



The Tamil Nadu (Added Territories) Extension of Laws (No.2) Act, 1961

Act 39 of 1961

Keyword(s):

Added Territories, Existing Law

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¹[TAMIL NADU] ACT NO. 39 OF 1961 ².

THE ¹[TAMIL NADU] (ADDED TERRITORIES)
EXTENSION OF LAWS (No. 2) ACT, 1961.

[Received the assent of the President on the 24th November 1961, first published in the Fort. St. George Gazette on the 6th December 1969 (Agrahayana 15, 1883).]

An Act to extend certain laws to the added territories in the ³[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 added territories in the ³[State of Tamil Nadu] ;

BE it enacted in the Twelfth Year of the Republic of India as follows :—

1. This Act may be called the ¹[Tamil Nadu] (Added Short title, Territories) Extension of Laws (No. 2) Act, 1961.

2. In this Act, unless the context otherwise requires,— Definitions.

(a) “added territories” means the territories specified in the Second Schedule to the Andhra Pradesh and Madras (Alteration of Boundaries) Act, 1959 (Central Act 56 of 1959) ;

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 26th August 1961, Part IV—Section 3, pages 290—291.

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.

7. If, immediately before the date of the commencement of this Act, there is in force in the added territories any Act, Ordinance, regulation, order, by-law, rule or other law corresponding to an enactment specified in the First Schedule, whether such Act, Ordinance, regulation, order, by-law, rule or other law is in force by virtue of section 45 of the Andhra Pradesh and Madras (Alteration of Boundaries) Act, 1959 (Central Act 56 of 1959), or by virtue of any other legislative power, such corresponding law shall, on the date of the commencement of this Act, stand repealed to the extent to which the corresponding law relates to matters with respect to which the State Legislature has power to make laws for the State. Repeal of corresponding laws.

8. (1) The repeal by section 7 of any corresponding existing law shall not affect —

Savings.

(a) the previous operation of any such law or anything 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 remedy in respect of any such right, privilege, obligation, liability, penalty, forfeiture or punishment as aforesaid;

and any such investigation, legal proceeding or remedy may be instituted, continued or enforced and any such penalty, forfeiture or punishment may be imposed as if this Act had not been passed.

(2) Subject to the provisions of sub-section (1), anything 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 added territories and shall continue in force accordingly, unless and until superseded by anything done or any action taken under the said enactment.

(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 added territories with effect on and from the date on which the Legislature so directs.

12. The enactments specified in the Third Schedule, Repeal of section 13 of the ¹[Tamil Nadu] Coffee-stealing Prevention Act, 1878) ¹[Tamil Nadu the VIII of 1878), section 3-A of the ¹[Tamil Nadu] General Clauses Act, 1891) ¹[Tamil Nadu] Act I of 1891) and section 2 of the ¹[Tamil Nadu] Limited Proprietors Act, 1911) ¹[Tamil Nadu] Act IV of 1911), is so far as they apply to, and are in force in, the added territories are hereby repealed. certain enactments.

13. The enactments specified in the Fourth Schedule are hereby formally declared to be no part of the laws in force in the added territories. Declaration respecting certain enactments.

14. (1) If any difficulty arises in giving effect to the provisions of this Act or of any enactment extended to the added territories 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. Power to remove difficulties.

(2) Every order issued under sub-section (1) shall, as soon as possible after it is issued, be placed on the table of both Houses of the Legislature, and if, before the expiry of the session in which it is so placed or the next session, both Houses agree in making any modification in any such order or both Houses agree that the order should not be issued, the order shall thereafter have effect only in such modified form or be of no effect, as the case may be, so however, that any such modification or annulment shall be without prejudice to the validity of anything previously done under that order.

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.

THE FIRST SCHEDULE.

(See section 3.)

<i>Year.</i>	<i>Number.</i>	<i>Short title.</i>
(1)	(2)	(3)
1920	IV	The ¹ [Tamil Nadu] Children Act, 1920.
1923	V	The ¹ [Tamil Nadu] State Aid to Industries Act, 1922.
1935	XX	The ¹ [Tamil Nadu] Betting Tax Act, 1935.
1939	III	The ¹ [Tamil Nadu] Public Health Act, 1939.
1955	XIV	The ¹ [Tamil Nadu] Court-fees and Suits Valuation Act, 1955.
1956	XXXI	The Code of Criminal Procedure ¹ [Tamil Nadu] Amendment Act, 1956.
1956	XLII	The ¹ [Tamil Nadu] Requisitioning and Acquisition of Immoveable Property Act, 1956.
1957	XIV	The Prevention of Insults to National Honour Act, 1957.
1957	XXVI	The ¹ [Tamil Nadu] Money-Lenders Act, 1957.
1958	XIII	The ¹ [Tamil Nadu] Catering Establishments Act, 1958.
1958	XV	The ¹ [Tamil Nadu] Bhoodan Yagna Act, 1958.
1958	XX	The ¹ [Tamil Nadu] Weights and Measures (Enforcement) Act, 1958.
1958	XXXII	The ¹ [Tamil Nadu] Beedi Industrial Premises (Regulation of Conditions of Work) Act, 1958.
1958	XXXIII	The ¹ [Tamil Nadu] Industrial Establishments (National and Festival Holidays) Act, 1958.
1959	23	The ¹ [Tamil Nadu] Agricultural Produce Markets Act, 1959.

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.

THE SECOND SCHEDULE.

(See section 4).

Year.	Number.	Short title.	Amendments.
(1)	(2),	(3)	(4)
1891	1	The ¹ [Tamil Nadu] General Clauses Act, 1891.	<p>(1) In section 3—</p> <p>(i) after clause (19), the following clause shall be inserted, namely :—</p> <p>‘(19-a) “notification” shall mean a notification published in the Official Gazette’;</p> <p>(ii) after clause (23), the following clause shall be inserted, namely :—</p> <p>‘(24) “prescribed” shall mean prescribed by rules, regulations or by-laws made under the Act, in which the word occurs’.</p> <p>(2) In sections 10 and 15, for the words “to issue orders”, the words “to issue notifications or orders”, and for the words “bye-laws or orders”, the words “by-laws, notifications or orders” shall be substituted.</p> <p>(3) In section 12, for the words “all ²[Tamil Nadu Acts] Andhra Act, and Andhra Pradesh Acts made”, the words “all ²[Tamil Nadu Acts], Andhra Acts and Andhra Pradesh Acts” shall be substituted.</p> <p>(4) In section 23, clause (a) shall be omitted.</p>
1898	V	The Malabar Wills Act, 1898.	In section 1 sub-section (3), the proviso shall be omitted.

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 Acts” by paragraph 3(2) of the Tamil Nadu Adaptation of Laws Order, 1970.

Year.	Number.	Short title.	Amendments.
(1)	(2)	(3)	(4)
1902	I	The ¹ [Tamil Nadu] Court of Wards Act, 1902.	In clause (f) of section 33, for the words, figures and letters "any part of India which, immediately before the 1st day of November 1956, was comprised in a Part A State or a Part C State", the word "India" shall be substituted.
1919	III	The ¹ [Tamil Nadu] Agricultural Pests and Diseases Act, 1919.	(1) In section 2, in the definition of the expression "occupier", the words "railway or other" shall be omitted. (2) In sub-section (2) of section 9, for the words, figures, brackets and letters "sub-section 1 (a)", "sub-section 1 (b)", and "sub-section 1 (c)", the words, brackets, figures and letters "sub-section (1) (a)", "sub-section (1) (b)", and "sub-section (1) (c)" shall respectively be substituted.
1920	VII	The ^{*1} [Tamil Nadu] Town-Planning Act, 1920.	(1) In section 38, sub-section (1), for the words "on this behalf", the words "in this behalf" shall be substituted. (2) In section 39— (i) in sub-section (1), for the words and figures "union or other local area in which the Madras Local Boards Act, 1920, is in force", the words and figures "panchayat or non-panchayat area in which the ¹ [Tamil Nadu] Village Panchayats Act, 1950, or the ¹ [Tamil Nadu] District Boards Act, 1920, is in force" shall be substituted.

¹These 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 Act has now been repealed by the Tamil Nadu Town and Country Planning Act, 1971 (Tamil Nadu Act 35 of 1972), section 125.

Year. Number.		Short title.	Amendments.
(1)	(2)	(3)	(4)
1920— cont.	VII— cont.	The * ¹ [Tamil Nadu] Town- Planning Act, 1920— cont.	(ii) in sub-section (3), for the words “union or other local area”, the words “panchayat or non-panchayat area” shall be substituted. (3) In section 40— (i) for the words and figures “union or other local area in which the Madras Local Boards Act, 1920, is in force”, the words and figures “panchayat or non-panchayat area in which the ¹ [Tamil Nadu] Village Panchayats Act, 1950, or the ¹ [Tamil Nadu] District Boards Act, 1920 is in force” shall be substituted. (ii) for the words “authorities of of the union or local board” the words “authorities of the panchayat or district board” shall be substituted. (4) In section 48, sub-section (1), clause (c), after the words “Code of Criminal Procedure”, the figures “1998” shall be inserted.
1920	VII	The ¹ [Tamil Nadu] Elementary Education Act, 1920.	In clause (c) of section 44, the word “or” shall be added at the end.
1940	XX	The Indian Medical Degrees (¹ [Tamil Nadu] Amendment) Act, 1940.	In section 6-A of the Indian Medical Degrees Act, 1916, inserted by section 3, in sub-section (1), clause (b), sub-clause (i), for the words, figures and letters “any part of India which, immediately before the 1st day of November 1956, was comprised in a Part A State or Part C State”, the words “India or in any Part thereof” shall be substituted.

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.

* This Act has now been repealed by the Tamil Nadu Town and Country Planning Act, 1971 (Tamil Nadu Act 35 of 1972), section 125.

Year.	Number.	Short title.	Amendments.
(1)	(2)	(3)	(4)
1948	XIV	The ¹ [Tamil Nadu] Aided Institutions (Prohibition of Transfers of Property) Act, 1948.	In section 2, clause (2), sub-clause (c), for the words "class of institution", the words "class of institutions" shall be substituted.
1949	XVIII	The Muslim Personal Law (Shariat) Application (¹ [Tamil Nadu] Amendment) Act, 1949.	<p>(1) In section 2, after the brackets and word "(Shariat)", the word "Application" shall be inserted.</p> <p>(2) In section 3—</p> <p>(i) the following marginal note shall be inserted, namely:—</p> <p style="padding-left: 40px;">"Substitution of new section for section 2, Central Act XXVI of 1937";</p> <p>(ii) before the word "Notwithstanding", the figure "2" shall be inserted.</p>

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.

THE THIRD SCHEDULE.

(See section 12.)

<i>Year.</i>	<i>Number.</i>	<i>Short title.</i>
(1)	(2)	(3)
¹ [<i>Tamil Nadu Acts.</i>]		
1920	XI	The Madras General Clauses (Amendment) Act, 1920.
1922	V	The Madras Court Fees (Amendment) Act, 1922.
1938	XXI	The Madras Removal of Civil Disabilities Act, 1938.
1943	XXVIII	The Madras Elementary Education (Amendment) Act, 1943.
1944	I	The Madras Estates Land (Temporary Amendment) Act, 1944.
1945	XVII	The Court-fees (Madras Amendment) Act, 1945.
1946	VIII	The Madras Elementary Education (Amendment) Act, 1946.
1949	XII	The Industrial Disputes (Madras Amendment) Act, 1949.
<i>Andhra Pradesh Acts.</i>		
1957	XI	The Andhra Pradesh Agricultural Holdings (Census) Act, 1957.
1960	VIII	The Andhra Pradesh Public Libraries Act, 1960.

¹ This expression was substituted for the expression "Madras Acts" by paragraph 3 (2) of the Tamil Nadu Adaptation of Laws Order, 1970.

THE FOURTH SCHEDULE.

(See section 13.)

<i>Year.</i>	<i>Number.</i>	<i>Short title.</i>
(1)	(2)	(3)
		<i>Central Regulations of Local Application.</i>
1909	I	The Nugur, Albaka and Cherla Laws and Cesses Regulation, 1909.
1912	I	The Laccadive Islands and Minicoy Regulation, 1912.
		<i>Central Acts of Local Application.</i>
1881	XVIII	The Central Provinces Land-Revenue Act, 1881.
1883	I	The Central Provinces Local Self-Government Act, 1883.
1898	XI	The Central Provinces Tenancy Act, 1898.
		<i>Madras Regulations.</i>
1937	I	The Madras Agency Rules (Amendment) Regulation, 1937.
1939	II	The Madras Agency Rules (Amendment) Regulation, 1939.
1940	I	The Madras (Partially Excluded Areas) Village Courts Regulation, 1940.
1940	III	The Madras Agency Debt Bondage Abolition Regulation, 1940.
1940	IV	The Madras Agency Rules (Amendment) Regulation, 1940.
1940	V	The Madras (Partially Excluded Areas) Court of Wards Regulation, 1940.
1940	VI	The Madras (Partially Excluded Areas) Guardians and Wards Regulation, 1940.
1940	VII	The Madras Agency Rules (Second Amendment) Regulation, 1940.
1942	III	The Amindivi Islands Court Fees Regulation, 1942.
1942	IV	The Madras Agency Rules (Amendment) Regulation, 1942.
1942	V	The West Godavari (Ganjam and Vizagapatam Act Extension) Regulation, 1942.
1943	I	The Madras (Partially Excluded Areas) (Estates Land Repealing) Regulation, 1943.

THE FOURTH SCHEDULE—*cont.*

<i>Year.</i>	<i>Number.</i>	<i>Short title.</i>
(1)	(2)	(3)
<i>Madras Regulations—cont.</i>		
1943	II	The Golconda and Polavaram Taluks (Local Taxation and Fees) Regulation, 1943.
1944	I	The Madras Agriculturists Relief (Partially Excluded Areas Amendment) Regulation, 1944.
1945	II	The Madras (Partially Excluded Areas) Compulsory Vaccination Regulation, 1945.
1946	I	The Madras Agency Rules (Amendment) Regulation, 1946.
1946	II	The Madras Agency Rules (Second Amendment) Regulation, 1946.
1947	I	The Madras Agency Rules (Amendment) Regulation, 1947.
1947	II	The Madras Agency Rules (Second Amendment) Regulation, 1947.
1948	I	The Madras Agency Rules (Amendment) Regulation, 1948.
1949	II	The Madras Agency Rules (Amendment) Regulation, 1949.
1951	I	The Madras Scheduled Areas (Validation of Succession Certificates) Regulation, 1951.
1951	II	The Madras Agency Rules (Amendment) Regulation, 1950.
1951	III	The Scheduled Areas Estates Land (Reduction of Rent Amendment) Regulation, 1951.
1951	IV	The Madras Scheduled Areas Estates (Abolition and Conversion into Roytwari) Regulation, 1951.
<i>Madras Acts.</i>		
1917	I	The Agency Tracts Interest and Land Transfer Act, 1917.
1920	XIII	The Mulgeni Rent Enhancement Act, 1920.
1926	VII	The Kirlampudi B and C Estates, Dontamuru and Rayavaram Impartible Estates Act, 1926.

THE FOURTH SCHEDULE—cont.

Madras Act—cont.

<i>Year.</i>	<i>Number.</i>	<i>Short title.</i>
(1)	(2)	(3)
1928	V	The Jaggampeta A and D Estates Impartible Estates Act, 1928.
1929	VIII	The Mirzapuram and Pedagonnur Impartible Estates Act, 1929.
1929	IX	The Ellamarru and Penjendra Impartible Estates Act, 1929.
1933	I	The Kapileswarapuram Impartible Estate Act, 1932.
1933	II	The Anakapallee and other Impartible Estates Act, 1932.
1947	VII	The Malabar Irrigation Works (Construction and Levy of Cess) Act, 1947.
1947	XIII	The Tungabhadra Project (Prevention of Speculation in Land) Act, 1947.
1949	XIV	The West Godaveri District (Assimilation of Laws on Provincial and Concurrent Subjects) Act, 1949.
1955	XV	The Tuticorin Port Trusts (Application to Mangalore) Act, 1953.