



THE ASSAM GAZETTE

অসাধাৰণ

EXTRAORDINARY

প্ৰাপ্ত কৰ্তৃত্বৰ দ্বাৰা প্ৰকাশিত

PUBLISHED BY THE AUTHORITY

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No. 340 Dispur, Thursday, 29th October, 2009, 7th Kartika, 1931 (S.E.)

GOVERNMENT OF ASSAM

ORDERS BY THE GOVERNOR

LEGISLATIVE DEPARTMENT :: LEGISLATIVE BRANCH

NOTIFICATION

The 29th October, 2009

No.LGL.88/2008/4:-- The following Act of the Assam Legislative Assembly which received the assent of the Governor is hereby published for general information.

ASSAM ACT NO. XXVI OF 2009

(Received the assent of the Governor on 27th October, 2009)

THE ASSAM ADMINISTRATION OF JUSTICE
IN THE NORTH CACHAR HILLS DISTRICT
ACT, 2009



Application of the provisions of the Code of Civil Procedure, 1908 and the Code of Criminal Procedure, 1973, in the North Cachar Hills District

2. (1) On and from such date as the State Government may notify in this behalf in the Official Gazette under the proviso to sub-section(3) of section 1 of the Code of Civil Procedure, 1908 and under the proviso to sub-section (2) of section 1 of the Code of Criminal Procedure, 1973 respectively, the provisions of the Code of Civil Procedure, 1908 and the Criminal Procedure Code, 1973 shall apply in the whole of the North Cachar Hills District for the administration of Justice –both Civil and Criminal subject to provisions of the Sixth Schedule to the Constitution of India.

Central Act
No.5 of 1908
Central Act
No 2 of 1974

(2) The provisions of the Code of Civil Procedure, 1908 and the Code of Criminal Procedure, 1973 shall apply mutatis mutandis to all proceedings, enquiry, investigation, trial and other incidental matters connected with the conduct of Civil and Criminal cases subject to provisions of the Sixth Schedule.

(3) The powers and functions of the police under the existing system which have been prevailing in the North Cachar Hills District so far the suits and cases covered by this Act shall be exercised by the State Police authorities in exercise of the powers conferred and functions assigned to them under the relevant provisions of the Code of Civil Procedure, 1908 and the Code of Criminal Procedure, 1973.

Repeal and saving 3.

(1) The provisions of the Rules for the Administration of Justice in the North Cachar Hills Sub-Division framed by the Governor under the powers vested in him by section 6 of the Scheduled District Act, 1874 (Act XIV of 1874), hereinafter called as the Rules, insofar they are inconsistent with the provisions of this Act, shall stand repealed.

(2) Notwithstanding such repeal, – (i) anything done or any action taken or any case already disposed of under the Rules shall be deemed to have been done or disposed of as if this Act has not come into force.

(ii) suits, cases, appeal, application, proceedings or other business relating to both Civil and Criminal Justice pending before the Court of Deputy Commissioner or the Assistants to Deputy Commissioner shall stand transferred to the Competent Civil and Criminal

Courts of the appropriate jurisdiction to be established under the Code of Civil Procedure, 1908 and the Code of Criminal Procedure, 1973, as the case may be, with effect from such date as may be notified by the State Government.

Central Act
No.5 of 1908
Central Act
No.2 of 1974