

## **Tamil Nadu Forest (Amendment) Act, 1965**

**12 of 1965**

### CONTENTS

1. Short Title And Commencement
2. Section 2
3. Section 3
4. Section 4
5. Extension Of Tamil Nadu Act V Of 1882 And Certain Other Act In Transferred Territory Repeals And Savings

## **Tamil Nadu Forest (Amendment) Act, 1965**

**12 of 1965**

For Statement of Objects and Reasons, please see Part IV-Section 3, page 342 of the Fort St. George Gazette Extraordinary, dated the 3rd October 1964. An Act further to amend the 2[Tamil Nadu] Forest Act, 1882, and to extend that Act and certain other Acts to the Kanyakumari District and the Shencottah taluk of Tirunelveli District. Be it enacted by the Legislature of the 3[State of Tamil Nadu] in the Sixteenth Year of the Republic of India as follows : 1. Received the assent of the President on the 18th February 1966, and first published in the Fort St. George Gazette on the 2nd March 1966. 2. 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. 3. Substituted for the expression "State of Madras" by ibid.

### **1. Short Title And Commencement :-**

- (1) This Act may be called the [Tamil Nadu] Forest (Amendment) Act, 1965.
- (2) It shall come into force on such date as the State Government may, by notification, appoint.

### **2. Section 2 :-**

Section 2to 4 - Sections

[The amendments made by these sections have already been

incorporated in this principal Act, namely, Tamil Nadu Act V of 1882]

**3. Section 3 :-**

**4. Section 4 :-**

**5. Extension Of Tamil Nadu Act V Of 1882 And Certain Other Act In Transferred Territory Repeals And Savings :-**

(1) The 1[Tamil Nadu] Forest Act, 1882 (1[Tamil Nadu] Act V of 1882), as in force immediately before the date of the commencement of this Act and as amended by this Act, the 1[Tamil Nadu] Wild Elephants Preservation Act, 1873 (1[Tamil Nadu] Act I of 1873), the 1[Tamil Nadu] Forest (Validation) Act, 1882 (Central Act XXI of 1882) and the Wild Birds and Animals Protection Act, 1812 (Central Act VIII of 1912), as in force immediately before the date of the commencement of this Act (hereinafter in this section referred to as the said law) are hereby extended to, and shall be in force in, the transferred territory.

(2) The Game and Fish Protection Act (Travancore Act XII of 1089), the Travancore-Cochin Forest Act, 1951 (Travancore-Cochin Act III of 1952), and any other law corresponding to the said law, in force in the transferred territory immediately before the date of the commencement of this Act, shall stand repealed on the date of such commencement.

(3) The repeal by sub-section (2) of the Game and Fish Protection Act (Travancore Act XII of 1089), the Travancore-Cochin Forest Act, 1951 (Travancore-Cochin Act III of 1952) and any other law corresponding to the said law, in force in the transferred territory immediately before the date of the commencement of this Act shall not affect-

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

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

(c) any penalty, forfeiture or punishment incurred in respect of any offences committed against any such Act or law; or

(d) any investigation, legal proceeding or remedy in respect of any such right, privilege, obligation, liability, penalty, forfeiture or punishment as aforesaid;

(d) 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 made, notification, order, instruction or direction issued or any rule or form framed under any such Act or law, shall be deemed to have been done or taken under the said law corresponding thereto and shall continue to levy effect accordingly, unless and until superseded by anything done or any action taken under the said law.

(5) For the purpose of facilitating the application of the said law in the transferred territory, any Court or other authority may construe such law 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.

(6) Any reference in the said law to a law which is not in force in the transferred territory shall, in relation to that territory, be construed as a reference to the corresponding law, if any, in force in that territory.

(7) Any reference in any law which continues to be in force in the transferred territory after the date of the commencement of this Act, to any Act or law, repealed by sub-section (2) shall, in relation to that territory, be construed as a reference to the said law corresponding thereto.

(8) (a) If any difficulty arises in giving effect to the provisions of this Act or of the said law as extended to the transferred territory by this Act, the State Government, as occasion may require, may, by order, do anything which appears to them necessary for the purpose of removing the difficulty.

(b) All Orders made under clause (a) shall be published in the Official Gazette and, unless they are expressed to come into force on a particular day, shall come into force on the day on which they are so published.

(c) Every order made under clause (a) shall, as soon as possible, after it is made, be placed on the table of 3[the Legislature Assembly], and if, before the expiry of the session in which it is so placed or the next session, 4[the legislative Assembly agrees] in making any modification in any such order or 4[the legislative Assembly agrees] that the order should not be made, the order shall thereafter have effect only in such modified form or be of no effect, as the case may be, so however, that any such modification or annulment shall be without prejudice to the validity of anything previously done under that order.

Explanation.-For the purpose of this section, the expression

transferred territory shall mean the Kanyakumari district and the Shencottah taluk of the Tirunelveli district.

1. 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.
2. Substituted for the expression "Madras Act" by paragraph 3(2) of the Tamil Nadu Adaptation of Laws Order, 1970.
3. Substituted for the words "both Houses of the Legislature" by Tamil Nadu Adaptation of Laws Order, 1987.
4. Substituted for the words "both Houses agree" by *ibid*.