

THE KERALA RE-ENACTING ACT, 1960

(Act 33 of 1960)

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ACT 33 OF 1960**THE KERALA RE-ENACTING ACT, 1960***

An Act to re-enact certain Acts enacted by Parliament or the President for the State of Kerala.

Preamble.—WHEREAS, the President of India had, under article 356 of the Constitution of India, declared by Proclamation dated the 31st July, 1959, that the powers of the Legislature of the State of Kerala shall be exercisable by or under the authority of Parliament;

AND WHEREAS, in pursuance of the said powers, Parliament enacted the Acts specified as items 1 to 4 (both inclusive) in the Schedule;

AND WHEREAS, Parliament had, under the Kerala State Legislature (Delegation of Powers) Act, 1959, conferred on the President the power of the Legislature of the State to make laws;

AND WHEREAS, in pursuance of the said power, the President enacted the Acts specified as items 5 and 6 in the Schedule;

AND WHEREAS, the said Proclamation was revoked by the President's Proclamation dated the 22nd February, 1960;

AND WHEREAS, under clause (2) of article 357 of the Constitution, the Acts aforesaid enacted by Parliament and the President will cease to have effect on the expiration of a period of one year after the said Proclamation has ceased to operate, unless sooner re-enacted by Act of the appropriate Legislature;

AND WHEREAS, it is expedient to re-enact the said Acts with suitable modifications;

Be it enacted in the Eleventh Year of the Republic of India as follows:—

1. *Short title and commencement.*— This Act may be called the Kerala Re-enacting Act, 1960.

(2) It shall come into force at once.

2. *Re-enactment of Acts.*—The Acts specified in the Schedule are hereby re-enacted with the modifications specified therein.

* Received the assent of the President on 17th December, 1960 and published in the Gazette Extraordinary dated 23rd December, 1960.

THE SCHEDULE
(See Section 2)

1. *The Kerala Local Authorities Laws (Amendment) Act, 1959, as amended by section 7 of the Kerala Municipal Laws (Amendment) Act, 1960 (Act 23 of 1960)*

(i) Long title.—For the Long title, the following Long title shall be substituted, namely:-

“An Act to provide for the recovery in certain cases of arrears of cesses, rates, taxes, fees or other sums due to panchayats.”;

(ii) After the Long title for the portion beginning with the words “Whereas by virtue of the Proclamation” and ending with the words “Be it enacted by Parliament in the Tenth Year of the Republic of India as follows:—”, substitute—

“*Preamble.*—Whereas it is expedient to provide for the recovery in certain cases of arrears of cesses, rates, taxes, fees or other sums due to panchayats; Be it enacted as follows:—”.

2. *The Kerala Appropriation Act, 1959 (39 of 1959).*—After the Long title, for “Be it enacted by Parliament in the Tenth Year of the Republic of India as follows:—”, substitute—

“*Preamble.*—Whereas it is necessary to authorise payment and appropriation of certain further sums from and out of the Consolidated Fund of the State of Kerala for the services of the financial year 1959-60;

Be it enacted as follows:—”.

3. *The Travancore-Cochin Vehicles Taxation (Amendment and Validation) Act, 1959 (42 of 1959).*—After the Long title, for “Be it enacted by Parliament in the Tenth Year of the Republic of India as follows:—”, substitute—

“*Preamble.*—Whereas it is deemed necessary further to amend the Travancore-Cochin Vehicles Taxation Act, 1950, and to provide for certain other connected matters;

Be it enacted as follows:—”.

4. *The Kerala Appropriation (No. 2) Act, 1959 (53 of 1959).*—After the Long title, for “Be it enacted by Parliament in the Tenth Year of the Republic of India as follows:—”, substitute—

“*Preamble.*—Whereas it is necessary to authorise payment and appropriation of certain further sums from and out of the Consolidated Fund of the State of Kerala for the services of the financial year 1959-60;

Be it enacted as follows:—”.

5. *The Kerala Co-operative Land Mortgage Banks Act, 1960 (1 of 1960)*

(i) Before the Long title, omit “Enacted by the President in the Tenth Year of the Republic of India.”;

(ii) After the Long title, for the portion beginning with the words “In exercise of the powers” and ending with the words “the President is pleased to enact as follows:—”, substitute—

“*Preamble.*—Whereas it is expedient to facilitate the working of co-operative land mortgage banks in the State of Kerala;

Be it enacted as follows:—”.

6. *The Kerala Warehouses Act, 1960 (2 of 1960)*

(i) Before the Long title, omit “Enacted by the President in the Tenth Year of the Republic of India.”;

(ii) After the Long title, for the portion beginning with the words “In exercise of the powers” and ending with the words “the President is pleased to enact as follows:—”, substitute—

“*Preamble.*—Whereas it is expedient to provide for the regulation and licensing of warehouses in the State of Kerala;

Be it enacted as follows:—”;

(iii) Section 39.—After “The Government may”, insert “if they are satisfied that it is necessary so to do in the public interest”;

(iv) *Section 40.*—After “the Central Excises and Salt Act, 1944 (1 of 1944)”, insert “the Travancore Tobacco Act, 1087 (I of 1087)”.
