THE INDIAN EASEMENTS (EXTENSION) ACT, 1961

(ACT 5 OF 1962)

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ACT 5 OF 1962*

THE INDIAN EASEMENTS (EXTENSION) ACT, 1961

An Act to extend the Indian Easements Act, 1882, to the whole of the State of Kerala.

Preamble.— WHEREAS it is expedient to extend the Indian Easements Act, l882, to the whole of the State of Kerala;

BE it enacted in the Twelfth Year of the Republic of India as follows:—

1. *Short title and commencement*.— (1) This Act may be called the Indian Easements (Extension) Act, 1961.

2. *Extension of the Indian Easements Act, I882*.—The Indian Easements Act, 1882 (Central Act 5 of 1882), as in force in the Malabar district referred to in sub-section (2) of section 5 of the States Reorganisation Act, 1956 (Central Act 37 of 1956), is hereby extended to, and shall be in force in, the whole of the State of Kerala.

3. *Repeal and Savings*.— The Travance-Cochin Easements Act, 1951 (Act XI of 1951), hereinafter referred to as the said Act, is hereby repealed :

Provided that the repeal shall not affect—

(a) the previous operation of the said Act or anything duly done or suffered thereunder,

(b) any right, privilege, obligation or liability acquired, accrued or incurred under the said Act,

(c) any penalty, forfeiture or punishment incurred in respect of any offence committed against the said Act, or

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

Provided further that, subject to the preceding proviso, anything done or any action taken under the said Act shall be deemed to have been done or taken under the corresponding provisions of the Indian Easements Act now extended to the whole of the State of Kerala, and shall continue to be in force accordingly unless and until superseded by anything done or any action taken under that Act.

4. *Power to remove difficulties*.— If any difficulty arises in giving effect to the provisions of the Indian Easements Act extended by this Act to the whole of the State of Kerala, the Government may, by order notified in the Gazette, make such provisions or give such directions as appear to them necessary for the removal of the difficulty.

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* Received the assent of the Governor on the 19th day of February, 1962 and published in the Kerala Gazette