

MADRAS STATE (ALTERATION OF NAME) ACT, 1968

53 of 1968

[20th December, 1968]

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STATEMENT OF OBJECTS AND REASONS The Government of Madras forwarded to the Central Government in September, 1967, the resolution passed unanimously by the Legislative Assembly and the Legislative Council of Madras in July, 1967, recommending that the name of the State of Madras be changed into "Tamil Nadu" and requested the Central Government to bring forward the necessary legislation in Parliament to give effect to the resolution. The Bill provides for such alteration of the name of the State of Madras and contains the necessary amendments to the provisions of the Constitution and also consequential provisions. 2. As required by the proviso to article 3 of the Constitution, the President referred the Bill to the Legislature of the State of Madras for expressing its view thereon and that Legislature has approved the enactment of the Bill by Parliament.- Gaz. of India, 30-8-1968, Pt. II, section 2, Extra, p. 1070.

1. Short title and commencement :-

(1) This Act may be called The Madras State (Alteration of Name)

Act, 1968.

(2) It shall come into force on such date ¹ as the Central Government may, by notification in the Official Gazette, appoint.

1. Appointed date is 14-1-1969-See Gaz. of India, 30-12-1968, Pt. II, section 3(ii). Extra., p. 1511.

2. Definitions :-

In this Act, unless the context otherwise requires,-

(a) "appointed day" means the date appointed under sub-section (2) of section 1 for the coming into force of this Act;

(b) "appropriate Government" means, as respects a law relating to a matter enumerated in List I in the Seventh Schedule to the Constitution, the Central Government, and as respects any other law, the State Government;

(c) "law" includes any enactment. Ordinance, regulation, order, bye-law, rule, scheme, notification or other instrument having the force of law in the whole or any part of the State of Madras.

3. Alteration of name of State of Madras :-

As from the appointed day, the State of Madras shall be known as the State of Tamil Nadu.

4. Amendment of article 31A, article 168 and article 290A of the Constitution :-

In sub-clause (a) of clause (2) of article 31A, in sub-clause (a) of clause (1) of article 168 and. in article 290A of the Constitution, for the word "Madras", the words "Tamil Nadu" shall be substituted.

5. Amendment of First and Fourth Schedules to the Constitution :-

(1) In the First Schedule to the Constitution, under the heading "1. THE STATES", for the figure and the word "7. Madras", the figure and words "7. Tamil Nadu" shall be substituted.

(2) In the Fourth Schedule to the Constitution, for the figure and word "8. Madras," the figure and words "8. Tamil Nadu" shall be substituted.

6. Power to adapt laws :-

(1) For the purpose of giving effect to the alteration of the name of the State of Madras by section 3 , the appropriate Government

may, before the expiration of one year from the appointed day, by order, make such adaptations ¹ and modifications of any law made before the appointed day, whether by way of repeal or amendment as may be necessary for expedient, and thereupon every such law shall have effect subject to the adaptations and modifications so made.

(2) Nothing in sub-section (1) shall be deemed to prevent a competent Legislature or other competent authority from repealing or amending any law adapted or modified by the appropriate Government under the said sub-section.

1. For Madras State (Alteration of Name) (Adaptation of Laws on the Union Subjects) Order, 1970, see Gazette of India, 13-1-1970, Pt. II, S. 3(i). Extra., p. 19, and for Tamil Nadu Adaptation of Laws Order, 1969, see T.N. Gaz. 13-8-1969, Pt. V, section 4, Extra., p. 57, and for T.N. Adaptation of Laws (Amendment) Order, 1969, see p. 61.

7. Power to construe laws :-

Notwithstanding that no provision or insufficient provision has been made under section 6 for the adaptation of a law made before the appointed day, any Court, Tribunal or authority required or empowered to enforce such law may construe the law in such manner, without affecting the substance, as may be necessary or proper in regard to the matter before the Court, Tribunal or authority.

8. Legal proceedings :-

Where immediately before the appointed day any legal proceedings are pending to which the State of Madras is a party, the State of Tamil Nadu shall be deemed to be substituted for the State of Madras in those proceedings.