



[ACT No. 37 OF 1951]

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LIST OF ABBREVIATIONS USED

Cl.,cls.	<i>for</i>	Clause, clauses.
Ins.	„	Inserted.
Notifn.	„	Notification.
S., ss.	„	Section, sections

THE SCHEDULED AREAS (ASSIMILATION OF LAWS) ACT, 1951

ARRANGEMENT OF SECTIONS

SECTIONS

1. Short title and commencement.
2. Definitions.
3. Assimilation of laws.
4. Transitional provisions.
5. Savings.
6. Provision for removal of difficulties.

THE SCHEDULE.

THE SCHEDULED AREAS (ASSIMILATION OF LAWS) ACT, 1951

ACT NO. 37 OF 1951

[23rd June, 1951.]

An Act to assimilate certain laws in force in the scheduled areas to the laws in force in the districts of Darrang and Lakhimpur of the State of Assam.

BE it enacted by Parliament as follows:—

1. Short title and commencement.—(1) This Act may be called the Scheduled Areas (Assimilation of Laws) Act, 1951.

(2) It shall come into force on such date¹ as the Central Government may, by notification in the Official Gazette, appoint.

2. Definitions.—In this Act,—

(a) “appointed day” means the date appointed under sub-section (2) of section 1 for the coming into force of this Act;

(b) “law” means so much of any Act, Ordinance, Regulation, rule, order or bye-law as relates to any of the matters enumerated in List I and III in the Seventh Schedule to the Constitution;

(c) “scheduled areas” means the areas specified in the Schedule.

3. Assimilation of laws.—(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 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 General Clauses Act, 1897 (10 of 1897) shall apply in relation to such cesser as it applies in relation to the repeal of an enactment by a Central Act.

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

4. Transitional provisions.—Notwithstanding anything contained in section 3, the Central Government of the State of Assam may, by order, direct that during such period, not exceeding twelve months from the appointed day, as may be specified in the order, any law which immediately before the appointed day was in force in the scheduled areas, 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 scheduled areas on the appointed day, shall not be deemed to have extended thereto or come into force therein or any specified part thereof.

5. Savings.—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

1. 1st October, 1951, *vide* Notification No. S. R. O. 1461, dated 15th September, 1951, *see* Gazette of India, Part II, s. 3.

Assam Frontier (Administration of Justice) Regulation, 1945 (Regulation 1 of 1945) as if this Act had not been passed.

6. Provision for removal of difficulties.—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 Central Government may, by order notified in the Official Gazette, make such provisions as it considers necessary for the removal of the difficulty.

THE SCHEDULE

[See section 2 (c)]

1. So much of the area included in the Balipara Frontier Tract, as is comprised within the line drawn from the eastern boundary of the district of Kamrup at Pillar No. 98 on the Bor Nadi eastwards along the Inner Line of the Balipara Frontier Tract as defined in Assam Government Notification No. 6778-A.P., dated the 2nd November, 1934, till it reaches the boundary of the Lakhimpur district; thence southwards along the western boundary of the Lakhimpur district; to the point where it meets the boundary of the Darrang district; thence westwards along the northern boundary of the Darrang district to a point where it meets the eastern boundary of the Kamrup district; thence northwards along this boundary to the starting point.

2. So much of the area included in the Abor Hills and Mishmi Hills districts (Sadiya Frontier Tract) as is comprised within the line drawn from the point 498 at Dipa in a straight line to the junction of the Remi river with a nameless stream about a mile south-east of the junction of Remi and Tode Korong rivers; thence in a straight line to point milestone No. 4 from Kobo on the Kobo-Pasighat road; thence in a straight line to the junction of Sisseri and Gango rivers; thence along the left bank of the Gango river to its junction with the Dibag river; thence in a straight line to the confluence of Hazingaadi with Kundil river (about half a miles north of point 492 of the Kundil river); thence in a straight line to point 625 on the right bank of the Tipu-Balijan river (about four miles north of the confluence of Haru Nadi with Balijan); thence down the Balijan river following its right bank to its confluence with the Lohit river; thence across the Lohit river and down its left bank to Noa Dihing Mukh; thence up the right bank of the Noa Dihing river to its confluence with the Dirak river; thence up the left bank of the Dirak river to where it meets and boundary between the Sadiya Frontier Tract and the Lakhimpur district; thence westwards along the northern boundary of the Lakhimpur district to the starting point.

3. So much of the area included in the Tirap Frontier Tract as is comprised within the line drawn from the confluence of the Korla Pani and the Burhi Dihing rivers up the right bank of the Burhi Dihing river to the confluence of the Namphuk and the Namchik rivers; thence up the left bank of the Namchik river to its confluence with the Kathang river; thence up the Kathang Hka to its junction with the Lekha Hka; thence up the Lakha Hka to its source and thence to point 894; thence in a south-westerly direction down a nameless stream that originates from point 894, to its junction with the Tirap river; thence up the left bank of the Tirap river to a point due east of height 2438 on the Lungokan range; thence due west to height 2438; thence in a north-westerly direction down the Kapang Wa stream to its junction with the Tipang river; thence down the Tipang river to its junction with Kumkal Wa; thence in a south-westerly direction along the ridge of Tuting Tak Kan range to the saddle between this range and Lompi Parbat range; thence in a north-westerly direction down a nameless stream that originates from this saddle, to its junction with Likhapani or Tehi stream; thence down the Likhapani stream to its junction with the Tirap river; thence down the Tirap river to its junction with the Burhi Dihing river; thence down the Burhi Dihing river to its junction with the Manmaw Jan; thence up the Manmaw Jan and Monggang Khasi stream as far as it forms the eastern boundary of the Upper Dihing reserved forest; thence along western boundary of the Upper Dihing reserved forest; thence along the western boundary of the Upper Dihing reserved forest (east block) to the point where it meets the Pengri Hka; thence down the Pengri Hka to the Burhi Dihing river and up the Burhi Dihing to the starting point.

STATEMENT OF OBJECTS AND REASONS

As the plains areas of the Balipara Frontier Tract, Tirap Frontier Tract, Abor Hills and Mishmi Hills Districts (Sadiya Frontier Tract) have been declared by the Governor of Assam to be area not included in the in Tribal areas specified in Part B of the Table appended to paragraph 20 of the Sixth Schedule of the Constitution, it has become necessary to incorporate these areas be areas in the adjoining districts of Darranga and Lakhimpur and to administer them under the normal laws in force in the rest of the State of Assam. Under Article 372 (1) of the Constitution, all the Acts, Regulations, Rules, etc., which applied to these areas *proprio vigore* or were specifically applied thereto with modifications under the Scheduled Districts Act, 1874, or section 92 of Govt. of India Act, 1935, before the 26th January, 1950, will continue to be in force therein subject to future alteration, repeal or amendment. It is thus incumbent on the appropriate legislation to pass legislation repealing the special laws in force in these areas making applicable to them the laws in force in the districts of Darrang and Lakhimpur.

2. The Assam legislature has already passed a Bill in so far as subjects in the State List are concerned. The object of the present Bill is to make a corresponding provision in respect of subjects in Union and Concurrent Lists.

NEW DELHI:
The 21st May, 1951.

C. RAJAGOPALACHARI.