

The Kerala Places of Public Resort (Validation of Levy and Collection of Licence Fee) Act, 1971

Act 27 of 1971

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Act 27 of 1971

THE KERALA PLACES OF PUBLIC RESORT (VALIDATION OF LEVY AND COLLECTION OF LICENCE FEE) ACT, 1971^[1]

An Act to validate the levy and collection of certain licence fee under the Kerala Places of Public Resort Act, 1963

Preamble.—WHEREAS it is expedient to validate the levy and collection of certain licence fee under the Kerala Places of Public Resort Act, 1963 and the Rules issued thereunder;

Be it enacted in the Twenty-second Year of the Republic of India as follows: —

1. *Short title.*—This Act may be called the Kerala Places of Public Resort (Validation of Levy and Collection of Licence Fee) Act, 1971.

2. *Validation of levy and collection of licence fee.*— (1) Notwithstanding anything contained in sub-section (1) of section 7 of the Kerala Places of Public Resort Act, 1963 (40 of 1963), rule 28 of the Kerala Places of Public Resort Rules, 1965, as it stood before the amendment issued under notification S.R.O. No. 59/69, dated 27 th January, 1969, in so far as it relates to the levy and collection of licence fee by the licensing authority shall be deemed to have been issued in accordance with law and the rates fixed under the said rule shall be deemed to be, and to have been, the rate of fee directed by the Government by rule under the said Act with effect on and from the 1 st day of August, 1965, and up to and inclusive of 10 th day of February, 1969.

(2) Notwithstanding anything contained in any judgment, decree or order of any court to the contrary, all fees levied or collected or purported to have been levied or collected in pursuance of the rule referred to in sub-section (1) shall, for all purposes, be deemed to be and to have always been validly levied, or collected and accordingly, —

(a) all acts, proceedings or things done or taken by the licensing authority in connection with the levy or collection of licence fee shall, for all purposes be deemed to be, and to have always been done or taken in accordance with law;

(b) no suit or other proceedings shall be maintained or continued in any court against the Government, the local authority or any person or authority whatsoever for the refund of any fees so paid; and

(c) no court shall enforce any decree or order directing refund of any fees so paid.