

Tamil Nadu Cultivating Tenants Protection and Payment of Fair Rent (Extension to Added Territories) Act, 1963

TAMILNADU

India

Tamil Nadu Cultivating Tenants Protection and Payment of Fair Rent (Extension to Added Territories) Act, 1963

Act 33 of 1963

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Tamil Nadu Cultivating Tenants Protection and Payment of Fair Rent (Extension to Added Territories) Act, 1963(Tamil Nadu Act 33 of 1963)Statement of Objects and Reasons. - Under the Andhra Pradesh and Madras (Alteration of Boundaries) Act, 1959 (Central Act 56 of 1959) which was passed to implement the Pataskar Award, certain territories have been transferred from the State of Andhra Pradesh to the State of Madras with effect from the 1st April 1960. Those territories have been added to the Chingleput and the North Arcot districts of this State. In those territories, the Andhra Tenancy Act, 1956 (Andhra Act XVIII of 1956) is in force. This Act materially differs from the Madras Cultivating Tenants Protection Act, 1955 (Madras Act XXV of 1955) and the Madras Cultivating Tenants (Payment of Fair Rent) Act, 1956 (Madras Act XXIV of 1956), which are in force in the rest of the State excluding the Kanyakumari district. With a view to achieve uniformity in the tenancy laws in force in this State, it has been decided to repeal Andhra Act XV¹¹¹ of 1956 in its application to the said territories and to extend the Madras Acts XXV of 1955 and XXIV of 1956 with suitable modifications to those territories.² The Bill seeks to achieve the above objects.Published in Part IV-Section 3 of the Fort St. George Gazette, the dated 16th August 1963.Received the assent of the Governor on the 27th February 1964 and published in Fort St. George Gazette, dated the 27th February 1964.An Act further to amend the Tamil Nadu Cultivating Tenants Protection Act, 1955, and the Tamil Nadu Cultivating Tenant (Payment of Fair Rent) Act, 1956 and to extend those Acts to added territories in the State of Tamil Nadu.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 Fourteenth 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 Added Territories) Act, 1963. (2) It shall come into force at once. Notes. - This Act was published in the Fort St. George Gazette on the 27th February 1964 and as such, this Act came into force on that date.

2. Definition.

- In this Act, unless the context otherwise requires, "added territories" means the territories specified in the Second Schedule to the Andhra Pradesh and Madras (Alteration of Boundaries) Act, 1959 (Central Act LVI of 1959).

3.

[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).

4.

[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).]

5. 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.] Acts XXV of 1955 and XXIV of 1956 to the added territories, 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.] Cultivating Tenants Protection Act, 1955 ([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 XXV of 1955), and 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 (Payment of Fair Rent) Act, 1956 ([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 XXIV of 1956), 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 Acts) are hereby extended to, and shall be in force in, the added territories. (2) Any law corresponding to either of the said Acts in force in the

added territories immediately before the commencement of this Act including the Andhra Tenancy Act, 1956 (Andhra Act XVIII of 1956) (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 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.(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 Acts.(5)For the purpose of facilitating the application of the said Acts in the added territories, any Court or other authority may construe the said Acts with such alterations not affecting the substance as may be necessary or proper to adapt them to the matter before the Court or other authority.(6)Any reference in the said Acts 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 law, if any, in force in those territories corresponding to the law referred to in the said Acts.(7)Any reference in any law which continues to be in force in the added territories after the commencement of this Act to the corresponding law shall, in relation to those territories, be construed as a reference to the said Acts.