The Tamil Nadu Preservation of Private Forests (Extension to Kanyakumari District) Act, 1979

Act 28 of 1979

Keyword(s):
Extension Act, Kanyakumari District, The Tamil Nadu Preservation of Private Forests Act, 1949

Verified RealEstate™

DISCLAIMER: This document is being furnished to you for your information by PRS Legislative Research (PRS). The contents of this document have been obtained from sources PRS believes to be reliable. These contents have not been independently verified, and PRS makes no representation or warranty as to the accuracy, completeness or correctness. In some cases the Principal Act and/or Amendment Act may not be available. Principal Acts may or may not include subsequent amendments. For authoritative text, please contact the relevant state department concerned or refer to the latest government publication or the gazette notification. Any person using this material should take their own professional and legal advice before acting on any information contained in this document. PRS or any persons connected with it do not accept any liability arising from the use of this document. PRS or any persons connected with it shall not be in any way responsible for any loss, damage, or distress to any person on account of any action taken or not taken on the basis of this document.

TAMIL NADU ACT NO. 28 OF 1979.*

THE TAMIL NADU PRESERVATION OF PRIVATE FORESTS (EXTENSION TO KANYAKUMARI DISTRICT) ACT, 1979.

[*Received the assent of the President on the 3rd May* 1979, *first published in the* Tamil Nadu Government Gazette *Extraordinary on the 9th May* 1979 (*Chithirai* 26, *Chitharthi* (2010—*Tiruvalluvar Andu*)).]

An Act to extend the Tamil Nadu Preservation of Private Forests Act, 1949 to the Kanyakumari district.

BE it enacted by the Legislature of the State of Tamil Nadu in the Thirtieth Year of the Republic of India as follows :—

Short title and commencement.

1. (1) This Act may be called the Tamil Nadu Preservation of Private Forests (Extension to Kanyakumari District) Act, 1979.

(2) It shall come into force on such date as the State Government may, by notification, appoint.

Definition.

2. In this Act, unless the context otherwise requires, "existing law" means any law, Ordinance, Proclamation, Regulation or Order, By-law or Rule passed or made before the date of commencement of this Act by Parliament, or by any Legislature, authority or person having power to make such a Law, Ordinance, Proclamation, Regulation, Order, By-law or Rule.

Extension of Tamil Nadu Act XXVII of 1949.

3. The Tamil Nadu Preservation of Private Forests Act, 1949 (Tamil Nadu Act XXVII of 1949), as in force immediately before the date of commencement of this Act in the State of Tamil Nadu except the Kanyakumari District, is hereby extended to, and shall be in force in the Kanyakumari district.

Repeal of corresponding laws.

4. If, immediately before the date of commencement of this Act, there is in force in the Kanyakumari district any Act, Ordinance, Proclamation, Regulation, Order, By-law, Rule or other law corresponding to the enactment now extended to the Kanyakumari district, whether such Act, Ordinance, Proclamation, Regulation, Order, By-law, Rule or other law, is in force by virtue of section 119 of the

* For Statement of Objects and Reasons, *see Tamil Nadu Government Gazette* Extraordinary, dated the 7th March 1979, Part I V—Section 1, Pages 71-72.

States Reorganisation Act, 1956 (Central Act 37 of 1956), or by virtue of any other legislative power, such corresponding law shall, on the date of commencement of this Act, stand repealed to the extent to which the corresponding law relates to matters with respect to which the State Legislature has power to make laws for the State.

Savings.

5. (1) The repeal by section 4 of any corresponding existing law shall not affect—

(*a*) the previous operation of any such law or anything duly done or suffered thereunder, or

(*b*) any right, privilege, obligation or liability acquired, accrued or incurred under any such law, or

(*c*) any fine, penalty, forfeiture or punishment incurred in respect of any offence committed against any such law, or

(*d*) 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.

(2) Subject to the provisions of sub-section (1), anything done or any action taken including any appointment or delegation made, notification, order, instruction or direction issued, rule, regulation, form, by-law or scheme framed, certificate, permit or licence granted or registration effected, under such corresponding existing law shall be deemed to have been done or taken under the corresponding provision of the enactment as now extended to, and in force in, the Kanyakumari District and shall continue in force accordingly, unless and until superseded by anything done or any action taken under the said enactment.

Construction of references to laws not in force in the Kanyakumari District.

6. (1) Any reference in the enactment now extended to the Kanyakumari District to a law which is not in force in the Kanyakumari District shall, in relation to that District, be construed as a reference to the corresponding law, if any, in force in that District.

(2) Any reference in any existing law which continues to be in force in the Kanyakumari District after the date of commencement of this Act to any law repealed by section 4 shall, in relation to that District, be construed as a reference to the enactment now extended to the Kanyakumari District corresponding to the law so repealed.

Construction of references to authorities where new authorities have been constituted.

7. Any reference, by whatever form of words, in any existing law to any authority competent at the date of the passing of that law to exercise any powers or discharge any functions in the Kanyakumari District shall, where a corresponding new authority has been constituted by or under the enactment now extended to the Kanyakumari District have effect as if it were a reference to that new authority.

Powers of courts and other authority for purposes of facilitating application of laws.

8. For the purpose of facilitating the application in the Kanyakumari District of the enactment now extended to the Kanyakumari District, any court or other authority may construe such enactment 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.