

Tamil Nadu Essential Articles Control and Requisitioning (Temporary Powers) Amendment Act, 1958

TAMILNADU

India

Tamil Nadu Essential Articles Control and Requisitioning (Temporary Powers) Amendment Act, 1958

Act 3 of 1958

- Published on 20 March 1958
- Commenced on 20 March 1958
- [This is the version of this document from 20 March 1958.]
- [Note: The original publication document is not available and this content could not be verified.]

Tamil Nadu Essential Articles Control and Requisitioning (Temporary Powers) Amendment Act, 1958 (Tamil Nadu Act 3 of 1958) Statement of Objects and Reasons - Madras Essential Articles Control and Requisitioning (Temporary Powers) Amendment Act, 1958 (Tamil Nadu Act II of 1958). - The Madras Essential Articles Control and Requisitioning (Temporary Powers) Act, 1949 (Madras Act XXIX of 1949), as re-enacted by Madras Act VI of 1956 was due to expire on the 25th January 1958. As the Legislature was not in session, the Madras Essential Articles Control and Requisitioning (Temporary Powers) Amendment Ordinance, 1958 (Madras Ordinance II of 1958), was promulgated to extend the life of the Act for a further period of five years, that is, up to and inclusive of the 25th January 1963. The Bill is intended to replace the above Ordinance.² The Government have also decided to extend Madras Act XXIX of 1949 to the Kanyakumari district and the Shencottah taluk of the Tirunelveli district and to repeal the corresponding law including the Travancore-Cochin Electricity Supply Surcharge Act, 1955 (Travancore-Cochin Act XIV of 1955), in force in those areas. The Bill seeks to give effect to the above decision also. Published in Part IV-A of the Fort St. George Gazette Extraordinary, dated the 10th March 1958. [Received the assent of the President on the 20th March 1958 and first published in the Fort St. George Gazette Extraordinary dated the 22nd March 1958.] 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.] Essential Articles Control and Requisitioning (Temporary Powers) Act, 1949 and to extend that Act to the transferred territory in the [State of Tamil Nadu] [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.]. Whereas it is expedient 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.] Essential Articles Control and

Requisitioning (Temporary Powers) Act, 1949 ([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.] Act XXIX of 1949), for the purpose hereinafter appearing and to extend that Act to the transferred territory in the [State of Tamil Nadu] [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.]; Be it enacted in the Ninth Year of the Republic of India as follows: -

1. Short title.

- 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.] Essential Articles Control and Requisitioning (Temporary Powers) Amendment Act, 1958.

2. Amendment of section 1, [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.] Act XXIX of 1949.

- In section 1, subsection (3) of 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.] Essential Articles Control and Requisitioning (Temporary Powers) Act, 1949 ([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.] Act XXIX of 1949), for the words, figures and letters "the 25th January 1958", the words, figures and letters "the 25th January 1963" shall be substituted.

3. Extension of [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.] Act XXIX of 1949 to the transferred territory, repeals and savings.

(1)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.] Essential Articles Control and Requisitioning (Temporary Powers) Act, 1949 ([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.] Act XXIX of 1949), as in force immediately before the commencement of this Act and as amended by this Act (hereinafter in this section referred to as the said Act), hereby extended to, and shall be in force, in the transferred territory.(2)Any law corresponding to the said Act in force in the transferred territory immediately before the commencement of this Act including the Travancore-Cochin Electricity Supply Surcharge

Act, 1955 (Travancore-Cochin Act XIV of 1955) (hereinafter in this section referred to as the corresponding law) shall stand repealed, on such commencement.(3)The repeal by sub-section (2) of the corresponding law shall not affect -(a)the previous operation of the corresponding law or anything done or duly suffered thereunder; or(b)any penalty, forfeiture or punishment incurred in respect of any offence committed against the corresponding law; or(c)any investigation, legal proceeding or remedy in respect of any such 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.(4)Subject to the provisions of sub-section (3), 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 Act and shall continue in force accordingly, unless and until superseded by anything done or any action taken under the said Act.(5)Unless the context otherwise requires, 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.] General Clauses Act, 1891 ([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.] Act I of 1891) shall apply for the interpretation of the said Act as extended to, and in force in, the transferred territory.(6)For the purpose of facilitating the application of the said Act in the transferred territory, any Court or other authority may construe the said Act 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.(7)Any reference in the said Act to a law which is not in force in the transferred territory shall, in relation to that territory, be construed as a reference to the law, if any, in force in that territory corresponding to the law referred to in the said Act.(8)Any reference in any law which continues to be in force in the transferred territory after the commencement of this Act to the corresponding law shall, in relation to that territory, be construed as a reference to the said Act or, as the case may be, to an order duly made under the said Act.Explanation. - For the purpose of this section, the expression "transferred territory" shall mean the Kanyakumari district and the Shencottah Taluk of the Tirunelveli district.

4. Repeal.

- The Madras Essential Articles Control and Requisitioning (Temporary Powers) Amendment Ordinance, 1958 (Madras Ordinance II of 1958) is hereby repealed.