



The Tamil Nadu Re-Enacting (No.2) Act, 1948

Act 8 of 1948

Keyword(s):
Re-Enacting Act, Proclamation

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[TAMIL NADU] ACT No. VIII OF 1948.²

[THE [TAMIL NADU] RE-ENACTING (No. II) ACT, 1948.]

(Received the assent of the Governor-General on the 24th April 1948; first published in the Fort St. George Gazette Extraordinary on the 28th April 1948.)

An Act to re-enact certain enactments.

WHEREAS the Governor of Madras, by a Proclamation made under section 93 of the Government of India Act, 1935, on the 30th day of October 1939, ^{26 Geo. 5, Ch. 7.} assumed to himself all powers vested by or under that Act in the Provincial Legislature and in either Chamber of the Provincial Legislature, subject to the provisions contained in the Proclamation;

AND WHEREAS in pursuance of those powers many laws have been enacted;

AND WHEREAS the said Proclamation was revoked by the Governor on the 30th day of April 1946;

AND WHEREAS sub-section (4) of the said section 93 had provided that the laws so enacted should, subject to the terms thereof, continue to have effect until two years elapsed from the date on which the Proclamation ceased to have effect, unless sooner repealed or re-enacted by Act of the appropriate Legislature:

AND WHEREAS notwithstanding the omission of section 93 from the Government of India Act, 1935, by ^{6 Geo. 5, Ch. 2.} the India (Provisional Constitution) Order, 1947, the laws aforesaid continue, by virtue of paragraph 6 of the said Order, to have effect as described in the foregoing paragraph;

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*, dated the 10th February 1948, Part IV-A, page 66.

AND WHEREAS it is expedient to re-enact with suitable modifications some of the laws aforesaid permanently and some of the other laws for a period of one year;

It is hereby enacted as follows:—

1. (1) This Act may be called the ¹[Tamil Nadu] Re-enacting (No. II) Act, 1948.

(2) It shall come into force on the 29th day of April 1948 :

Provided that the re-enactment of Madras Act XIX of 1942 shall be deemed to have come into force on the 31st day of March 1948.

²[2-5. * * *]

6. The re-enactment of any Act by section 2, 3 or 4 (1) of this Act shall not be deemed to affect the operation of any amendment made in the Act so re-enacted or in any enactment amended by that Act, on or after the 30th day of April 1946 and before the commencement of this Act.

³[]

Short title and commencement.

Re-enactments not to affect operation of certain amending Acts passed before this Act.

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.

Sections 2 to 5 were repealed by section 2 of, and the First Schedule to, the Tamil Nadu Repealing and Amending Act, 1952 (Tamil Nadu Act XI of 1952).

³ Schedules First, Second and Third were repealed by *ibid.*