

TAMIL NADU (TRANSFERRED TERRITORY) EXTENSION OF LAWS ACT, 1960

1960 : T.N. Act 231 (Transferred Territory) Extension of Laws 537 [TAMIL NADU] ACT No. 23 OF 1960. THE [TAMIL NADU] (TRANSFERRED TERRITORY) EXTENSION OF LAWS ACT, 1960. [Received. the assent of the President on the 18th October 1960, first published in the Fort St. George Gazette on the 2nd November 1960 (Kartika 11, 1882).] An Act to extend certain laws to the transferred territory in the State of Tamil Nadu. WHEREAS it is expedient to provide that certain laws should be extended to, and by virtue of such extension should be in force in, the transferred territory in the State of Tamil Nadu; BE it enacted in the Eleventh Year of the Republic of India as follows 1. (1) This Act may be called the [Tamil Nadu] (Transferred Territory) Extension of Laws Act, 1960. (2) It shall come into force on such date as the State Government may, by notification, appoint. 2. In this Act, unless the context otherwise requires,— Definition, means any law, Ordinance, (a) "existing law " Proclamation, regulation, order, by-law, or rule passed or made before the date of the commencement of this Act by Parliament, or by any Legislature, authority or person having power to make such a law, Ordinance, Proclamation, regulation, order, by-law or rule ; 1 These words were substituted for the word "Madras" by the Tamil Nadu Adaptation of Laws Order, 1969, as amended. by the Tamil Nadu Adaptation of Laws (Second Amendment) Order, 1969. 2 For Statement of Objects and Reasons, see Fort St. George Gazette Extraordinary, dated the 27th April 1960, Part IV-A, Page 179. 3 This expression was substituted for the expression "State of Madras" by the Tamil Nadu Adaptation of Laws Order, 1969, as amended by the Tamil Nadu Adaptation of Laws (Second Amendment) Order, 1969. 538 (Transferred Territory) Extension of Laws [1960: T.N. Act 2 (b) "transferred territory" means the Kanyakumari district and the Shencottah taluk of the Tirunelveli district

3. So much of the enactments specified in the First Schedule as is in force on the date of the commencement of this Act in the State of Tamil Nadu except in the transferred territory and relates to matters with respect to which the State Legislature has power to make laws for the State is hereby extended to, and shall be in force in the transferred territory. 4. (1) The enactments specified in the Second Schedule are hereby amended to the extent and in the manner mentioned in the fourth column thereof. certain enactments. (2) So much of the enactments specified in the Second Schedule as is in force on the date of the commencement of this Act in the State of Tamil Nadu except in the transferred territory and relates to matters with respect to which the State Legislature has power to make laws for the State and as amended to the extent and in the manner mentioned in the fourth column of the said Schedule is hereby extended to, and shall be in force in, the transferred territory, 5, (1) Any reference in any enactment in Construction of references the First. and Second Schedules to a law which is not in force in the transferred territory shall, in relation to that in force in territory, be construed as a reference to the corresponding law, if any, in force in that territory. transferred territory. (2) Any reference in any existing law which continues to be in force in the transferred territory after the date of the commencement of this Act to any law repealed by section 7 shall, in relation to that territory, be construed as a reference to the enactment specified in the First or Second Schedule corresponding to the law so repealed, i This expression was substituted for the expression "State of Madras" by the Tamil Nadu Adaptation of Laws Order, 1969, as amended. by the Tamil Nadu Adaptation of Laws (Second Amendment) Order, 1969. 1960 : T.N. Act 23] (Transferred Territory) Extension of Laws 539 6, Any reference, by whatever form of words, in any Construction existing law to any authority competent at the date of the passing of that law to exercise any powers or discharge functions where any functions in the transferred territory shall, where a new authority has constituted by or otherwise have now constituted if a to 7. If, immediately before the date of Repeal of this Act, there is in force in the transferred territory corresponding any Act, Ordinance, Proclamation, regulation, order, or other law enactment specified in the First or Second Schedule ; whether such Act, Ordinance, Proclamation, regulation" Order, by-law, rule or other law is in force by virtue of section 119 of the States Reorganisation Act, 1956 (1956) or by, or by any other power, such corresponding law shall, on the date of the commencement of this Act, stand repealed to the extent which the corresponding law relates to matters with respect to which the State Legislature has power to make laws for the State. 8, (1) The repeal by, section 7 of any corresponding Savings. existing law shall not affect— (a) the previous

operation of any such law or thing done or duly suffered thereunder, 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 in •of any such right, privilege, obligation, liability, penalty, forfeitUre or punishment as aforesaid; and any such investigation, legal proceeding or rcmcd) may be instituted, continued or enforced and any penalty, forfeiture or punishment may be impoged as if this Act had not been passed. (.fra.nâe,rred Tertiiry) Extension OJ' Laws : Act 2.3 Poyels Of courts and othe auth0• rities for purposes of facilitating application of laws. (2) Subject to the provisions of sub-section (1), anything done or any action taken including any appoint. ment or delegation made, notification, order, instruction or direction issued, rule, regulation, form, by-law or scheme framed, certificate, permit or licence granted or registration effected, under such corresponding existing law shall be deemed to have been done or taken under the corresponding provision of the enactment as now extended to, and in force in, the • transferred territory and shall continue in force accordingly, unless and until superseded by anything done or any action taken under the said enactment

9. For the purpose of facilitating the application in the transferred territory of any enactment specified in the First or Second Schedule, any court or other authority may construe such enactment with such alterations not affecting the substance as may be necessary or proper to adapt it to the matter! before the court or other authority. Extension of IO. (1) The IL Tamil Nadu] General Clauses Act, 1867 [Tamil (ICTamil Nadu]IAct, r of 1867) and the ICTami1 Nadu Nadu2 Genera] (IL Tamil Nadu] Act fof 1891 General are hereby extended to, and shall be in force in, the transferred territor.y. to Lhe transferred territOry . (2) For the removal of doubts, it is hereby declared that the Travancore-Cochin Interpretation and General Clauses Act, 1125 (Travancore-Cochin Act VII 1125) shall continue to apply for the interpretation of any existing law in force in the transferred territory immediately before the 1st day of November 1956 and continuing in force on the date of the commencement of this Act. Extension of 11.

Section 3 of the Prisons and Indian Lunacy Act 1938 (11 Tamil Nadu] Amendment) Act, 1938 (IL Tamil Nadu] (Tamil Nadu Act] Act XIV of 1938) is hereby extended to, and shall be in force in, the transferred territory. These words were substituted for the word " Madras " by the Tamil Nadu Adaptation Order, 1969, as amended by Tamil Nadu Adaptation of Laws (Second Amendment) Order, 1969. This expression was substituted for the expression " Madras Act" by paragraph 3(2) of the Tamil Nadu Adaptation of Laws Order, 197C. 541 1960 : (Transferred Territory) Extension of Laws 12. (1) The State Government notification, Power of extend to' the transferred territory or any part thereof, State Government with such restrictions and modifications as they think fit to extend any enactment which— enactments transferred (i) is in force in the rest of the State of Tamil territory by Nadu at the date of the notification; and no, ification. (ii) relates to matters with respect to which the Legislature has power to make laws for the State (2) Where any enactment is extended to the transferred territory by a notification under sub-section (1), the enactment so extended shall be deemed to have been included in the First or Second Schedule, as the case may be, and sections 5 to 9 shall apply accordingly. (3) Every notification issued under sub-section (1) shall be laid before the Legislature if it is sitting, as soon as may be after the issue of the notification, and if it is not sitting, within seven days of its reassembly, and the State Government shall seek the approval of the Legislature to the notification by resolution moved within a period of fifteen days beginning with the day on which the notification is so laid before it ; and if the Legislature makes any modification in the notification or directs that the notification shall cease to have effect, the notification shall, modified form or be of no effect, as the case may be, but without prejudice to the validity of anything previously done thereunder. (4) Where in respect of any notification issued under sub-section (1), the Legislature directs under sub-section (3) that the said notification shall cease to have effect, the corresponding law, if any, repealed under sub-section (2) of this section read with section 7 shall revive and come into force in the transferred territory with effect on and from the date on which the Legislature so directs. This expression is substituted for the expression "State Of Madras " by the Tamil Nadu Adaptation of Laws Order, 1969, as amended by the Tamil Nadu Adaptation of Laws (Second Amendment) order, 1969. 542 (Transferred Territory) .[1960 : T.N. Act. 23 Extension Laws Repeal of certain enactments. Power to remove difficulties

13. The enactments: specified in the Third Schedule in so far as they apply to, and are in force in, the transferred territory are hereby repealed. 14. (1) If any difficulty arises in giving effect to the

provisions of this Act or of any enactment extended to the transferred territory by or under this Act, the State Government, as occasion may require, may, by order, do anything which appears to them necessary for the purpose of removing the difficulty. (2) All orders made under sub-section (1) shall, as soon as possible after they are made, be placed on the table of both the Houses of the Legislature and shall be subject to such modifications by way of amendment or repeal as the Legislature may make either in the same session or in the next session. Year, (1) 1837' 1839 1851 1856 1858 1859 1863 1864 1871 Number. (2) XXXVI VII VIII xv 1 XXIV .. XXIII .. xv THE FIRST SCHEDULE. (See section 3.) Short title. (3) C, Acts, The IL Tamil Nadu] Public Property Malversation Act, 1837. The 1[Tamii Nadul Rent and Revenue sales Act, 1839. Indian Tolls Act, 1851. The Hindu 'Widows' Re-marriage Act, 1856. The 11 Tamil Nadur Compulsory Labour Act, 1858. The 11 Tamil Nadul District Police Act, 1859. The Waste Lands (Claims).Act, 1863? The Indian Tolls Act, 1864. The Cattle-trespass Act, 1871, These words were substituted * for the word " Madras " by the Tamil Nadu Adaptation of Laws Order, as amended by the Tamil Nadu Adaptation of Laws (Second Amendment) Order, 1969, 1M: Act 231 Year. Number, (Transferred Territory) Extension of Laws Short title. (3) Central Acts-4Cnt. 543 (1) 1871 1878 1885 1886 1892 1894 1913 1916 1918 1930 1938 1802 1829 1865 1878 (2) XXIII XVIII x 1 VI VII x xxxu x 111 VII x 1 VIII The Pensions Act, 1871. The Indian Treasure-trove Act, 1878. The Land Acquisition (Mines) Act, 1883. The Births, Deaths and Marriages Registration Act, 1886. The Government Management of Private Estates Act, 1892. The Land Acquisition Act, 1894. The Mussalman Wakf Validating Act, 1913. The Indian Medical Degrees Act, 1916. The Usurious Loans Act, 1918. The Mussalman Wakf Validating Act, 1930. The Cutchi Memons Act, 1938. 11 Tamil Nadu Regulations.] The 21 Tamil Nadul Administration of Estates Regulation, 1802. The IL Tamil Nadul Endowment". and Escheats Regulation, . The 1[Tamil Nadu] Hindu Wills Regulation, 1829. The 11 Tamil Nadu] Sale of Minors' Estates Regulation, 1831, 3[Tamil Nadu Acts] Nadu] District Limits Act, 1865. The 21 Tamil Nadu] Coffee-stealing Prevention Act, 1878. i This expression was substituted for the expression "Madras Regulations' by paragraph 3 (2) of the Tamil Nadu Adaptation of Laws Order, 1970. These words were substituted for the word " Madras " by the Tamil Nadu Adaptation of Laws Order, 1969, as amended by the Tamil Nadu Adaptation of Laws (Second Amendment) Order, 1969; This expression was substituted for the expression " Madras Acts" by paragraph 3(2) Of the Tamil Nadu Adaptation of Laws Order, 1970, 544 (1) 1885 1889 1890 1911 1914 1918 1919 1926 1935 1936 1938 1938 1938 1939 1943 1943 1943 1945 1947 1948 Number. (2) 111 11 1 111 1 VII 111 xv XIX 111 XMII .. XII 1 (Transferred Territory) Extension of Laws Short title, (3) 1[Tamil Nadu] [1960 : Act 23 Shipping Fees The 1[Tamil Nadu] Outports Landing and Act, 1885. The 2[Tamil Nadul Towns Nuisances Act, 1889, The 21 Tamil Nadu] Canals and Public Ferries Act, 1880, The 2[Tamil Nadu] Hackney Carriage Act, 1911. The 21 Tamil Nadu] Medical Registration Act, 1914. The Mappilla Succession Act, 1918, The 2[Tamil Nadul Agricultural Pests and Diseases Act, 1919. The 21 Tamil Nadu] Indian Ports (Amendment) Act, 1925. The 21 Tamil Nadu] Debtors' Protection Act, 1934. The Indian Registration (2[Tamil Nadu] Amendment) Act, 1935. The 2[Tamil Nadu] Traffic Control Act, 1938. The Indian Lunacy (ZI Tanat, Amendment) Act, 1938, The Nadu) Minor Ports Fund Act, 1938. The Nadul Electricity Duty Act, 1939. The Legal Practitioners (2[Tamil Nadu] Amendment) Act, 1943 The Indian Lunacy (2[Tamil Nadu] Amendment) Act, 1943. The 2[Tamil Nadu] Pawnbrokers Act, 1943. The 2K Tamil Nadu] Prevention of Couching Act, 1945. The Bar Councils and Legal Practitioners (2[Tamil Nadu] Amendment) Act,] 947. The Madras Home Guards Act, 1948. 1 This expression was substituted for the expression " Madras Acts " • by paragraph 3(2) Of the Tamil Nadu Adaptation of Laws Order, 1970. These words were substituted for the word " Madras " by the Tamil Nadu Adaptation of the Laws Order, 1969, as amended by the Tamil Nadu Adaptation of Laws (Second Amendment) Order, 1969. 1960 : T.N. 231 Year. (1) 1948 1948 • 1949 1949 1949 1949 1950 1952 1956 u) 1864 (Transferred Territory) Extension of Laws Short title. (3) 1[Tamil Nadu Act sk COI t. 545 Munzber, (2) xlv VIII xvm .. xxx . XLVII xr.,V111 XVIII .. XVI xxvii The 2[Tamil Nadu]Restriction of Habitual Offenders Act, 1948. The 21 Tamil Nadu] Aided Institutions (Prohibition of Transfers of Property) Act, 1948. The Vexatious Litigation (Prevention) Act, 1949. The Muslim Personal Law (Shariat) Nadul Amendment) Act, 1949. The 21 Tamil Nadu] Drugs (Control) Act, 1949. The [Tamil Nadu] Cotton (Trade Stocks) Census Act, 1949. The 2K Tamil Nadu] Educational Institutions (Temporary Control of Property) Act, 1949. The 21 Tamil Nadu] Jute (Control of Prices and Sales) Act, 1950. The 21 Tamil Nadu] Anatomy Act, 1951. The 21 Tamil Nadul Motor Vehicles (Taxation of Passengers and

Goods) Act, 1952. The amu maclu] Registration of Practitioners of Integrates.. Medicine Act, 1956. THE SECOND SCHEDULE. Number, (2) 11 (See section 4.) Short title. (3) 1[Tamil Nadu Acts,] Amendm.ents. (4) The 21 Tamil Nadu] Revenue (These amendments have been incorporated in the Recovery Act, 1864, principal Act, viz., Tamil Nadu Act 11 of 1864,) 1 This expression was substituted for the expcression " Madras Acts " by paragraph 3(2) of the Tamil Nadu Adaptation of Laws Order, 1970. Tlxes\$\$ words were substituted . for the word " Madras by Ptbe Taniil kadit AdaptatiOn •of Laws Order,hD69, as amc Dded by the Tamil. Naau "aptation• ofl aws (Second Amendment) Order, ß69. 546 Year. 1902 1905 - 1931 Year. (1) 1010 1010 1124 1953 Nu,nber. (2) 1 111 Number. (2) 1 (Transjerred Territory) Extension OJ Laws Short title, (3) [Tamil Nadu The at Tamil Nadu] Court of Wards Act, 1902. The 2CTamil Nadu] Land Encroachment Act, 1905. *The 2[Tamil Nadu] Motor Vehicles Taxation Act, 1031. THE THIRD SCHEDULE. (See section 13.) REPEALS. Short title. (3) Travancore Ads. [1960 : .T.N Act 23 Amendments. (4) (These amendments have been incorporated in the principal Act, viz.. Tamil Nadu Act 1 of 1902). (These amendments have been incorporated in the principal Act, viz., Tamil Nadu Act JII of 1905). (These amendments have been incorporated in the principal Act, viz., Tamil NaduAct The Powers and Jurisdiction of Munsifs Act, 1010. The Jurisdiction of Zillah Judges Act, 1010, The Travancore Opium Smoking Act, 1124. Travancore-Cochin Agt. The Travan•core-Cochin Medical Practitioners Act, 1953. This exp •ession was subst;auted for the expression "Madras Acts" by paragraph 3 (2) of the Tamil Nalu Adaptation of Laws Order, 1970. 3 These words were substituted for the word " Madras " by the Tamil Nadu Adapl•ation of Llws Order, 1969, as atn3nded bythe Tamil Nadu Adaptation of Laws (Second Amendment) Order, 1969. *Now the Tamil Nadu Motor Vehicles TaxatiorAct, 1974 (Tamil Nadu Act 13 Of 1974).

