners Act, 1920	To come into force at once.
60	1922	XXII	The Police (Incitement to Disaffection) Act, 1922.	Ditto.
61	1925	XIX	The Provident Funds Act, 1925 . .	. .
62	1927	XVI	The Indian Forests Act, 1927 . .	To come into force at once.
63	1930	XXXIII	The Musalman Waqf Validating Act, 1930	. .
64	1937	I	The Agricultural Produce (Grading and Marketing) Act, 1937	To come into force at once.

PART II

United Provinces Acts and Ordinances

Serial no.	Year	No. of the Acts	Short title of the Acts	Modifications, if any, and the date of commencement
1	1892	II	The United Provinces Village Sanitation Act, 1892.	To come into force at once
2	1896	II	The United Provinces Honorary Munsif Act, 1896.	Ditto.
3	1899	II	Collection of Taxes by Railway Administrations Act, 1896	Ditto.
4	1901	III	The United Provinces Land Revenue Act, 1901.	Chapters I, II and sections 21 to 27 of Chapter III shall come into force on and from December 1, 1949.
5	1904	I	The United Provinces General Clauses Act, 1904.	To come into force at once.
6	1910	IV	The United Provinces Excise Act, 1910	Ditto.
7	1912	IV	The United Provinces Court of Wards Act, 1912.	Ditto.
8	1912	VI	The United Provinces Prevention of Adulteration Act, 1912.	Ditto.
9	1914	I	The United Provinces Local Rates Act, 1914.	Ditto.
10	1917	III	The United Provinces Medical Act, 1917	. .
11	1919	VII	The United Provinces Primary Education Act, 1919.	. .
12	1920	I	The United Provinces Minor Irrigation Works Act, 1920.	To come into force at once.

[Rampur (Application of Laws) Act, 1950]

Serial no.	Year	No. of the Acts	Short title of the Acts	Modifications, if any, and the date of commencement
13	1920	II	The United Provinces Private Irrigation Works Act, 1920.	To come into force at once
14	1920	VII	The United Provinces Estates Act, 1920.	Ditto
15	1921	II	The Intermediate Education Act, 1921	. .
16	1922	I	The United Provinces Aerial Ropeways Act, 1922.	. .
17	1922	X	The United Provinces District Boards Act, 1922.	. .
18	1922	XII	The United Provinces Board of Revenue Act, 1922.	To come into force at once
19	1926	I	The United Provinces District Board Primary Education Act, 1926	. .
20	1926	VIII	The Agra University Act, 1926 . .	To come into force at once
21	1927	II	The Agra Province Zamindars Association Contribution Act, 1927.	Ditto.
22	1929	II	The Naik Girls' Protection Act, 1929.	. .
23	1929	VIII	The United Provinces Minor Girls' Protection Act, 1929.	. .
24	1932	XIV	The United Provinces Special Powers Act, 1932.	. .
25	1933	VIII	The United Provinces Suppression of Immoral Traffic Act, 1933.	. .
26	1934	XV	The United Provinces Nurses, Midwives, Assistant Midwives and Health Visitors Registration Act, 1934.	. .
27	1934	XXVII	The United Provinces Agriculturists' Relief Act, 1934.	. .
28	1935	I	The United Provinces National Parks Act, 1935.	To come into force at once
29	1935	V	The United Provinces Motor Vehicles Taxation Act, 1935.	Ditto.
30	1936	X	The United Provinces Famine Relief Fund Act, 1936.	Ditto.

Serial no.	Year	No. of the Acts	Short title of the Acts	Modifications, if any, and the date of commencement
31	1936	XI	The United Provinces Cotton Pest Control Act, 1936.	To come into force at once
32	1936	XII	The United Provinces State Tube Wells Act, 1936.	. .
33	1936	XIII	The United Provinces Muslim Waqfs Act, 1936.	. .
34	1937	VIII	The United Provinces Entertainment and Betting Tax Act, 1937.	To come into force at once
35	1938	I	The United Provinces Sugar Factories Control Act, 1938.	Ditto.
36	1938	IV	The United Provinces Maternity Benefit Act, 1938.	Ditto
37	1938	V	The United Provinces Legislative Chambers (Members Emoluments) Act, 1938.	Ditto.
38	1938	VII	The United Provinces Borstal Act, 1938.	. .
39	1938	XVI	The United Provinces Melas Act, 1938.	To come into force at once
40	1939	I	The United Provinces Sales of Motor Spirit Taxation Act, 1939.	. .
41	1939	VIII	The United Provinces Consolidation of Holdings Act, 1939.	. .
42	1939	X	The United Provinces Indian Medicine Act, 1939.	. .
43	1940	VII	The United Provinces Legislative Members (Removal of Disqualification) Act, 1940.	To come into force at once
44	1940	VIII	The United Provinces Power Alcohol Act, 1940.	Ditto.
45	1940	XIII	The United Provinces debt Redemption Act, 1940.	. .
46	1940	XIV	The United Provinces Regulation of Agricultural Credit Act, 1940.	. .

[Rampur (Application of Laws) Act, 1950]

Serial no.	Year	No. of the Acts	Short title of the Acts	Modifications, if any, and the date of commencement
47	1944	II	The United Provinces Fire Service Act, 1944.	To come into force at once
48	1945	X	The United Provinces Road Side Land Control Act, 1945.	. .
49	1947	II	The United Provinces Control of Supplies (Temporary Powers) Act, 1947.	To come into force at once.
50	1947	V	The United Provinces Cotton (Statistics) Act, 1947.	. .
51	1947	VI	The Electricity (Temporary Powers of Control) Act, 1947.	. .
52	1947	VII	The United Provinces Provincialization of Hospitals Act, 1947.	. .
53	1947	XII	The United Provinces (Temporary) Storage Requisition Act, 1947.	. .
54	1947	XIV	The United Provinces Removal of Social Disabilities Act, 1947.	To come into force at once.
55	1947	XX	The United Provinces Veterinary Council Act, 1947.	Ditto.
56	1947	XXII	The United Provinces Shops and Commercial Establishment Act, 1947.	. .
57	1947	XXIII	The United Provinces Molasses Control Act, 1947.	. .
58	1947	XXV	The United Provinces (Temporary) Accommodation Requisition Act, 1947.	. .
59	1947	XXVI	The United Provinces Panchayat Raj Act, 1947.	. .
60	1947	XXVII	The United Provinces Requisition of Motor Vehicles (Emergency Powers) Act, 1947.	To come into force at once.
61	1947	XXVIII	The United Provinces Industrial Disputes Act, 1947.	Ditto.
62	1948	VII	The United Provinces Refugees Registration and Movement Act, 1948.	To come into force at once.

Serial no.	Year	No. of the Acts	Short title of the Acts	Modifications, if any, and the date of commencement
63	1948	XV	The United Provinces Sales Tax Act, 1948	. .
64	1948	XXII	The United Provinces Prevention of Black Marketing (Temporary Powers) Act, 1947.	To come into force at once.
65	1948	XXIII	The United Provinces Weights and Measures Act, 1947.	. .
66	1948	XXVI	The United Provinces Land Acquisition (Rehabilitation of Refugees) Act, 1948.	To come into force at once.
67	1948	XXVII	The United Provinces Rural Development (Acquisitioning of Land) Act, 1948.	Ditto.
68	1948	XXVIII	The United Provinces Refugees Rehabilitation (Loans) Act, 1948.	Ditto.
69	1948	XXXVIII	The United Provinces Rakshak Dal Act, 1948.	Ditto.
70	1948	XXXIX	The United Provinces Acquisition of Property (Flood Relief) (Temporary Powers) Act, 1948.	Ditto.
71	1948	XL	The United Provinces Provincial Armed Constabulary Act, 1948.	Ditto.
72	1948	XLV	The United Provinces Fisheries Act, 1948	Ditto.
73	1948	XLVII	The United Provinces Town Improvement (Adaptation) Act, 1948.	Ditto.
74	1949	II	The United Provinces Objectionable advertisement Control Act, 1948.	Ditto.
75	1949	VI	The United Provinces Private Forests Act, 1948.	. .
76	1949	IX	The United Provinces Cotton Ginning and Pressing Factories Act, 1948.	. .
77	1949	XI	The United Provinces Maintenance of Public Order (Amendment and Proceedings Validation) Act, 1949.	To come into force at once.

ORDINANCES

Serial no.	Year	No. of the Act	Short title of the Acts	Modifications, if any, and the date of commencement
78	1949	IV	The United Provinces Accommodation Requisition (Amendment) Ordinance, 1949.	. .
79	1949	V	The United Provinces (Temporary) Control of Rent and Eviction (Amendment) Ordinance, 1949.	. .
80	1949	VI	The United Provinces Drug (Control) Ordinance, 1949.	To come into force at once.
81	1949	IX	The United Provinces Jute Goods (Control) Ordinance, 1949.	Ditto.
82	1949	VII	The United Provinces Intermediate Education (Amendment) Ordinance, 1949.	. .

SCHEDULE II

List of Rampur State Laws repealed under section 5 of the Act

- (1) Rampur Council *Khandan* Act, 1931.
- (2) Rampur Rural Sanitation Act, 1939.
- (3) Rampur Police Chaukidars Act, 1947.
- (4) Rampur Removal of Dead Animals Act, 1947.
- (5) Rampur *Goondas* Act, 1947.

