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Part IV—Section 1

Tamil Nadu Bills

CONTENTS

	<i>Pages.</i>
BILLS:	
No. 30 of 2018— The Tamil Nadu Repealing Act, 2018	140-144
No. 31 of 2018—The Tamil Nadu Repealing and Amending Act, 2018	145-148

Under Rule 130 of the Tamil Nadu Legislative Assembly Rules, the following Bill which was introduced in the Legislative Assembly of the State of Tamil Nadu on 29th June, 2018 is published together with Statement of Objects and Reasons for general information:—

L.A. Bill No. 31 of 2018

A Bill to repeal certain enactments and to amend an enactment.

WHEREAS it is expedient that the enactments specified in the First Schedule which are spent or have otherwise become obsolete, or have ceased to be in force otherwise than by expressed specific repeal, should be expressly and specifically repealed;

AND WHEREAS it is also expedient that amendment should be made in the enactment specified in the Second Schedule;

BE it enacted by the Legislative Assembly of the State of Tamil Nadu in the Sixty-ninth Year of the Republic of India as follows:—

1. This Act may be called the Tamil Nadu Repealing and Amending Act, 2018. Short title.
2. The enactments specified in the First Schedule are hereby repealed to the extent mentioned in the fourth column thereof. Repeal of certain enactments.
3. The enactment specified in the Second Schedule is hereby amended to the extent and in the manner mentioned in the fourth column thereof. Amendment of an enactment.
4. The repeal by this Act of any enactment shall not affect any other enactment in which the repealed enactment has been applied, incorporated or referred to; Savings.
and this Act shall not affect the validity, invalidity, effect or consequences of anything already done or suffered, or any right, title, obligation or liability already acquired, accrued or incurred, or any remedy or proceeding in respect thereof, or any release or discharge of or from any debt, penalty, obligation, liability, claim or demand, or any indemnity already granted, or the proof of any past act or thing;
nor shall this Act affect any principle or rule of law, or established jurisdiction, form or course of pleading, practice or procedure, or existing usage, custom, privilege, restriction, exemption, office or appointment, notwithstanding that the same respectively may have been in any manner affirmed or recognised or derived by, in or from any enactment hereby repealed;
nor shall the repeal by this Act of any enactment revive or restore any jurisdiction, office, custom, liability, right, title, privilege, restriction, exemption, usage, practice, procedure or other matter or thing not now existing or in force.

FIRST SCHEDULE.

REPEALS.

(See section 2)

<i>Year.</i> (1)	<i>Number.</i> (2)	<i>Short Title.</i> (3)	<i>Extent of Repeal.</i> (4)
<i>Central Acts of Local Application.</i>			
1837	XXXVI	The Tamil Nadu Public Property Malversation Act, 1837.	The Whole
1925	XXXV	The Tamil Nadu, Bengal and Bombay Children (Supplementary) Act, 1925.	The Whole
<i>Tamil Nadu Regulations.</i>			
1802	III	The Tamil Nadu Administration of Estates Regulation, 1802.	The Whole
1802	XIX	The Indian Civil Service (Tamil Nadu) Loans Prohibition Regulation, 1802.	The Whole
1802	XXV	The Tamil Nadu Permanent Settlement Regulation, 1802.	The Whole
1816	XII	The Tamil Nadu Village-Lands Disputes Regulation, 1816.	The Whole
1817	VII	The Tamil Nadu Endowments and Escheats Regulation, 1817.	The Whole
1817	VIII	The Tamil Nadu Revenue Recovery (Military Proprietors) Regulation, 1817.	The Whole
1822	IV	The Tamil Nadu Permanent Settlement (Interpretation) Regulation, 1822.	The Whole
1829	V	The Tamil Nadu Hindu Wills Regulation, 1829.	The Whole
1831	V	The Tamil Nadu Stamp Penalties Regulation, 1831.	The Whole

SECOND SCHEDULE.

AMENDMENT.

(See section 3)

Year. (1)	Number. (2)	Short Title. (3)	Amendment. (4)
<i>Tamil Nadu Act.</i>			
1864	II	The Tamil Nadu Revenue Recovery Act, 1864.	<p>After section 25, the following section shall be inserted, namely:—</p> <p>“25-A. Service of Notice in the case of Military Personnel.— (1) If any person serving in the Army has land, such person shall be at liberty to inform the Collector the rank which he may hold and the designation of the Corps to which he is attached and record of such information shall be made by the Collector in the register and accounts relating to such land and its assessment.</p> <p>(2) Where revenue is in arrear in respect of any land belonging to such person, no proceeding shall be instituted unless the Collector informs the Commanding Officer of the Corps about the action proposed to be taken under this Act.</p> <p>(3) The Collector shall address an official letter by registered post with acknowledgement due to the Commanding Officer of the Corps and enclose along with the said letter a written notice to the person liable to pay the arrear of land revenue duly signed by himself or other officer empowered by the Collector in this behalf.</p> <p>(4) Such notice shall, specify the amount of arrear, and the date on which it became due, and require such person to pay the said arrear within such limited period of time having regard to the fact where the Corps is stationed and the time that may be taken to serve the said notice.</p> <p>(5) Acknowledgement of the receipt of the letter by the Commanding Officer shall be deemed to be sufficient service for the purposes of this Act.”.</p>

STATEMENT OF OBJECTS AND REASONS.

The Law Commission of India, in its 248th, 249th, 250th and 251st Reports on "Obsolete laws; warranting immediate Repeal", *inter-alia*, recommended for repeal of 289 enactments. Further, the State Law Commission has recommended in its First Report on Unrepealed Tamil Nadu Regulations to repeal certain Regulations as the said Regulations are not suitable to the present day situation.

2. The Government have, therefore, decided to repeal the following Central Acts of Local application in the State of Tamil Nadu:—

- (i) The Tamil Nadu Public Property Malversation Act, 1837 (Central Act XXXVI of 1837).
- (ii) The Tamil Nadu, Bengal and Bombay Children (Supplementary) Act, 1925 (Central Act XXXV of 1925).

3. Similarly, the Government have decided to repeal the following Tamil Nadu Regulations:—

- (i) The Tamil Nadu Administration of Estates Regulation, 1802 (Tamil Nadu Regulation III of 1802).
- (ii) The Indian Civil Service (Tamil Nadu) Loans Prohibition Regulation, 1802 (Tamil Nadu Regulation XIX of 1802).
- (iii) The Tamil Nadu Permanent Settlement Regulation, 1802 (Tamil Nadu Regulation XXV of 1802).
- (iv) The Tamil Nadu Village-Lands Disputes Regulation, 1816 (Tamil Nadu Regulation XII of 1816).
- (v) The Tamil Nadu Endowments and Escheats Regulation, 1817 (Tamil Nadu Regulation VII of 1817).
- (vi) The Tamil Nadu Revenue Recovery (Military Proprietors) Regulation, 1817 (Tamil Nadu Regulation VIII of 1817).
- (vii) The Tamil Nadu Permanent Settlement (Interpretation) Regulation, 1822 (Tamil Nadu Regulation IV of 1822).
- (viii) The Tamil Nadu Hindu Wills Regulation, 1829 (Tamil Nadu Regulation V of 1829).
- (ix) The Tamil Nadu Stamp Penalties Regulation, 1831 (Tamil Nadu Regulation V of 1831).

4. In order to repeal the Tamil Nadu Revenue Recovery (Military Proprietors) Regulation, 1817 (Tamil Nadu Regulation VIII of 1817), it has been decided to amend the Tamil Nadu Revenue Recovery Act, 1864 (Tamil Nadu Act II of 1864) to incorporate the provisions relating to service of notice in the case of military personnel. The Government have, therefore, decided to bring out a Legislation for the aforesaid purpose.

5. The Bill seeks to give effect to the above decision.

C.VE. SHANMUGAM,
Minister for Law, Courts and Prisons.

K.SRINIVASAN,
Secretary.