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ACT 26 OF 1960

THE STATE TRANSPORT AUTHORITY AND THE REGIONAL TRANSPORT AUTHORITIES (CONTINUANCE OF THE TERM OF OFFICE) VALIDATION ACT, 1960^[1]

An Act to validate the continuance of the term of office State Transport Authority and certain Regional Transport Authorities.

Preamble. — WHEREAS by Notification No. 74520/58/P B/TB. 1 dated the 23rd December, 1958, the Government sanctioned the continuance of the term of office of the State Transport Authority and certain Regional Transport Authorities after the expiry of their term of office;

and whereas the said Transport Authorities continued to function till new authorities were constituted on the 30 th day of December, 1958 ;

and whereas it has been held by the High Court of Kerala that the said notification dated the 23rd December, 1958, cannot have retroactive operation;

and whereas it is necessary to validate all things done and all action taken by the said Transport Authorities after the expiry of their term of office ;

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

1. *Short title.* — *This Act may be called the State Transport Authority and the Regional Transport Authorities (Continuance of the Term of Office) Validation Act, 1960.*

2. *Validation of the sanction for the continuance of the term of office of the State Transport Authority and certain Regional Transport Authorities.* —(1) Notwithstanding any judgment, decree or order of any court, the continuance of the term of office of the State Transport Authority and the Regional Transport Authorities sanctioned by the Government by notification No. 74520/58/PW/TB.1 dated the 23rd December, 1958, issued under sub-sections (1) and (2) of section 44 of the Motor Vehicles Act, 1939, shall be deemed to have been validly ordered; and the term of office of the State Transport Authority and the Regional Transport Authorities of the Cannanore, Kozhi kode, Palghat, Trichur, Kottayam, Quilon and Trivandrum shall be deemed to have been extended from the 27th day of August, 1958, up to the 30th day of December, 1958 and that of the Regional Transport Authority of Alleppey shall be deemed to have been extended from the 1st day of October, 1958 up to the 30th day of December, 1958. All powers exercised, duties performed, orders passed and all things done and action taken or purporting to have been exercised, performed, passed, done or taken by or under any provision of the said Motor Vehicles Act or the rules made thereunder by the said authorities during the respective periods aforesaid, shall be deemed to have been validly exercised, performed, passed, done and taken and shall not be called in question in any court of law on the

ground that the sanction of the Government for the continuance of the term of office of the said authorities with retrospective effect was not authorised by law.

(2) No suit or other proceeding challenging the validity of any such power exercised, duty performed, order passed, thing done or action taken or for any relief on the ground that such power, duty, order, thing or action was not validly exercised, performed, passed, done or taken, shall be maintained or continued in any court:

Provided that no action or omission on the part of any person shall be punishable as an offence which would not have been so punishable if this Act had not been passed.