



The Tamil Nadu Re-Enacting Act, 1949

Act 10 of 1949

Keyword(s):
Re-Enactment of Laws

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¹[TAMIL NADU] ACT No. X OF 1949².

[THE ¹[TAMIL NADU] RE-ENACTING ACT, 1949.]

(Received the assent of the Governor-General on the 29th April 1949 ; first published in the Fort St. George Gazette, Extraordinary, on the 30th April 1949.)

An Act for the re-enactment of certain Acts.

WHEREAS the Acts specified in the First, Second and Third Schedules were temporarily re-enacted up to and inclusive of the 29th day of April 1949, by the ¹[Tamil Nadu] Re-enacting and Repealing (No. I) Act, 1948, and the ¹[Tamil Nadu] Re-enacting (No. II) Act, 1948 ;

¹[Tamil Nadu] Act VII of 1948
¹[Tamil Nadu] Act VIII of 1948.

AND WHEREAS it is expedient to re-enact the Acts referred to in the First Schedule permanently, the Acts referred to in the Second Schedule permanently but with the modifications set forth in that Schedule, and the Acts referred to in the Third Schedule temporarily for a further period of one year up to and inclusive of the 29th day of April 1950;

It is hereby enacted as follows :—

Short title and commencement. I. (1) This Act may be called the ¹[Tamil Nadu] Re-enacting Act, 1949.

(2) It shall come into force on the 30th day of April 1949.

Permanent re-enactment of certain Acts.

2. (1) The Acts specified in the First Schedule are hereby re-enacted permanently without any modification.

(2) The Acts specified in the Second Schedule are hereby re-enacted permanently, with the modifications set forth in the fourth column of that Schedule.

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 30th March 1949, Part IVA, pages-233-234.

3. The Acts specified in the Third Schedule shall remain in force up to and inclusive of the 29th day of April 1950, and upon the expiry of the said Acts—

Temporary re-enactment of certain Acts.

(a) section 8 of the ¹[Tamil Nadu] General Clauses Act, 1891, shall apply as if the said Acts had then been repealed by a ²[Tamil Nadu Act];

¹[Tamil Nadu] Act I of 1891).

(b) save as provided in clause (a), the Acts, if any, amended by the said Acts shall have operation as if the latter had never been enacted.

THE FIRST SCHEDULE

ACTS PERMANENTLY RE-ENACTED.

[See SECTION 2(1).]

<i>Year.</i>	<i>Number.</i>	<i>Short title.</i>
(1)	(2)	(3)
1940	IX	The Madras Motor Vehicles Taxation (Amendment) Act, 1940.
1941	XVIII	The ¹ [Tamil Nadu] Proprietary Estates' Village-service and Hereditary Village-offices (Amendment) Act, 1941.
1941	XIX	The Madras Public Health (Amendment) Act, 1941.
1941	XXIII	The Madras City Police and Towns Nuisances (Amendment) Act, 1941.
1942	XXVIII	The ¹ [Tamil Nadu] Hereditary Village-offices (Amendment) Act, 1942.

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 This expression was substituted for the expression "Madras Act" by the Tamil Nadu Adaptation of Laws Order, 1970.

THE SECOND SCHEDULE

ACTS PERMANENTLY RE-ENACTED WITH SPECIFIED
MODIFICATIONS.

[See SECTION 2 (2)]

<i>Year.</i>	<i>Number.</i>	<i>Short title.</i>	<i>Modifications.</i>
(1)	(2)	(3)	(4)
1941	VII	The Madras City Municipal, District Municipalities and Local Boards (Amendment) Act, 1941.	In sections 2, 3 and 4, for the words "may be modified" the words "may, at the instance of the local authorities concerned, be modified", and for the words "may be cancelled", the words "may, at the instance of such local authorities, be cancelled" shall be substituted.
1942	XX	The Madras City Police, Towns Nuisances and Prevention of Cruelty to Animals (Amendment) Act, 1942.	In sections 2, 3 and 4 (2)—(i) in the opening paragraph, for the words "the following sub-section", the words, "the following sub-sections", shall be substituted; (ii) in new sub-section (2), the portion beginning with the words "and the provisions of" and ending with the words "by a Police officer" shall be omitted, and in lieu thereof, the following new sub-sections

<i>Year.</i>	<i>Number.</i>	<i>Short title.</i>	<i>Modifications.</i>
(1)	(2)	(3)	(4)

shall be inserted after sub-section (2) aforesaid, namely:—

“(3) The agent shall have power to release any person so arrested on his executing a bond, with or without sureties, for his appearance before a Magistrate if and when required.

(4) The provisions of the Code of Criminal Procedure, 1898, shall apply to any arrest made or bond taken under this section as if the arrest had been made, or the bond had been taken, under the said Code.”

Central
Act V of
1898.

THE THIRD SCHEDULE

ACTS TEMPORARILY RE-ENACTED FOR A PERIOD OF ONE YEAR.

(See SECTION 3.)

<i>Year</i>	<i>Number.</i>	<i>Short title.</i>
(1)	(2)	(3)
1941	XV	The Madras Elementary Education (Amendment) Act, 1941.
1944	V	The Madras Hindu Religious Endowments (Amendment) Act, 1944, as amended by Madras Act X of 1946.

<i>Year.</i>	<i>Number.</i>	<i>Short title.</i>
(1)	(2)	(3)
1944	XIII	The Tirumalai-Tirupati Devas- thanams (Amendment) Act, 1944.
1945	XVI	The Madras City Improvement Trust Act, 1945, as amended by Madras Act XV of 1947.
1946	VIII	The Madras Elementary Education (Amendment) Act, 1946.
1946	X	The Madras Hindu Religious Endowments (Amendment) Act, 1946.