



The Tamil Nadu (Added Territories) Extension of Laws Act, 1964

Act 8 of 1964

Keyword(s):

Added Territories, Existing Law

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[TAMIL NADU] ACT No. 8 OF 1964².

THE ¹[TAMIL NADU] (ADDED TERRITORIES) EXTENSION OF LAWS ACT, 1964.

Received the assent of the President on the 10th April first published in the Fort St. George Gazette Extraordinary on the 21st April 1964 (Vaisaka 1, 1886).]

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

Enacted by the Legislature of the ³[State of Tamil Nadu] in the Fourteenth Year of the Republic of India as follows:—

1. (1) This Act may be called the ¹[Tamil Nadu] (Added Territories) Extension of Laws Act, 1964. Short title and commencement.

(2) Section 12 shall be deemed to have come into force on the 3rd day of December 1960; and the rest of this Act shall come into force on such date as the State Government may, by notification, appoint.

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 23rd November 1963, Part IV—Section 3, pages 347 to 350.

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.

(b) "existing law" means any law, ordinance, 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, regulation, order, by-law or rule.

Extension of
certain enact-
ments.

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 ¹[State of Tamil Nadu] except in the added territories 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 added territories.

Amendment of
certain enact-
ments.

4. The enactments specified in the Second Schedule in so far as they apply to, and are in force in, the added territories are hereby amended to the extent and in the manner mentioned in the fourth column thereof.

Construction of
references to
laws not in
force in the
added terri-
tories.

5. (1) Any reference in any enactment specified in the First Schedule to a law which is not in force in the added territories shall, in relation to those territories, be construed as a reference to the corresponding law, if any, in force in those territories.

(2) Any reference in any existing law which continues to be in force in the added territories after the date of the commencement of this Act to any law repealed by section 7 shall, in relation to those territories, be construed as a reference to the enactment specified in the First Schedule corresponding to the law so repealed.

Construction of
references to
authorities
where new
authorities have
been constituted.

6. 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 added territories shall, where a corresponding new authority has been constituted by or under any enactment now extended to the added territories, have effect as if it were a reference to that new authority.

¹ 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.

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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 4 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.

(1) The repeal by section 7 of any corresponding 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.

Powers of courts and other authorities for purposes of facilitating application of laws.

9. For the purpose of facilitating the application in the added territories of any enactment specified in the First 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 [Tamil Nadu Act] III of 1869.

10. (1) The ²[Tamil Nadu] Revenue Summonses Act, 1869 (²[Tamil Nadu] Act III of 1869), as amended by sub-section (2) is hereby extended to, and shall be in force in, the added territories ; and sections 5 to 9 shall apply in relation to that Act as if it had been included in the First Schedule.

(2) [The amendments made by this sub-section have been incorporated in the principal Act, namely, the Tamil Nadu Revenue Summonses Act, 1869 (Tamil Nadu Act III of 1869).]

Extension of [Tamil Nadu Act] XVI of 1936.

11. (1) The ²[Tamil Nadu] Famine Relief Fund Act, 1936 (²[Tamil Nadu] Act XVI of 1936), as amended by sub-section (2) is hereby extended to, and shall be in force in, the added territories ; and sections 5 to 9 shall apply in relation to that Act as if it had been included in the First Schedule.

(2) [The amendments made by this sub-section have been incorporated in the Tamil Nadu Famine Relief Fund Act, 1936 (Tamil Nadu Act XVI of 1936).]

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

² 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.

12. (1) The ²[Tamil Nadu] Preservation of Private ^{Extension of} Forest Act, 1949 ²[Tamil Nadu] Act XXVII of 1949) ^{[Tamil Nadu} (hereinafter in this section referred to as the ¹[Tamil Nadu Act] XXVII of 1949. Act), is hereby extended to and shall be in force in, the added territories ; and section 5 to 9 shall apply in relation to that Act as if it had been included in the First Schedule.

(2) Anything done or any action taken including any rule or order made, notification issued, decision, award or direction given, proceeding taken, liability or penalty incurred and punishment awarded under the provisions of the Andhra Preservation of Private Forests Act, 1954 (President's Act XII of 1954) (hereinafter in this section referred to as the Andhra Act).—

(a) as in force immediately before its expiry ; or

(b) on or after the 3rd day of December 1960, and before the date of publication of this Act in the **Fort St. George Gazette*, on the footing that the Andhra Act was in force at the relevant time.

shall be deemed to have been done or taken under the corresponding provisions of the ¹[Tamil Nadu Act] :

Provided that nothing contained in this sections shall render any person liable to any punishment whatsoever by reason of anything done or omitted to be done by him on or after the 3rd day of December 1960, and before the date of publication of this Act in the **Fort St. George Gazette*.

¹ This expression was substituted for the expression " Madras Act " by paragraph 5 (2) of the Tamil Nadu Adaptation of Laws Order, 1970.

² 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.

* Now the *Tamil Nadu Government Gazette*.

Repeal of
certain
enactments.

13. The enactments specified in the Third Schedule, section 2 of the ¹[Tamil Nadu] Estates Land Act, 1908 (¹[Tamil Nadu] Act I of 1908) and section 9 of the ¹[Tamil Nadu] Estates Land (Amendment) Act, 1909 (¹[Tamil Nadu] Act IV of 1909), in so far as they apply to, and are in force in, the added territories are hereby repealed.

Declaration
respecting
certain
enactments.

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

Power to
remove
difficulties.

15 (1) If any difficulty arises in giving effect to the provisions of this Act or of any enactment extended to the added territories by 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) 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.)

Year. (1)	Number. (2)	Short title. (3)
¹ [TAMIL NADU ACTS]		
1937	X	The ² [Tamil Nadu] Prohibition Act, 1937.
1954	XXIII	The ² [Tamil Nadu] Installation of Oil Engines (Temporary Permission) Act, 1954.
1955	XVII	The ² [Tamil Nadu] Hill Stations (Preservation of Trees) Act, 1955.
1957	XXI	The ² [Tamil Nadu] Registration of Veterinary Practitioners Act, 1957.
1959	18	The ² [Tamil Nadu] Khadi and Village Industries Board Act, 1959.
1959	25	The ² [Tamil Nadu] Irrigation Works (Construction of Field Bothies) Act, 1959.
1959	26	The ² [Tamil Nadu] Parks, Play-fields and Open Spaces (Preservation and Regulation) Act, 1959.

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

² 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.)

<i>Year.</i>	<i>Number.</i>	<i>Short title.</i>	<i>Amendments.</i>
(1)	(2)	(3)	(4)
CENTRAL ACTS.			
1878	VI	The Indian Treasure-trove Act, 1878.	In clause (b) of sub-section (1) of section 4, for the words "the place in which and the circumstances under which it was found", the words "the place in which it was found" shall be substituted.
1922	XXII	The Police (Incitement to Disaffection) Act, 1922.	In section 5, for the words "District Collector", the words "District Magistrate" shall be substituted.

¹[TAMIL NADU ACT]

1948	II	The ² [Tamil Nadu] Silk-worm Diseases (Prevention and Eradication) Act, 1948.	In sub-section (1) of section 4, for the word "thereof", the word "whereof" shall be substituted.
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¹ This expression was substituted for the expression " Madras Act" by paragraph 3(2) of the Tamil Nadu Adaptation of Laws Order, 1970.

² 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 13.)

Year.	Number.	Short title.
(1)	(2)	(3)
¹ [TAMIL NADU ACTS]		
1909	VI	The Arni Jagir Act, 1909.
1922	VI	The Madras Stamp (Amendment) Act, 1922.
1952	XVII	The Indian Registration (Madras Amendment) Act, 1952.
ANDHRA ACT.		
1954	XI	The Andhra Requisitioning of Buildings Act, 1954.
ANDHRA PRADESH ACTS.		
1957	XIX	The Andhra Pradesh Commercial Crops (Assessment) Act, 1957.
1960	II	The Andhra Pradesh Civil Services (Disciplinary Proceedings Tribunal) Act, 1960.

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

THE FOURTH SCHEDULE.

(See section 14.)

<i>Year.</i>	<i>Number.</i>	<i>Short title .</i>
(1)	(2)	(3)
ANDHRA ACT.		
1954	II	The Andhra Payment of Salaries and Removal of Disqualifications Act, 1953.
ANDHRA PRADESH ACTS.		
1959	XII	The Andhra Pradesh State Legislature (Vacation of Seat on Simultaneous Membership) Act, 1959.
1959	XXXIV	The Andhra Pradesh Societies Registration (Validation) Act, 1959.