

## The Chandernagore (Assimilation of Laws) Act, 1955

Act 4 of 1955

**Keyword(s):**  
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## West Bengal Act IV of 1955<sup>1</sup>

### THE CHANDERNAGORE (ASSIMILATION OF LAWS) ACT, 1955.

2. AMENDED

.. West Ben. Act V of 1959.

[21st March, 1955.]

*An Act to provide for the assimilation of certain laws in force in Chandernagore to the laws in force in the rest of West Bengal.*

WHEREAS it is expedient to provide for the assimilation of certain laws in force in Chandernagore to the laws in force in the rest of West Bengal;

It is hereby enacted in the Sixth Year of the Republic of India, by the Legislature of West Bengal, as follows:—

1. (1) This Act may be called the Chandernagore (Assimilation of Laws) Act, 1955.

Short title and commencement.

(2) It shall come into force immediately on the Chandernagore (Assimilation of Laws) Ordinance, 1954, ceasing to operate.

2. In this Act,—

Definitions.

(a) "appointed day" means the 2nd day of October, 1954;

(b) "Chandernagore" means the whole of the territory which immediately before the 9th day of June, 1952, was comprised in the Free town of Chandernagore;

(c) "law" means so much of any Act, Ordinance, Regulation, order, rule, scheme, notification, bye-law or any other instrument having the force of law as relates to matters enumerated in List II in the Seventh Schedule to the Constitution of India.

3. All laws which immediately before the appointed day extend to, or are in force in, the State of West Bengal generally shall, as from that day, extend to, or, as the case may be, come into force in, Chandernagore.

Extension of laws to Chandernagore.

4. (1) Any law in force in Chandernagore immediately before the appointed day (hereafter in this Act referred to as "corresponding law") which corresponds to any law referred to in section 3, whether such corresponding law is in force in Chandernagore by virtue of the Chandernagore (Application of Laws) Order, 1950 or by virtue of any

Repeal of corresponding laws and savings.

<sup>1</sup>For Statement of Objects and Reasons, see the *Calcutta Gazette, Extraordinary*, dated the 14th February, 1955, Part IVA, page 181; for proceedings of the West Bengal Legislative Assembly, see the proceedings of the meeting of the West Bengal Legislative Assembly held on the 22nd February, 1955; and for proceedings of the West Bengal Legislative Council, see the proceedings of the meeting of the West Bengal Legislative Council held on the 4th March, 1955.

*(Sections 5, 6.)*

notification issued under the Chandernagore (Administration) Regulation, 1952, or otherwise, shall as from that day stand repealed in Chandernagore.

Reg. 1 of  
1952.

(2) The repeal by sub-section (1) of any corresponding law shall not affect—

- (a) the previous operation of any such law; or
- (b) any right, privilege, obligation, or liability acquired, accrued or incurred under any such law; or
- (c) any penalty, forfeiture or punishment incurred in respect of any offence committed against any such law; or
- (d) any investigation, legal proceeding or remedy in respect of such right, privilege, obligation, liability, penalty, forfeiture or punishment as aforesaid;

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 come into force.

(3) Subject to the provisions of sub-section (2), anything done or any action taken (including any appointment or delegation made, notification, order, instruction or direction issued, rule, form, bye-law or scheme framed, certificate, permit or licence granted, or registration effected) under such corresponding law shall be deemed to have been done or taken under the corresponding provision of the law as extended to, or in force in, Chandernagore by virtue of section 3 on and from the appointed day and shall continue in force accordingly unless and until superseded by anything done or any action taken under such law.

Ben. Act XV  
of 1932 not  
to apply to  
Chander-  
nagore.

5. Notwithstanding anything contained in sections 3 and 4, the Bengal Municipal Act, 1932, shall not extend to Chandernagore, and any law in force in Chandernagore immediately before the appointed day which corresponds to that Act, shall, until such law is repealed, continue to apply to, and be in force in Chandernagore, and any reference to the Bengal Municipal Act, 1932 in any of the laws extended to Chandernagore under section 3 shall be deemed to be a reference to the corresponding law continued in force by this section.

Ben. Act XV  
of 1932.Provision for  
removal of  
difficulties.

6. (1) If any difficulty arises in relation to the transition from any corresponding law to any law which, by virtue of section 3, shall, as from the appointed day, extend to, or come into force in, Chandernagore, the State Government may, by order notified in the *Official Gazette*, make such provisions as appear to it to be necessary or expedient for removing the difficulty.

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(Sections 7, 8.)

(2) If any difficulty arises in giving effect to the provisions of this Act (otherwise than in relation to the transition from any corresponding law) or in connection with the administration of Chandernagore as a part of West Bengal, the State Government may, by order in the *Official Gazette*, make such provisions not inconsistent with the purposes of this Act, as appear to it to be necessary or expedient for removing the difficulty.

<sup>1</sup>(3) No power under sub-section (1) or sub-section (2) shall be exercised by the State Government after the expiry of three years from the appointed day.

(4) Any order made under sub-section (1) or sub-section (2) may be made so as to be retrospective to any date not earlier than the appointed day.

West Ben.  
Ord. IX of  
1954.

7. Upon the Chandernagore (Assimilation of Laws) Ordinance, 1954, ceasing to operate, anything whatsoever done or any action whatsoever taken under the said Ordinance shall be deemed to have been done or taken under this Act as if this Act had come into force on the 2nd day of October, 1954.

Savings.

West Ben.  
Act XXI of  
1948.

<sup>2</sup>8. Notwithstanding anything to the contrary, in any judgment or decision of any court, tribunal or authority, the following Acts, that is to say,—

Removal of  
doubts  
regarding the  
extension of  
certain Acts  
to Chandernagore.

the West Bengal Land Development and Planning Act, 1948,

West Ben.  
Act XX of  
1949.

the West Bengal Non-Agricultural Tenancy Act, 1949, and

West Ben.  
Act I of  
1954.

the West Bengal Estates Acquisition Act, 1953

shall extend to and be deemed always to have extended to Chandernagore with effect from the appointed day.

<sup>1</sup>For order regarding the recovery of monies accrued in respect of excise licences in Chandernagore as arrears of revenue. see notification No. 787 Ex., dated 23.8.55, published in the *Calcutta Gazette* of 1955, Part I, page 3453.

<sup>2</sup>Section 8 was inserted by s. 2 of the Chandernagore (Assimilation of Laws) (Amendment) Act, 1959 (West Ben. Act V of 1959).