

# The Tamil Nadu Adaptation of Laws Order, 1987

TAMILNADU

India

## The Tamil Nadu Adaptation of Laws Order, 1987

### Rule THE-TAMIL-NADU-ADAPTATION-OF-LAWS-ORDER-1987 of 1987

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The Tamil Nadu Adaptation of Laws Order, 1987Published vide Notification No. Part 4 - Section 2 of the Fort St. George Gazette Extraordinary, dated the 28th October 1987Whereas, in pursuance of section 8 of the Tamil Nadu Legislative Council (Abolition) Act, 1986 (Central Act 40 of 1986), the State Government may, for the purpose of giving effect to the abolition of the Legislative Council of the State of Tamil Nadu by section 3 of the said Act, by order, make such adaptations and modifications of any law,relating to a matter enumerated in List 11 or List III in the Seventh Schedule to the Constitution, whether by way of repeal or amendment, as may be necessary or expedient;Now, therefore, in exercise of the powers conferred by the said section 8, the State Government hereby make the following Order, namely:-

#### 1.

(1)This Order maybe called the Tamil Nadu Adaptation of Laws Order, 1987.(2)It shall be deemed to have come into force on the 1st day of November 1986.

#### 2.

(1)In this Order,-(a)"appointed day" means the 1st day of November 1986;(b)"existing law" includes any enactment, Ordinance, regulation, order, bylaw, rule, scheme, notification or other instrument having the force of law in the whole or any part of the State of Tamil Nadu immediately before the appointed day and in respect of which the State Government have power to make adaptations under section 8 of the Tamil Nadu Legislative Council (Abolition) I Act, 1986 (Central Act 40 of 1986).(2)The General Clauses Act, 1897 (Central Act X of 1897) applies for the I interpretation of this Order as it applies for the interpretation of a Central Act.

### 3.

(1)As from the appointed day, the existing laws mentioned in the Schedule to this Order shall, until altered, repealed or amended by a competent authority or competent legislature, have effect subject to the adaptations and modifications directed by this Order.(2)Whenever an expression mentioned in column (1) of the Table hereunder printed occurs in an existing law (whether an Act, Ordinance or Regulation mentioned in the Schedule to this Order or not), then, unless that expression is by this Order expressly directed to be otherwise adapted or modified, or to stand unmodified, or to be omitted, there shall be substituted therefore, the expression set opposite to it in column (2) of the said Table and there shall also be made in any sentence in which the expression occurs such consequential amendments as the rules of grammar may require.

| (1)  | (2)                                |
|--|------------------------------------|
| both Houses agree.   | The Legislative Assembly agrees.   |
| both Houses approve.   | The Legislative Assembly approves. |
| both Houses of the Legislature.both Houses of the StateLegislature.both the Houses of Legislature.both the Houses of the StateLegislature.both Houses.both those Houses.these Houses.each House of the Legislature,each House of the StateLegislature,the two Houses of State Legislature. | The Legislative Assembly.          |

(4)Whenever an expression which occurs in any Act mentioned in the Schedule to this Order has been directed to be adapted or modified in any specified manner in the Schedule, then, in any rule, regulation, by-law, notification, order or other instrument made under any such Act in which the expression occurs, unless the subject or context otherwise requires, such expression shall, in the application of the said rule, regulation, by-law, notification, order or other instrument, be deemed to have been adapted or modified in the same manner as in the relevant Act.(5)Nothing in this Order shall affect the previous operation of, or anything duly done or suffered under, any existing law, or any right, privilege, obligation or liability already acquired, accrued or incurred under any such law, or any penalty, forfeiture or punishment incurred, in respect of any offence already omitted against such law.The ScheduleTamil Nadu Acts[The Madras City Municipal Corporation Act, 1919] [Now, the Chennai City Municipal Corporation Act, 1919.](Tamil Nadu Act IV of 1919)Section 44-A. - In sub-section (5-A), in clause (a), in item (2), omit "Members of the State Legislative Council and".The Tamil Nadu District Municipalities Act, 1920(Tamil Nadu Act V of 1920)Section 7. - In subsection (2-A),-(i)omit "and every member of the State Legislative Council who is ordinarily resident in the municipality";(ii)in the proviso, omit "or any member of the State Legislative Council who is ordinarily resident in a municipality".The Tamil Nadu State Aid to Industries Act, 1922(Tamil Nadu Act V of 1923)Section 3. - In sub-section (1), in clause (b),-(i)for "two by the members of the Tamil Nadu Legislative Assembly and one by the members of the Tamil Nadu Legislative Council", substitute "and two by the members of the Tamil Nadu Legislative Assembly";(ii)omit "and the Secretary to the Legislative Council respectively".[The Madras University Act, 1923] [Now, the Chennai University Act, 1923.](Tamil Nadu Act VII of 1923)Section 14. - In clause (a), under the

heading "Other Members", omit item (4)The Annamalai University Act, 1928(Tamil Nadu Act I of 1929)Section 15. - For item (3) under "(Class) III - Other Members", substitute "(3) Three members elected by the Tamil Nadu Legislative Assembly from among its members according to the principle of proportional representation by means of the single transferable vote,".[The Mettur Township Act, 1940] [This Act was repealed by the Tamil Nadu District Municipalities (Amendment) Act, 1994 (Tamil Nadu Act 25 of 1994).](Tamil Nadu Act XI of 1940)Section 3. - In sub-section (1), in clause (a), omit "and Members of the Legislative Council who ordinarily reside in the township".The Tamil Nadu Estates (Abolition and Conversion Into Ryotwari) Act, 1948(Tamil Nadu Act XXVI of 1948)Section 40. - For sub-section (2), substitute "(2) Such rules shall be subject to the approval of the State Legislative Assembly".The Tamil Nadu Legislature (Prohibition of Simultaneous Membership) Act, 1950(Tamil Nadu Act XX of 1950)This Act shall stand repealed.The Tamil Nadu Payment of Salaries Act, 1951(Tamil Nadu Act XX of 1951)Long title. - (i) Omit "the Chairman and the Deputy Chairman"; (ii) omit "and of the Legislative Council".Preamble. - (i) Omit "the Chairman and the Deputy Chairman"; (ii) omit "and of the Legislative Council".Section 2. - Omit clause (1).Section 5 - Omit the section.Section 6-A. - (1) In sub-section (1),-(i)omit "and to the Leader of the Opposition in the Legislative Council" in both the places;(ii)omit "or the Leader of the Opposition in the Legislative Council";(iii)for "if they occupy", substitute "if he occupies";(iv)in the proviso, for "holders of the offices", substitute "holder of the office".(2)In sub-section (2),-(i)omit "and to the Government Whip in the Legislative Council" in both the places;(ii)omit "or the Government Whip in the Legislative Council";(iii)for "they are", substitute "he is";(iv)for "if they occupy", substitute "if he occupies".Section 6-B. - (1) In sub-section (1),-(i)omit "the Chairman, the Deputy Chairman";(ii)for "the Leader of the Opposition in the Legislative Council, the Chief Government Whip in the Legislative Assembly or the Government. Whip in the Legislative Council", substitute "or the Chief Government Whip in the Legislative Assembly".(2)In sub-section (2),-(i)omit "the Chairman, the Deputy Chairman";(ii)for "or the Leader of the Opposition in the Legislative Council or the Chief Government Whip in the Legislative Assembly or the Government Whip in the Legislative Council", substitute "or the Chief Government Whip in the Legislative Assembly";(iii)for "3, 4, 5, 6 or 6-A", substitute "3, 4, 6 or 6-A".Section 7. - (1) In the marginal heading, for "the Speaker and the Chairman", substitute "and the Speaker".(2)In sub-section (1),-(i)omit "the Chairman, the Deputy Chairman";(ii)for "the Leader of the Opposition in the Legislative Council, the Chief Government Whip in the Legislative Assembly and the Government Whip in the Legislative Council", substitute "and the Chief Government Whip in the Legislative Assembly".(3)In sub-section (2),-(i)in clause (i), for "a Minister, the Speaker or the Chairman", substitute "a Minister or the Speaker";(ii)in clause (ii), for "the Deputy Chairman, the Leader of the Opposition in the Legislative Assembly, the Leader of the Opposition in the Legislative Council, the Chief Government Whip in the Legislative Assembly or the Government Whip in the Legislative Council", substitute "the Leader of the Opposition in the Legislative Assembly or the Chief Government Whip in the Legislative Assembly".Section 8. - Omit "the Chairman".Section 9. - In sub-section (1), for "3 to 6", substitute "3, 4 and 6".Section 9-B - Omit the section.Section 10. - (i) In the marginal heading, for "Deputy Speaker, Chairman or Deputy Chairman", substitute "or Deputy Speaker";(ii)omit "Chairman, Deputy Chairman".Section 12. - (1) In the marginal heading, omit "and Legislative Council".(2)In sub-section (1),-(i)in the opening portion omit "or of the Legislative Council";(ii)for "3 to 6", substitute "3, 4 and 6";(iii)omit "or of the Legislative Council, as the case may be".(3)In sub-section (1-A),-(i)omit "or of the Legislative Council";(ii)for "3 to 6", substitute "3, 4 and 6"(4)In

sub-section (2), omit "or the Legislative Council".(5)In sub-section (2-A), omit "or of the Legislative Council".(6)In sub-section (4-A),-(i)in clause (b);-(a)omit "or Secretary, Legislative Council Secretariat, as the case may be";(b)in the proviso, omit "or the Legislative Council, as the case may be";(ii)in clause (c), omit "at the Legislative Council";(7)In sub-section (4-B),-(i)omit "or of the Legislative Council";(ii)for "3 to 6-A", substitute "3, 4, 6 and 6-A".(8)In sub-section (4-C),-(i)omit "or of the Legislative Council";(ii)for "3 to 6-A", substitute "3, 4, 6 and 6-A".Section 12-A. - (1) In sub-section (1),-(i)omit "or of the Legislative Council";(ii)for "3 to 6" substitute "3, 4 and 6".(2)In sub-section (2), omit "or of the Legislative Council".Section 14. - In sub-section (5), for "3, 4, 5, 6 and 6-A", substitute "3, 4, 6 and 6-A".[The Courtallam Township Act, 1954] [This Act ms repealed by the Tamil Nadu District Municipalities (Amendment) Act, 1994 (Tamil Nadu Act 25 of 1994).](Tamil Nadu Act XVI of 1954)Section 3. - In sub-section (1), in clause (a), omit "and Members of the Legislative Council who ordinarily reside in the township".[The Bhavanisagar Township Act, 1954] [This Act is repealed by the Tamil Nadu District Municipalities (Amendment) Act, 1994 (Tamil Nadu Act 25 of 1994).](Tamil Nadu Act XXV of 1954)Section 3. - In sub-section (1), in clause (a), omit "and Members of the Legislative Council who ordinarily reside in the township".[The Tamil Nadu District Development Councils Act, 1958] [This Act is repealed and re-enacted as the Tamil Nadu Panchayats Act, 1994 (Tamil Nadu Act 21 of 1994).](Tamil Nadu Act XVIII of 1958)Section 4. - (1) in sub-section (1), in clause (b), in item (ii), omit "and elected Members of the State Legislative Council".(2)In sub-section (3), in clause (b),-(i)in item (i),-(a)omit "and no member elected to the State Legislative Council by the members of the Legislative Assembly";(b)omit "or of the State Legislative Council, as the case may be";(ii)omit item (ii).[The Tamil Nadu Panchayats Act, 1958] [This Act was repealed and re-enacted as the Tamil Nadu Panchayats Act, 1994 (Tamil Nadu Act 210/ 1994).](Tamil Nadu Act XXXV of 1958)Section 12. - In sub-section (3),-(i)omit "and any member of the State Legislative Council residing in a panchayat development block";(ii)in the proviso, omit "or any member of the State Legislative Council residing in a panchayat development block".The Tamil Nadu Land Improvement Schemes Act, 1959(Tamil Nadu Act 31 of 1959)Section 8. - (1) In sub-section (2), in clause (f), omit "and one member of the Legislative Council elected by it".(2)In sub-section (5), in clause (b), omit "or of the Legislative Council, as the case may be".The Madurai Kamaraj University Act, 1965(Tamil Nadu Act 33 of 1965)Section 15. - In clause (a), under "Class III -Other Members", in item (3), omit "and two members elected by the members of the Legislative Council of that State from among themselves".The Tamil Nadu Legislature (Prevention of Disqualification) Act, 1967(Tamil Nadu Act 3 of 1967)Section 2. - Omit "or of the Legislative Council".The Tamil Nadu Town and Country Planning Act, 1971(Tamil Nadu Act 35 of 1972)Section 5. - In sub-section (2), in clause (j),-(i)for "four other members", substitute "three other members";(ii)omit "one from the Members of the Tamil Nadu Legislative Council".The Anna University Act, 1978(Tamil Nadu Act 30 of 1978)Section 17. - (1) In sub-section (2), under "Class III-Other Members", omit item (7).(2)In sub-section (4), in the first proviso, -(i)omit "or of the Legislative Council of the State";(ii)omit "or of the Legislative Council of the State, as the case may be".The Bharathiar University Act, 1981(Tamil Nadu Act 1 of 1982)Section 20. - In clause (a), under "Class II. - Other Members," in item (5) omit "and one member elected by the Members of the Tamil Nadu Legislative Council from among themselves".The Bharathidasan University Act, 1981(Tamil Nadu Act 2 of 1982)Section 20. - In clause (a), under "Class II-Other Members", in item (5), omit "and one member elected by the Members of the Tamil Nadu Legislative Council from among themselves".The Tamil University Act,

1982(Tamil Nadu Act 9 of 1982)Section 18. - In clause (c), under "Class II- Other Members", in item (1), omit "and one member elected by the Members of the Tamil Nadu Legislative Council from among themselves".The Alagappa University Act, 1985(Tamil Nadu Act 23 of 1985)Section 21. - In clause (a), under "Class II- Other Members", in item (1), omit "and one member elected by the Members of the Tamil Nadu Legislative Council from among themselves".Central ActsThe Beedi and Cigar Workers (Conditions of Employment) Act, 1966(Central Act 32 of 1966)Section 44 (4). - This shall stand unmodified.The Chit Funds Act, 1982(Central Act 40 of 1982)Section 89 (3). - This shall stand unmodified.