

# **Tamil Nadu Prohibition (Revival of Operation and Amendment) Act, 1974**

TAMILNADU

India

## **Tamil Nadu Prohibition (Revival of Operation and Amendment) Act, 1974**

### **Act 34 of 1974**

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Tamil Nadu Prohibition (Revival of Operation and Amendment) Act, 1974(Tamil Nadu Act 34 of 1974)Statement of Objects and Reasons - Tamil Nadu Prohibition (Revival of Operation and Amendment) Act, 1974. - It has been decided to reintroduce total prohibition in the State with effect from the 1st September 1974. It has therefore become necessary to repeal the Tamil Nadu Prohibition (Suspension of Operation) Act, 1971 (Tamil Nadu Act 33 of 1971), and the Tamil Nadu Excise Act, 1971 (Tamil Nadu 34 of 1971) with effect on and from the 1st September 1974.2. The Bill seeks to give effect to the above decision.Published in the Part IV-A-Section 1 of the Tamil Nadu Government Gazette Extraordinary, dated the 17th August 1974 (page 236).Received the assent of the President on the 28th August 1974 and first published in the Tamil Nadu Government Gazette Extraordinary on the 30th August 1974.An Act to revive the operation of the Tamil Nadu Prohibition Act, 1937.Be it enacted by the Legislature of the State of Tamil Nadu in the Twenty-sixth Year of the Republic of India as follows: -

### **1. Short title.**

- This Act may be called the Tamil Nadu Prohibition (Revival of Operation and Amendment) Act, 1974.

### **2. Definitions.**

- In this Act, unless the context otherwise requires,-(a)"Prohibition Act" means the Tamil Nadu Prohibition Act, 1937 (Tamil Nadu Act X of 1937);(b)"Prohibition (Suspension of Operation) Act" means the Tamil Nadu Prohibition (Suspension of Operation) Act, 1971 (Tamil Nadu Act 33 of 1971);(c)"toddy" means toddy as defined in clause (19) of section 3 of the Prohibition Act;(d)words and expressions used herein and not defined in this Act, but defined in the Prohibition Act shall

have the same meanings as assigned to them under that Act.

### **3. Revival of operation of Tamil Nadu X of 1937.**

(1)The whole of the Prohibition Act, to the extent to which the operation of the said Act was suspended by the Prohibition (Suspension of Operation) Act shall stand revived with effect on and from the 1st September 1974.(2)The provisions of sub-section (1) are without prejudice to the revival of the provisions of the Prohibition Act in respect of toddy, with effect on and from the 1st September 1973 by section 2-A of the Prohibition (Suspension of Operation) Act,(3)For the removal of doubts, it is hereby declared that the provisions of sections 4(l)(j) and 4-A of the Prohibition Act, shall also stand revived with effect on and from the 1st September 1974.

### **4.**

The amendment made by this section has already been incorporated in the principal Act, namely, the Tamil Nadu Prohibition Act, 1937 (Tamil Nadu Act X of 1937).

### **5. Repeals.**

(1)The Tamil Nadu Prohibition (Suspension of Operation) Act, 1971 (Tamil Nadu Act 33 of 1971), and the Tamil Nadu Excise Act, 1971 (Tamil Nadu Act 34 of 1971), shall stand repealed with effect on and from the 1st September 1974.(2)The repeal of the Tamil Nadu Excise Act, 1971 (Tamil Nadu Act 34 of 1971) (hereinafter in this sub-section and sub-sections (3) and (4) referred to as the said Act) shall not affect -(a)anything done or any offence committed, or any fine or penalty incurred or any proceedings begun before the repeal of the said Act; or(b)the previous operation of the said Act or anything duly done or suffered thereunder; or(c)any right, privilege, obligation or liability (including all arrears due to the State Government under the said Act) acquired, accrued or incurred under the said Act; or(d)any fine, penalty, forfeiture or punishment incurred in respect of any offence committed against the said Act; or(e)any investigation, legal proceeding or remedy in respect of any such right, privilege, obligation, liability, fine, penalty, forfeiture or punishment as aforesaid;and any such investigation, legal proceeding or remedy may be instituted, continued or enforced and any such fine, penalty, forfeiture or punishment may be imposed, as if this Act had not been passed.(3)Notwithstanding anything contained in the foregoing provisions of this Act, any licence or permit issued under the said Act shall, on and from the 1st September 1974, cease to have effect and accordingly no person shall be entitled to the import, export, transport, manufacture, possession and sale of any liquor or molasses as on and from the said date except under, and in accordance with, the provisions of the Prohibition Act, as amended by this Act.(4)All rules made or continued and notifications issued or continued under the said Act shall be deemed to have been made, issued or continued, as the case may be, under the corresponding provisions of the Prohibition Act in so far as they are not inconsistent with the provisions of the Prohibition Act and shall continue in force accordingly unless and until superseded by anything done or any action taken under the Prohibition Act.