

TAMIL NADU PRESERVATION OF PRIVATE FORESTS (EXTENSION TO KANYAKUMARI DISTRICT) ACT, 1979

982 Preservation of Private [1979 : T.N. Act 28 Forests (Extension to Kanyakumari District) TAMIL NADU ACT NO. 28 OF 1979.] THE TAMIL NADU PRESERVATION OF PRIVATE FORESTS (EXTENSION TO KANYAKUMARI DISTRICT) ACT, 1979. [Received the assent of the President on the 3rd May 1979, first published in the Tamil Nadu Government Gazette Extraordinary on the 9th May 1979 (Chithirai 26, Chitharthi (2010—Tiruvalluvar Andu)).] . An Act to extend the Tamil Nadu Preservation of Private Forests Act, 1949 to the Kanyakumari district. BE it enacted by the Legislature of the State of Tamil Nadu in the Thirtieth Year of the Republic of India as follows Short title 1. (1) This Act may be called the Tamil Nadu Preservation of Private Forests (Extension to Kanyakumari District) Act, 1979. Definition. (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, "existing law" means any law, Ordinance, Proclamation, Regulation or Order, By-law or Rule passed or made before the date of 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. Extension of 3.

The Tamil Nadu Preservation of Private Forests Tamil Nadu Act, 1949 (Tamil Nadu Act XXVII of 1949), as in force Act XXVII immediately before the date of commencement of this of 1949. Act in the State of Tamil Nadu except the Kanyakumari District, is hereby extended to, and shall be in force in the Kanyakumari district. Repeal of 4. If, immediately before the date of commencement corresponding of this Act, there is in force in the Kanyakumari district laws. any Act, Ordinance, Proclamation, Regulation, Order, By-law, Rule or other law corresponding to the enactment now extended to the Kanyakumari district, whether such Act, Ordinance, Proclamation, Regulation, Order, By-law, Rule or other law, is in force by virtue of section 119 of the * For Statement of Objects and Reasons, see Tamil Nadu Government Gazette Extraordinary, dated the 7th March 1979, Part 1 V—Section 1, Pages 71-72. 1979 : T.N. Act 28] Forests (Extension to Kanyakumari District) 983 States Reorganisation Act, 1956 (Central Act 37 of 1956), or by virtue of any other legislative power, such corresponding law shall, on the date of commencement of this Act, stand repealed to the extent to which the corresponding law relates to matters with respect to which the State Legislature has power to make laws for the State. S. (1) The repeal by section 4 of any corresponding law shall not affect— (a) the previous operation of any such law or anything duly done or suffered thereunder, or (b) any right, privilege, obligation or liability acquired, accrued or incurred under any such law, or (c) any fine, 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 any such right, privilege, obligation, liability, fine, penalty, forfeiture or punishment as aforesaid ; and any such investigation, legal proceeding or remedy may be instituted, continued or enforced and any such fine, penalty, forfeiture or punishment may be imposed as if this Act had not been passed. (2) Subject to the provisions of sub-section (1), any, thing 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, 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 Kanyakumari District and shall continue in force accordingly, unless and until superseded by any, thing done or any action taken under the said enactment. 6. (1) Any reference in the enactment now extended to to the Kanyakumari District to a law which is not in force in the Kanyakumari District shall, in relation to that in force in District, be construed as a reference to the corresponding law in the Kanyakumari District, if any, in force in that District. District, 984 preservation of Private [1979 : Act 28 Forests (Extension to Kanyakumari District) Construction of references to authorities where new authorities have been constituted. Powers of courts and other authority for purposes of facilitating application of laws. (2) Any reference in any existing law which continues to be in force in the Kanyakumari District after the date of commencement of this Act to any law repealed by section 4 shall, in relation to that District, be construed

as a reference to the enactment now extended to the Kanya- kumari District corresponding to the law so repealed

7. Any reference, by whatever form of words, in any existing law to any authority competent at the date of the passing of that law to exercise any powers or discharge any functions in the Kanyakumari District shall, where a corresponding new authority has been constituted by or under the enactment now extended to the Kanyakumari District have effect as if it were a reference to that new authority

8. For the purpose of facilitati g the application in Kanyakumari District of the enactment now extended to the Kanyakumari District, 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.

