

The Cattle-Trespass (Tamil Nadu Amendment) Act, 1957

TAMILNADU

India

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Act 20 of 1957

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The Cattle-Trespass (Tamil Nadu Amendment) Act, 1957/Tamil Nadu Act 20 of 1957/Statement of Objects and Reasons. - The functions required to be performed by the Magistrate of the District under sections 4, 5, 12, 14, 17 and 31 of the Cattle-Trespass Act, 1871 are being performed by the Collector of the District, as till the separation of the Judiciary from-the Executive, the Collector of the District was also the Magistrate of the District. After the separation, the Collector is no longer the District Magistrate. There is another officer of the Judicial Department who is called the District Magistrate. The Bill seeks to make it clear that the functions mentioned above are those of the Collector of the District. The Bill also seeks to provide for appeal against an order of compensation passed by a Magistrate under section 22 of the Cattle-Trespass Act, 1871. Received the assent of the Governor on the 2nd December, 1957 and published in the Fort St. George Gazette, on 11th December, 1957. An Act to amend the Cattle-Trespass Act, 1871 (Central Act I of 1871) in its application to the [State of Tamil Nadu] [Substituted for the words 'State of Madras' by Tamil Nadu Adaptation of Laws Order, 1969 as amended by Tamil Nadu Adaptation of laws (Second Amendment) Order, 1969.]. Whereas it is expedient to amend the Cattle-Trespass Act, 1871 (Central Act I of 1871) in its application to the [State of Tamil Nadu] [Substituted for the words 'State of Madras' by Tamil Nadu Adaptation of Laws Order, 1969 as amended by Tamil Nadu Adaptation of laws (Second Amendment) Order, 1969.] for the purposes hereinafter appearing; Be it enacted in the Eighth Year of the Republic of India as follows :-

1. Short title.

- This Act may be called the Cattle-trespass [Tamil Nadu] [Substituted for the word 'Madras' by Tamil Nadu Adaptation of Laws (Second Amendment) Order, 1969.] (Amendment) Act, 1957.

2. Amendment of Central Act 1 of 1871.

- In sections 4, 5, 12, 14, 17 and 31 of the Cattle-Trespass Act, 1871 (Central Act 1 of 1871) hereinafter referred to as the principal Act), for the words 'Magistrate of the District' wherever they occur, the words 'District collector' shall be substituted.

3. Insertion of new section 22-A in Central Act I of 1871.

- After section 22 of the principal Act, the following section shall be inserted, namely: "22-A. Appeal against order of compensation. - (1) Any person who has been ordered by a Magistrate under section 22 to pay compensation may appeal from the order, as if such person had been convicted on a trial held by such Magistrate. (2) When an order for payment of compensation to a complainant is made in a case which is subject to appeal under sub-section (1), the compensation shall not be paid to him before the period allowed for the presentation of the appeal has elapsed, or, if an appeal is presented, before the appeal has been decided and, where such order is made in a case which is not so subject to appeal, the compensation shall not be paid before the expiration of one month from the date of the order."