

Tamil Nadu Cultivating Tenants Protection and Payment of Fair Rent (Extension to Kanyakumari District) Act, 1972

TAMILNADU

India

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Act 4 of 1976

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Tamil Nadu Cultivating Tenants Protection and Payment of Fair Rent (Extension to Kanyakumari District) Act, 1972(Tamil Nadu Act 4 of 1976)Statement of Objects and Reasons. - Many of the enactments in force in the State have been extended to the transferred territories in the State, namely, the Kanyakumari district and the Shencottah taluk of the Tirunelveli district by the Tamil Nadu (Transferred Territory) Extension of Laws Act, 1957 (Tamil Nadu Act XXII of 1957) and by similar and separate Acts enacted subsequently. The Tamil Nadu Cultivating Tenants Protection Act, 1955 (Tamil Nadu Act XXV of 1955) and the Tamil Nadu Cultivating Tenants (Payment of Fair Rent) Act, 1956 (Tamil Nadu Act XXIV of 1956) were extended to Shencottah taluk of Tirunelveli district by the Tamil Nadu Cultivating Tenants Protection and Payment of Fair Rent (Extension to Shencottah Taluk) Act, 1959 (Tamil Nadu Act 28 of 1959) as the system of land tenure and systems of tenancy in Shencottah taluk of Tirunelveli district were found to be the same as those prevalent in the rest of Tamil Nadu. The extension of the two Acts to Kanyakumari district was, however, kept in abeyance pending introduction of ryotwari settlement in Kanyakumari district as in the rest of the State as there were different systems of tenure in this district. Ryotwari settlement has now been introduced in the district and it is time now for extending the above mentioned two Acts to the district. The Government have, therefore, decided to extend the Tamil Nadu Cultivating Tenants Protection Act, 1955 and the Tamil Nadu Cultivating Tenants (Payment of Fair Rent) Act, 1956 to Kanyakumari district.² The Bill seeks to give effect to the above decision. Published in Part IV-Section 3 of the Tamil Nadu Government Gazette, Extraordinary, dated the 10th August 1972. Received the assent of the President on the 8th March 1976 and published in Part IV-Section 4 of the Tamil Nadu Government Gazette, dated the 8th March 1976. An Act further to amend the [Tamil Nadu] [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.] Cultivating Tenants Protection Act, 1955, and the Tamil Nadu Cultivating Tenants (Payment of Fair

Rent) Act, 1956 and to extend those Acts to the Kanyakumari district in the [State of Tamil Nadu] [Substituted for the word '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.]. Be it enacted by the Legislature of the [State of Tamil Nadu] [Substituted for the word '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.] in the Twenty-third Year of the Republic of India as follows:-

1. Short title and commencement.

(1) This Act may be called the [Tamil Nadu] [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.] Cultivating Tenants Protection and Payment of Fair Rent (Extension to Kanyakumari District) Act, 1972. (2) It shall come into force at once. Notes. - This Act was published in the Tamil Nadu Government Gazette on the 8th March 1976 and as such this Act came into force on the said date.

2.

[The amendments made by this section have already been incorporated in the principal Act, namely, the Tamil Nadu Cultivating Tenants Protection, Act, 1955 (Tamil Nadu Act XXV of 1955).]

3.

[The amendments made by this section have already been incorporated in the principal Act, namely, the Tamil Nadu Cultivating Tenants (Payment of Fair Rent) Act, 1956 (Tamil Nadu Act XXIV of 1956).]

4. Extension of Tamil Nadu Acts XXV of 1955 and XXIV of 1956 to the Kanyakumari District.

- The Tamil Nadu Cultivating Tenants Protection Act, 1955 (Tamil Nadu Act XXV of 1955), and the Tamil Nadu Cultivating Tenants (Payment of Fair Rent) Act, 1956 (Tamil Nadu Act XXIV of 1956), as in force immediately before the commencement of this Act and as amended by this Act (hereinafter referred to as the said Acts) are hereby extended to, and shall be in force in, the Kanyakumari district (hereinafter referred to as the said district).

5. Repeal of corresponding laws.

- Any law corresponding to either of the said Acts in force in the said district immediately before the commencement of this Act (hereinafter referred to as the corresponding law) shall stand repealed on such commencement.

6. Savings.

(1)The repeal, by section 5, of the corresponding law shall not affect-(a)the previous operation of the corresponding law or anything duly done or suffered thereunder; or(b)any right, privilege, obligation or liability acquired, accrued or incurred under the corresponding law; or(c)any penalty, forfeiture or punishment incurred in respect of any offence committed against the corresponding 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 or form framed, certificate granted or registration effected under the corresponding law shall be deemed to have been done or taken under the said Acts and shall continue in force accordingly, unless and until superseded by anything done or any action taken under the said Acts.

7. Powers of Courts and other authorities for the purposes of facilitating application of the said Acts.

- For the purpose of facilitating the application of the said Acts in the said district, any Court or other authority may construe the said Acts with such alterations and not affecting the substance as may be necessary or proper to adapt them to the matter before the Court or other authority.

8. Construction of references to laws not in force in the Kanyakumari district.

(1)Any reference in the said Acts to a law which is not in force in the said district shall, in relation to that district, be construed as a reference to the law, if any, in force in that district corresponding to the law' referred to in the said Acts.(2)Any reference in any law which continues to be in force in the said district after the commencement of this Act to the corresponding law shall, in relation to that district, be construed as a reference to the said Acts.