



## The Tamil Nadu District Police Act, 1859

Act 24 of 1859

**Keyword(s):**

**Better Regulation of Police, Prevention and Detection of Crime, Magistrate, Superior Police, Subordinate Police, General Police District**

**Amendments appended: 5 of 1865, 49 of 1979, 35 of 1981, 38 of 1985, 42 of 1995**

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ACT No. XXIV OF 1859.<sup>1</sup>[THE <sup>2</sup>(TAMIL NADU) DISTRICT POLICE ACT, 1859].

[6th September 1859.]

An Act for the better regulation of the Police within the <sup>3</sup>[State of Tamil Nadu].

## Preamble.

WHEREAS it is expedient to make the Police-force throughout the <sup>4</sup>[State of Tamil Nadu] a more efficient instrument <sup>5</sup>\* \* \* \* for the prevention and detection of crime, and to re-organize the Police-force <sup>6</sup>\* \* \* \*. It is enacted as follows :—

<sup>1</sup> The short title, "The Madras District Police Act, 1859" was given by the Repealing and Amending Act, 1901 (Central Act XI of 1901).

This Act was declared by the Laws Local Extent Act, 1874 (Central Act XV of 1874), section 4 and the Second Schedule, to be in force in the whole of the State of Tamil Nadu except the territories mentioned in the Sixth Schedule to that Act.

As to employment in the City of Madras of Police officers appointed under Central Act XXIV of 1859, see the Madras City Police Act, 1888 (Tamil Nadu Act III of 1888), s. 16.

The Tamil Nadu District Police (Amendment) Act, 1865 (Tamil Nadu Act V of 1865), and sections 3 and 4 of the Tamil Nadu Towns Nuisances Act, 1889 (Tamil Nadu Act II of 1889), are to be read with, and taken as part of this Act.

As to power of Central Government to create a General Police District (notwithstanding anything in this Act) and to direct the enrolment of a Police force therein, see the Police Act, 1888 (Central Act III of 1888).

This Act was extended to the merged State of Pudukkottai by section 3 of, and the First Schedule to, the Tamil Nadu Merged States (Laws) Act, 1940 (Tamil Nadu Act XXXV of 1940).

This Act was extended to the Kanyakumari district and the Shencottah taluk of the Tirunelveli district by section 3 of, and the First Schedule to, the Tamil Nadu (Transferred Territory) Extension of Laws Act, 1960 (Tamil Nadu Act 23 of 1960), which came into force on the 1st April 1961, repealing the corresponding law in that territory.

<sup>2</sup> These words were substituted for the word "Madras" by the Tamil Nadu Adaptation of Laws Order, 1969, as amended by the Tamil Nadu Adaptation of Laws (Second Amendment) Order, 1969, which came into force on the 14th January 1969.

<sup>3</sup> This expression was substituted for the expression "territories subject to the Presidency of Fort St. George" by the Tamil Nadu Adaptation of Laws Order, 1970, which was deemed to have come into force on the 14th January 1969.

<sup>4</sup> This expression was substituted for the expression "Madras Presidency" by *ibid.*

<sup>5</sup> The words "at the disposal of the Magistrate" were omitted by section 2 of the Madras District Police (Amendment) Act, 1936 (Madras Act XXI of 1936).

<sup>6</sup> The words "and improve the condition of the village-police" were repealed by the Madras Hereditary Village-offices Act, 1895 (Madras Act III of 1895).

1. The following words and expressions in this Act Interpretation shall have the meanings hereby assigned to them, unless there be something in the subject or context repugnant to such construction (that is to say),

the word "Magistrate" shall include all persons, "Magistrate" within their respective jurisdictions, exercising all or any of the powers of a Magistrate ;

<sup>1</sup>[the expression "superior police" shall mean the "Superior Inspector-General of Police, Deputy Inspectors-General of Police, District Superintendents of Police, Assistant Superintendents of Police and Deputy Superintendents of Police ;

the expression "subordinate police" shall mean "Subordinate all police-officers of and below the rank of an Inspector];

<sup>2</sup>[the word "Police" shall include all persons "Police" appointed under this Act];

the expression "General Police District" shall "General Police embrace all districts to which the operation of this District" Act shall be extended ;

the word "property" shall include any <sup>3</sup>[movable "Property" property], money or valuable security ;

<sup>4</sup>[ \* \* \* \* \* ]

the word "person" shall include company or "Person" corporation ;

the word "month" shall mean calendar month ; "Month" .

the word "cattle" shall, besides horned cattle, "Cattle" include elephants, camels, horses, asses, mules, sheep, goats and swine.

<sup>1</sup> These definitions were substituted for the definition of "subordinate" by section 3 (i) of the Madras District Police (Amendment) Act, 1936 (Madras Act XXI of 1936).

<sup>2</sup> This definition of "Police" was substituted for the former definition by the Madras Hereditary Village-offices Act, 1895 (Madras Act III of 1895).

<sup>3</sup> These words were substituted for the word "chattel" by section 3 (ii) of the Madras District Police (Amendment) Act, 1936 (Madras Act XXI of 1936).

<sup>4</sup> The definition of "Number" and "Gender" was repealed by the Second Repealing and Amending Act, 1914 (Central Act XVII of 1914).

2. [Repeal and amendment of certain Acts.] Rep. by the Repealing Act, 1870 (Central Act XIV of 1870).

3. [Jurisdiction of officers appointed under Mad. Reg. XI of 1816]. Rep. by the Repealing Act, 1870 (Central Act XIV of 1870).

Superintendence vested in the State Government.

4. The superintendence of the Police throughout the General Police District shall vest in, and be exercised by the <sup>1</sup>[State Government] and, except as authorized by <sup>2</sup>[them] under the provisions of this Act, no person, officer or Court shall be empowered to <sup>3</sup>[\* \* \*] supersede or control any police-functionary, any Regulation, Act or usage to the contrary notwithstanding.

Inspector-General of Police, etc.

5. The administration of the Police throughout the General Police District shall be vested in an officer to be styled the Inspector-General of Police for the <sup>4</sup>[State of Tamil Nadu], and in such <sup>5</sup>[superior police officers] as to the <sup>1</sup>[State Government] shall seem fit <sup>6</sup>[\* \* \*].

<sup>1</sup> The words "Provincial Government" were substituted for the words "Governor in Council" by the Adaptation Order of 1937 and the word "State" was substituted for "Provincial" by the Adaptation Order of 1950.

<sup>2</sup> This word was substituted for the word "him" by the Adaptation Order of 1937.

<sup>3</sup> The word "appoint" was omitted by *ibid.*

<sup>4</sup> This expression was substituted for the expression "Presidency of Madras" by the Tamil Nadu Adaptation of Laws Order, 1970, which was deemed to have come into force on the 14th January 1969.

<sup>5</sup> These words were substituted for the word "subordinates" by section 4 of the Madras District Police (Amendment) Act, 1936 (Madras Act XXI of 1936).

<sup>6</sup> The words "who shall from time to time be appointed by the Governor in council, and way by removed by the same authority" were omitted by the Adaptation Order of 1937.

6. All powers not inconsistent with the provisions of this Act which up to the passing of this Act belonged by law to the existing Police-authorities shall be vested in the Police-authorities appointed under this Act: Provided always that no Police-functionary so appointed shall possess or exercise any judicial or revenue authority.

7. The Inspector-General of Police shall be appointed a Justice of the Peace; he shall also have the full powers of a Magistrate throughout the Police District, but shall exercise these powers subject to such orders as may from time to time be issued by the <sup>1</sup>[State Government]. The <sup>1</sup>[State Government] may vest any District Superintendent of Police with all or any of the powers of a Magistrate within such limits as <sup>2</sup>[they] may deem proper; but such Superintendent shall exercise the powers with which he shall be so invested only so far as may be necessary for the preservation of the peace, the prevention of crime, and the detection, apprehension and detention of offenders in order to their being brought before a Magistrate, and as far as may be necessary for the performance of the duties assigned to him by this Act.

8. The entire Police-establishment of the <sup>3</sup>[State of Tamil Nadu] shall for the purposes of this Act be deemed to be one Police-force and shall be formally enrolled, and shall consist of such number of officers and men, and shall be otherwise constituted in such manner, as shall be from time to time ordered by the

<sup>1</sup> The words "Provincial Government" were substituted for the words "Governor in Council" by the Adaptation Order of 1937 and the word "State" was substituted for "Provincial" by the Adaptation Order of 1950.

<sup>2</sup> This word was substituted for the word "he" by *ibid.*

<sup>3</sup> This expression was substituted for the expression "Madras Presidency" by the Tamil Nadu Adaptation of Laws Order, 1970, which was deemed to have come into force on the 14th January 1969.

<sup>1</sup>[State Government] <sup>2</sup>[ \* \* ]. <sup>3</sup>[The pay and all other conditions of service of officers of the Subordinate Police shall, subject to the provisions of this Act, be such as may be determined by the <sup>4</sup>(State) Government].

Inspector-General to control force and make rules.

9. The Inspector-General may, from time to time, subject to the approval of the <sup>1</sup>[State Government], frame such orders and regulations as he shall deem expedient, relative to the general government and distribution of the force, the places of residence, the classification, rank and particular service of the members thereof; their inspection; the description of arms, accoutrements and other necessaries to be furnished to them; to the collecting and communicating intelligence and information; and all such other orders and regulations relative to the said Police-force as the said Inspector-General shall, from time to time, deem expedient for preventing abuse or neglect, and for rendering such force efficient in the discharge of all its duties.

Dismissal, suspension or reduction of officers of the Subordinate Police.

<sup>5</sup>[10. <sup>6</sup>(Subject to the provisions of article 311 of the Constitution and to such rules) as the <sup>4</sup>(State) Government may, from time to time make under this Act, the Inspector-General, Deputy Inspectors-General and District Superintendents of Police may at any time dismiss, suspend or reduce to a lower post, or time scale, or to a lower stage in time scale,

<sup>1</sup> The words "Provincial Government" were substituted for the words "Governor in Council" by the Adaptation Order of 1937 and the word "State" was substituted for "Provincial" by the Adaptation Order of 1950.

<sup>2</sup> The words "subject to the control of the Governor-General of India in Council" were omitted by the Adaptation Order of 1937.

<sup>3</sup> This sentence was inserted by *ibid.*

<sup>4</sup> This word was substituted for the word "Provincial" by the Adaptation Order of 1950.

<sup>5</sup> This section was substituted for the original section by the Adaptation Order of 1937.

<sup>6</sup> These words and figures were substituted for the words "subject to such rules" by the Adaptation (Third Amendment) Order of 1951.

any officer of the Subordinate Police whom they shall think remiss or negligent in the discharge of his duty or otherwise unfit for the same and may order the recovery from the pay of any such Police officer of the whole or part of any pecuniary loss caused to Government by his negligence or breach of orders.]

11. Every person <sup>1</sup> [appointed as an Officer of the Subordinate Police] shall receive on his enrolment a certificate (A) under the seal of the Inspector-General, by virtue of which he shall be vested with the powers, functions and privileges of a Police-officer. Such certificate shall cease to have effect whenever the person named in it is suspended or dismissed, or otherwise removed from employment in the Police-force, and shall thereupon be immediately surrendered to his superior officer, or other person empowered to receive it. Police-officers to receive certificates of office.

<sup>2</sup>[12. The State Government, the Inspector-General of Police or the Deputy Inspector-General of Police may appoint any member of the Police Force appointed under the Travancore-Cochin Police Act, 1951 (Travancore-Cochin Act II of 1952), as applied to the Kanyakumari district and the Shencottah taluk of the Tirunelveli district to be a police officer in the area to which this Act extends and thereupon such officer shall exercise the powers and perform the duties and functions and shall be subject to all the liabilities of a police officer under this Act.] Power to appoint any member of the Police Force, appointed under the Travancore-Cochin Police Act, 1951, in the area to which this Act extends.

13. It shall be lawful for the <sup>3</sup>[State Government], if they shall think fit, on the application of any person showing the necessity thereof, to <sup>4</sup>[appoint] any additional number of Police-officers to keep the peace Additional Police-officers employed at cost of individuals.

<sup>1</sup> These words were substituted for the words "so appointed" by the Adaptation Order of 1937.

<sup>2</sup> This section was inserted by the Madras Adaptation of Laws (Central Acts) Order, 1957.

<sup>3</sup> The words "Provincial Government" were substituted for the words "Inspector-General of Police or any Deputy Inspector-General or any District Superintendent" by the Adaptation Order of 1937 and the word "State" was substituted for the word "Provincial" by the Adaptation Order of 1950.

<sup>4</sup> This word was substituted for the word "depute" by section 6 (iii) of the Madras District Police (Amendment) Act, 1936 (Madras Act XXI of 1936).

at any place within the General Police District, at the charge of the person making the application, but subject to the orders of the [Inspector-General] <sup>2</sup>[or Deputy Inspector-General] or District Superintendent and for such time as they shall think fit; provided always that it shall be lawful for the person on whose application such <sup>3</sup>[appointment] shall have been made, on giving one month's notice in writing to the Inspector-General <sup>2</sup>[or Deputy Inspector-General] or District Superintendent, to require that the officers so appointed shall be discontinued: such person shall be relieved from the charge of such additional force from the expiration of such notice.

**Additional force in neighbourhood of railway and other works.** 14. Whenever any railway, canal or other public work shall be carried on, or be in operation, in any part of the country, and it shall appear to the Inspector-General that the appointment of an additional Police-force in such neighbourhood is rendered necessary by the behaviour or reasonable apprehension of the behaviour of the persons employed upon such work, it shall be lawful for the Inspector-General, with the consent of the <sup>4</sup>[State Government], to direct the employment of such additional force, and to maintain the same so long as such necessity shall continue; and to make orders from time to time upon the treasurer or other officer having the control or custody of the funds of any Company carrying on such works, for the payment of the extra force so rendered necessary as aforesaid.

<sup>1</sup> These words were substituted for the words "said Inspector General" by the Adaptation Order of 1937.

<sup>2</sup> These words were inserted by section 6 (ii) of the Madras District Police (Amendment) Act, 1936 (Madras Act XXI of 1936).

<sup>3</sup> This word was substituted for the word "deputation" by section 6 (iii) *ibid.*

<sup>4</sup> The words "Provincial Government" were substituted for the words "Governor in Council" by the Adaptation Order of 1937 and the word "State" was substituted for "Provincial" by the Adaptation Order of 1959.



15. <sup>1</sup>[All sums of money payable under the two last preceding sections] shall be recoverable by suit in any competent Court, or by distress and sale of the goods of the defaulter under the warrant of a Magistrate. Recovery of sums payable for support of additional Police force.

16. When it shall appear that any <sup>2</sup>[unlawful assembly or riot or disturbance of the peace] has taken place or may be reasonably apprehended in any place, and that the ordinary officers appointed for preserving the peace are not sufficient for its preservation, and for the protection of the inhabitants, and the security of property in such place, it shall be lawful for any Police-officer not below the rank of Inspector to apply to the nearest Magistrate to appoint so many of the public or village servants, or residents of the neighbourhood, as such Police-officer may require to act as special Police-officers for such time and in such manner as he shall deem necessary ; and it shall be the duty of such Magistrate at once to comply with such applications. Special Police-officers.

17. Every special Police-officer so appointed shall have the same powers, privileges and protection, and be liable to all such duties and penalties, and be subordinate to the same authorities, as the ordinary officers of Police. <sup>3</sup>[He shall receive a certificate in such form as the <sup>4</sup>(State Government) may determine, under the signature of the Magistrate who appointed him.] Powers of special Police-officers.

<sup>1</sup> The words " All moneys paid in respect of such additional force as is mentioned in the two last preceding sections shall be paid into a fund to be called " The General Police Fund ", and shall be applied to the maintenance of the Police-force under such orders as the Governor in Council may pass, and all sums of money payable under those sections " were omitted, and these words were inserted, by the Adaptation Order of 1937.

<sup>2</sup> These words were substituted for the words " tumult, riot or outrage " by section 7 of the Madras District Police (Amendment) Act, 1936 (Madras Act XXI of 1936).

<sup>3</sup> This sentence was added by section 8, *ibid*.

<sup>4</sup> The words " Provincial Government " were substituted for the words " Local Government " by the Adaptation Order of 1937 and the word " State " was substituted for " Provincial " by the Adaptation Order of 1950.

Punishment  
for refusal to  
serve.

18. If any person, being appointed a special Police-officer, as aforesaid, shall without sufficient excuse neglect or refuse to serve as such, or to obey such lawful order or direction as may be given him for the performance of his duties, he shall be liable upon conviction before a Magistrate to a fine not exceeding fifty rupees for such neglect, refusal or disobedience.

Police-officers  
not to resign  
without leave  
or notice; nor  
to take other  
employment.

19. No Police-officer shall be at liberty to resign his office or withdraw himself from the duties thereof, unless expressly allowed to do so in writing by the District Superintendent; or unless he shall have given to his superior officer two months' notice in writing of his intention to do so. Nor shall any such Police-officer engage in any employment or office whatever, other than his duties under this Act, unless expressly permitted to do so in writing under the seal of the Inspector-General.

Unlawful  
assumption  
of Police  
functions.  
personation of  
Police, etc.

20. From and after the passing of this Act, every person not being, or having ceased to be, a duly enrolled Police-officer, who shall unlawfully assume any function or power belonging to the Police, and who shall not forthwith deliver up his certificate, and all the clothing, accoutrements and appointments, and other necessaries which may have been supplied to him for the execution of his duty, or who shall have in his possession any distinctive article of the dress or appointment directed to be worn exclusively by the Police-force, without being able to account satisfactorily for his possession thereof, or who shall put on the dress of any Police-officer, or any dress designed to represent it, or to be taken for it, or who shall otherwise personate the character or act the part of any Police-officer for any purpose whatever, shall, in addition to any other punishment to which he may be liable for any offence committed under the assumed character, be liable on conviction before a Magistrate to a penalty not exceeding two hundred rupees, or to imprisonment, with or without hard labour, for a period not exceeding six months, or both.

21. Every Police-officer shall, for all purposes in this Act contained, be considered to be always on duty and shall have the powers of a Police-officer in every part of the General Police District. It shall be his duty to use his best endeavours and ability to prevent all crimes, offences and public nuisances; to preserve the peace; to apprehend disorderly and suspicious characters; to detect and bring offenders to justice; to collect and communicate intelligence affecting the public peace; and promptly to obey and execute all orders and warrants lawfully issued to him.

Duties of Police officers.

22 to 43. [Offences for which Police-officers may arrest without warrant: procedure on arrest: rules regarding bail and recognizances: remands: power to enter drinking shops, etc.: inspection of weights and measures: prohibition to receive complaints of petty offences: powers to inform and prosecute: provisions regarding execution of warrants and service of summonses: Police-officers not to use threats or promises: obligation to tender assistance to Police-officers.] Rep. by Central Act XVII of 1862.

<sup>1</sup> [42. On the occasion of a fire, any Police-officer above the rank of constable, or any member of the <sup>Powers of the Police, etc., on the occasion of a fire.</sup> (Tamil Nadu Fire Services) above the rank of fire-man, may—

(a) remove or order the removal of any persons who by their presence, interfere with or impede the operations for extinguishing the fire or for saving life or property;

(b) close any street or passage in or near which any fire is burning;

<sup>1</sup> This section was inserted by section 3 (i) of the Madras City Police and District Police (Amendment) Act, 1947 (Madras Act VIII of 1947).

<sup>2</sup> This expression was substituted for the expression "Madras Fire Services" by the Tamil Nadu Adaptation of Laws Order, 1970, which was deemed to have come into force on the 14th January 1969.

(c) by himself or those acting under his orders, break into or through, or pull down, or use for the passage of hoses or other appliances, any premises for the purpose of extinguishing the fire, doing as little damage as possible ;

(d) cause the mains and pipes of any area to be shut off so as to give greater pressure of water in the place where the fire has occurred ;

(e) call on the persons in charge of any fire-engine to render such assistance as may be possible ; and

(f) generally, take such measures as may appear necessary for the preservation of life and property.

Any damage done on the occasion of fires by members of the <sup>1</sup>(Tamil Nadu Fire Services) or of any fire-brigade or by Police-officers or their assistants in the due execution of their duties shall be deemed to be damage by fire within the meaning of any policy of insurance against fire. But nothing in this section shall exempt any Police-officer or any member of the <sup>1</sup>(Tamil Nadu Fire Services) or of any fire-brigade from liability to damages on account of any acts done by him without reasonable cause.]

<sup>2</sup>[42-A.(1) Any Police-officer not below the rank of Deputy Superintendent of Police may, in the interests of public order, depute by order in writing one or more Police-officers or other persons to be present in any assembly, meeting or procession, in any public place, for the purpose of causing a report to be taken of the proceedings.

Deputation of Police-officers to be present in assembly, meeting or procession in public places.

(2) Nothing in sub-section (1) shall apply to any assembly or meeting of a purely religious character held in a recognised place of worship, any assembly or meeting gathered together purely for the

<sup>1</sup> This expression was substituted for the expression " Madras Fire Services " by the Tamil Nadu Adaptation of Laws Order, 1970, which was deemed to have come into force on the 14th January 1969.

<sup>2</sup> This section was inserted by the Tamil Nadu District Police (Amendment) Act, 1963 (Tamil Nadu Act 18 of 1963).

purpose of taking part in sports, any procession on the occasion of any wedding, funeral or similar domestic occurrence, or of any religious ceremony, or to any public meeting held under any statutory or other express legal authority, or to any public meeting or class of public meetings exempted for that purpose by the State Government by general or special order.

*Explanation.*—For the purposes of this section—

(a) the words “ assembly ”, “ meeting ” and “ procession ” include any assembly, meeting or procession which is open to the public or to any class or portion of the public ;

(b) a place in which an assembly or meeting is held may be a public place notwithstanding that admission thereto may have been restricted by ticket or otherwise.]

<sup>1</sup>[43. Whoever gives or causes to be given to any fire-brigade or to any member thereof or to any member of the <sup>2</sup>(Tamil Nadu Fire Services), whether by means of a street fire-alarm, statement, message or otherwise, any alarm of fire which he knows to be false, shall be liable on conviction to fine which may extend to fifty rupees. Penalty for false alarm of fire.

Whoever is convicted under this section, after having been previously convicted either under this section or under section 62-A of the Madras City Police Act, 1888, shall be liable to simple imprisonment for a period which may extend to six months and shall also be liable to fine.]

<sup>1</sup> This section was inserted by section 3 (i) of the Madras City Police and District Police (Amendment) Act, 1947 (Madras Act VIII of 1947).

<sup>2</sup> This expression was substituted for the expression “Madras Fire Services” by the Tamil Nadu Adaptation of Laws Order, 1970 which was deemed to have come into force on the 14th January 1969.

<sup>3</sup> These words were substituted for the word “Madras” by the Tamil Nadu Adaptation of Laws Order, 1969 as amended by the Tamil Nadu Adaptation of Laws (Second Amendment) Order, 1969, which came into force on the 14th January 1969.

Penalties for  
neglect of duty,  
etc.

44. Every Police-officer who shall be guilty of any violation of duty or <sup>1</sup>[wilful breach or neglect of any rule or regulation or lawful order made by competent authority] or who shall cease to perform the duties of his office without leave, or without having given two months' notice as provided by this enactment, or engage without authority in any employment other than his Police duty, or who shall maliciously and without probable cause prefer any false, vexatious or frivolous charge or information against any individual, or who shall knowingly and wilfully and with evil intent exceed his powers, or shall be guilty of any wilful and culpable neglect of duty, in not bringing any person who shall be in his custody without a warrant before a Magistrate <sup>2</sup>[as provided by law], or who shall offer any unwarrantable personal violence to any person in his custody, shall be liable on conviction before a Magistrate to a penalty not exceeding three months' pay, or to imprisonment with or without hard labour not exceeding three months or both.

Penalty for re-  
ceiving unautho-  
rized fees, etc.

45. Any Police-officer who shall on any pretext, or under any circumstances, directly or indirectly collect or receive any fee, gratuity, diet-money allowance or recompense, other than he may be duly authorized by the Inspector-General or other officer acting under his order to collect or receive shall, on conviction before a Magistrate, be liable to a penalty not exceeding six months' pay, or to imprisonment, with or without hard labour, not exceeding six months, or both.

Penalty for  
extortion, etc.

46. Any Police-officer who shall directly or in directly extort, exact, seek or obtain any bribe or unauthorized reward or consideration, by any illegal threat or pretence, or for doing or omitting or delaying to do any act which it may be his duty to

<sup>1</sup> These words were substituted for the words and figures "wilful breach of any lawful orders and regulations not punishable under section 10 of this Act" by section 9 of the Madras District Police (Amendment) Act, 1936 (Madras Act XXI of 1936)

<sup>2</sup> These words were substituted for the words "as hereinbefore provided" by the Adaptation (Third Amendment) Order of 1951.

do or to cause to be done, or for withholding or delaying any information which he is bound to afford or to communicate, or who shall attempt to commit any of the offences above said, or shall be guilty of cowardice, shall be liable, upon conviction before a Magistrate, to a fine not exceeding twelve months' pay, or to imprisonment with or without hard labour not exceeding twelve months, or both :

Provided always that nothing in the three last preceding sections shall be deemed to preclude the Magistrate from committing for trial any cases of this nature too serious for his cognizance.

47. If any person shall assault or resist any Police-officer in the execution of his duty, or shall aid or incite any other person so to do, or shall maliciously and without probable cause prefer any false or frivolous charge against any Police-officer, such person shall, on conviction of such offence before any Magistrate be liable to a fine not exceeding fifty rupees, or to imprisonment, with or without hard labour, not exceeding three months, or both.

Penalty for offences against Police-officer.

48. [*Penalty for certain offences within limits of towns: Power to arrest without warrant. Slaughtering cattle, furious riding, etc.*] Rep. by the <sup>1</sup>(Tamil Nadu) Towns Nuisances Act, 1889 [<sup>1</sup>(Tamil Nadu) Act III of 1889].

49. [*Regulation of public processions, etc., and of carriages and persons and places of public resort. Regulation of use of music in street.*]. Rep. by Mad. Act V of 1896.

<sup>2</sup>[50. Any charge against a Police-officer above the rank of a constable under this Act shall be enquired into and determined only by an officer exercising the powers of a Magistrate.]

Enquiry into charges against certain Police-officers.

<sup>1</sup> These words were substituted for the word "Madras" by the Tamil Nadu Adaptation of Laws Order, 1969, as amended by the Tamil Nadu Adaptation of Laws (Second Amendment) Order, 1969 which came into force on the 14th January 1969.

<sup>2</sup> This section was substituted for original section 50 by section 10 of the Madras District Police (Amendment) Act, 1936 (Madras Act XXI of 1936).

- Liability to prosecution for higher penalties.** 51. Nothing contained in this Act shall be construed to prevent any person from being prosecuted for any offence made punishable on conviction by this Act, or to prevent any person from being liable under any other law, Regulation or Act to any other or higher penalty or punishment than is provided for such offence by this Act : Provided always that no person shall be punished twice for the same offence.
- Proviso.**
- Levy of fines.** 52. <sup>1</sup>All fines and penalties imposed, and all sums of money recoverable under the authority of this Act may, in case of non-payment thereof, be levied by distress and sale of the <sup>2</sup>[movable property] of the offender by warrant of the Magistrate <sup>3</sup> \* \* \* .
- Limitation of action.** 53. All actions and prosecutions against any person, which may be lawfully brought for <sup>4</sup>[anything done or intended to be done, under the provisions of this Act, or under the provisions of any other law for the time being in force conferring powers on the police] shall be commenced within three months after the act complained of shall have been committed and not otherwise ; and notice in writing of such action and of the cause thereof shall be given to the defendant, or to the Superintendent or other superior officer of the district in which the act was committed, one month at least before the commencement of the action; and no plaintiff shall recover
- Notice.**

<sup>1</sup> See the Tamil Nadu District Police (Amendment) Act, 1865 (Tamil Nadu Act V of 1865), s.1.

<sup>2</sup> These words were substituted for the words " goods and chattels, " by section 11 of the Madras District Police (Amendment) Act, 1936 (Madras Act XXI of 1936).

<sup>3</sup> The words " in manner provided by Act II of 1839 " were repealed by the Repealing Act, 1874 (Central Act XVI of 1874).

<sup>4</sup> The words " either under the provisions of this Act or under the provisions of any other law for the time being in force, conferring powers on the police " were substituted for the words " under the provisions of this Act or under the general Police-powers hereby given " by section 12 of the Madras District Police (Amendment) Act, 1936 (Madras Act XXI of 1936) and the words in square brackets were substituted for the words " anything done or intended to be done, either under the provisions of this Act or under the provisions of any other law for the time being in force, conferring powers on the police " by section 3 (ii) of the Madras City Police and District Police (Amendment) Act, 1947 (Madras Act VIII of 1947).



in any such action, if tender of sufficient amends shall have been made before such action brought or if a sufficient sum of money shall have been paid into Court after such action, brought by or on behalf of the defendant; and though a decree shall be given for the plaintiff in any such action, such plaintiff shall not have cost against the defendant, unless the Judge, before whom the trial shall be, shall certify his approbation of the action:

Recovery by Plaintiff.

Costs.

Provided always that no action shall in any case lie where such officers shall have been prosecuted criminally for the same act.

Bar to action

54. When any action, prosecution or proceeding shall be brought against any Police-officer for any act done by him in such capacity, it shall be lawful for him to plead that such act was done by him under the authority of a warrant issued by a Magistrate; and such plea shall be proved by the production of the warrant directing the act and purporting to be signed by a Magistrate. And the defendant shall thereupon be entitled to a decree in his favour, notwithstanding any defect of jurisdiction in such Magistrate. And no proof of the signature of such official shall be necessary, unless the Court shall see reason to doubt its being genuine:

Plea that act was done under warrant. Decree for defendant. Proof of signature. Saving of remedy against issuer of warrant.

Provided always that any remedy which the party may have against the authority issuing such warrant shall remain entire.

Power of State

<sup>1</sup>[54-A. (1) The <sup>2</sup>[State Government] may, by notification in the <sup>3</sup>[Official Gazette] extend to any town <sup>4</sup>[or any other local area in the State]

Government to extend certain provisions of

<sup>1</sup> This section was inserted by section 13 of the Madras District Police (Amendment) Act, 1936 (Madras Act XXI of 1936).

<sup>5</sup>[Tamil Nadu] Act III of 1888 to any town.

<sup>2</sup> The words "Provincial Government" were substituted for the words "Local Government" by the Adaptation Order of 1937 and the word "State" was substituted for "Provincial" by the Adaptation Order of 1950.

<sup>3</sup> These words were substituted for the words "Fort St. George Gazette" by the Adaptation Order of 1937.

<sup>4</sup> These words were inserted by section 2 of the Tamil Nadu District Police (Amendment) Act, 1972 (Tamil Nadu Act 2 of 1973).

<sup>5</sup> These words were substituted for the word "Madras" by the Tamil Nadu Adaptation of Laws Order, 1969, as amended by the Tamil Nadu Adaptation of Laws (Second Amendment) Order, 1969, which came into force on the 14th January 1969.

all or any of the provisions of the Madras City Police Act, 1888, [\*\*\*] mentioned in the Schedule and may declare such extension to be subject to such modifications as they think fit.

(2) The <sup>3</sup>[State Government] may, by notification in the <sup>4</sup>[Official Gazette] cancel or modify any such notification as is referred to in sub-section (1)].

Operation  
of Act.

55. This Act shall take effect in any and every such district as the <sup>5</sup>[State Government] shall appoint by notification published in the official gazette.

### [SCHEDULE,

[See SECTION 54-A (1).]

Definitions of "imprisonment", "Gaming"  
"Instrument of gaming", "common gaming  
house" and "conviction" <sup>7</sup>[in section 3],

<sup>1</sup> The words "and the rules, orders and bye-laws made thereunder" were omitted, in so far as the application of this Act to the added territories was concerned, by section 4 of, and the Second Schedule to, the Tamil Nadu (Added Territories) Extension of Laws Act, 1962 (Tamil Nadu Act 14 of 1962).

<sup>2</sup> These words were substituted for the word "Madras" by the Tamil Nadu Adaptation of Laws Order, 1969, as amended by the Tamil Nadu Adaptation of Laws (Second Amendment) Order, 1969, which came into force on the 14th January 1969.

<sup>3</sup> The words "Provincial Government" were substituted for the words "Local Government" by the Adaptation Order of 1937 and the "State" was substituted for "Provincial" by the Adaptation Order of 1950.

<sup>4</sup> These words were substituted for the words "Fort St. George Gazette" by the Adaptation Order of 1937.

<sup>5</sup> The words "Provincial Government" were substituted for the words "Governor in Council" by the Adaptation Order of 1937 and the word "State" was substituted for "Provincial" by the Adaptation Order of 1950.

<sup>6</sup> This Schedule was added by section 14 of the Madras District Police (Amendment) Act, 1936 (Madras Act XXI of 1936).

<sup>7</sup> These words and figure were substituted for the words and figure "in section 1" by the Second Schedule to the Madras Repealing and Amending Act, 1938 (Madras Act XIII of 1938).

sections 23, 24, 26, 28, 33, <sup>1</sup>[41], 48, 50, <sup>2</sup>[ ], 63, 64, 65 and 66, clauses (iii), <sup>3</sup>, (v), (vi), (vii), (viii), (x), (xiii), (xiv), (xv), (xvi), (xvii), <sup>4</sup>[and (xviii) of section 71] and sections 73, 74, 75, 77, 78, 79 and 80].

## FORM A.

(See SECTION 11.)

A. B. has been appointed a member of the Police-force under Act XXIV of 1859, and is vested with the powers, functions and privileges of a Police-officer.

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<sup>1</sup> These figures were inserted by section 3 of the Tamil Nadu District Police (Amendment) Act, 1972 (Tamil Nadu Act 2 of 1973).

<sup>2</sup> The figures "61" were omitted by section 3 (iii) of the Madras City Police and District Police (Amendment) Act, 1947 (Madras Act VIII of 1947).

<sup>3</sup> The brackets and figures "(iv)" were omitted by section 3 (i) of, and the Second Schedule to, the Tamil Nadu Repealing and Amending Act, 1951 (Tamil Nadu Act XIV of 1951).

<sup>4</sup> These words, figures and brackets were substituted for the words, figures and brackets "(xviii) and (xx) of section 71" by the Second Schedule to the Madras Repealing and Amending Act, 1933 (Madras Act XIII of 1933).

<sup>1</sup>(TAMIL NADU) ACT No. V of 1865<sup>2</sup>.

[THE <sup>1</sup>(TAMIL NADU) DISTRICT POLICE (AMENDMENT) ACT, 1865.]

[Received the assent of the Governor on the 7th April 1865, and of the Governor-General on the 28th April 1865.]

**An Act to amend Act XXIV of 1859.**

**Preamble.**

WHEREAS it is expedient to amend Act XXIV of 1859 by giving power to any Magistrate in any case in which he shall impose a fine under that Act, and, where such fine shall not be forthwith paid, to apprehend and to detain, or to take security for the appearance of, any offender so fined and not forthwith paying his fine, until a return can be made to the Magistrate's warrant of distress; and whereas it is <sup>1</sup>expedient to lay down <sup>3</sup>[ \* \* \* \* \* ] the course of procedure to be followed when no sufficient distress can be had; It is hereby enacted:—

**Levy of forfeitures or penalties in case of non-payment.**

1. All forfeitures or penalties imposed under the authority of Act XXIV of 1859, for offences punishable by a Magistrate, may, in case of non-payment thereof, be levied by distress and sale of the property of the offender within the limits of jurisdiction of the Magistrate of the district, by warrant under the hand of the Magistrate who made the order.

<sup>1</sup> These words were substituted for the word " Madras " by the Tamil Nadu Adaptation of Laws Order, 1969 as amended by the Tamil Nadu Adaptation of Laws (Second Amendment) Order, 1969, which came into force on the 14th January 1969.

<sup>2</sup> Short title, "The Madras District Police (Amendment) Act, 1865 " was given by the Repeeling and Amending Act, 1901 (Central Act XI of 1901).

<sup>3</sup> The words " with respect to offenders who are and who are not British subjects respectively, " were omitted by the Adaptation (Amendment) Order of 1960.

2. In case any fine, forfeiture or penalty shall not be forthwith paid, the Magistrate may order the offender to be apprehended and detained in safe custody until the return can be conveniently made to the warrant of distress, unless the offender shall give security to the satisfaction of the Magistrate for his appearance at such place and time as shall be appointed for the return of the warrant of distress.

Offender may be detained or compelled to give security, if fine etc., be not forthwith paid.

3. If upon the return of such warrant it shall appear that no sufficient distress can be had whereon to levy such fine, and the same shall not be forthwith paid, or in case it shall appear to the satisfaction of the Magistrate, by the confession of the offender or otherwise, that he has not sufficient property whereupon such fine or sum of money could be levied if a warrant of distress were issued, the Magistrate may, by warrant under his hand, commit the offender, [\* \* \* \* \*] to prison, there to be imprisoned, according to the discretion of the Magistrate, for any term not exceeding two calendar months when the amount of fine shall not exceed fifty rupees, and for any term not exceeding four calendar months when the amount shall not exceed one hundred rupees, and for any term not exceeding six calendar months in any other case ; the commitment to be determinable in each of the cases aforesaid on payment of the amount.

When offender may be imprisoned.

\*[4. \* \* \* \* \*].

5. This Act shall be read with, and be taken to be part of, Act XXIV of 1859.

Construction

1 The words "provided he is not a European British subject" were omitted by the Adaptation (Amendment) Order of 1950.

2 Section 4 was omitted by *ibid.*

**TAMIL NADU ACT NO. 49 OF 1979.\***

**THE TAMIL NADU POLICE LAWS (AMENDMENT  
AND VALIDATION) ACT, 1979.**

[Received the assent of the Governor on the 29th November 1979, first published in the Tamil Nadu Government Gazette Extraordinary on the 3rd December 1979 (Karthigai 17, Chitharthi (2010—Tiruvalluvar Andu)).]

**An Act further to amend the Police Laws in force in the State of Tamil Nadu.**

BE it enacted by the Legislature of the State of Tamil Nadu in the Thirtieth Year of the Republic of India as follows :—

1. (1) This Act may be called the Tamil Nadu Police Laws (Amendment and Validation) Act, 1979. Short title and commencement.

(2) (a) The provisions of this Act except section 5 shall be deemed to have come into force on the 1st June 1979.

(b) Section 5 shall be deemed to have come into force on the 13th October 1979.

2. In the Tamil Nadu District Police Act, 1859 (Central Act XXIV of 1859), — Amendment of Central Act XXIV of 1859.

(1) in section 1, in the definition of “superior police” for the expression “the Inspector-General of Police”, the expression “the Director-General of Police, Inspectors-General of Police” shall be substituted ;

(2) in section 5,—

(a) for the marginal heading, the following marginal heading shall be substituted, namely :—

“ Director-General of Police, etc. ” ;

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\* For Statement of Objects and Reasons, see *Tamil Nadu Government Gazette Extraordinary*, dated the 5th November 1979, Part IV—Section 1, Page 448.

(b) for the expression "Inspector-General of Police for the State of Tamil Nadu", the expression "Director-General of Police for the State of Tamil Nadu" shall be substituted ;

(3) section 7 and the marginal headings relating thereto shall be omitted ;

(4) in section 9,—

(a) in the marginal heading, for the expression "Inspector-General", the expression "Director-General" shall be substituted ;

(b) for the expression "Inspector-General" in both the places where it occurs, the expression "Director-General" shall be substituted ;

(5) in section 10, for the expression "the Inspector-General", the expression "the Director-General of Police, Inspectors-General of Police" shall be substituted ;

(6) in section 11, for the expression "Inspector-General", the expression "Director-General of Police" shall be substituted ;

(7) in section 12, for the expression "the Inspector-General of Police", the expression "the Director-General of Police or the Inspector-General of Police" shall be substituted ;

(8) in section 13, for the expression "the Inspector-General" in both the places where it occurs, the expression "the Director-General of Police or Inspector-General" shall be substituted ;

(9) in section 14, for the expression "the Inspector-General" in both the places where it occurs, the expression "the Director-General of Police" shall be substituted ;

(10) in section 19, for the expression "the Inspector-General", the expression "the Director-General of Police" shall be substituted ;

(11) in section 45, for the expression "the Inspector-General", the expression "the Director-General of Police" shall be substituted ;

3. In the Madras City Police (Amendment) Act, 1907 (Tamil Nadu Act III of 1907),— Amendment of  
Tamil Nadu  
Act III of 1907.

(a) in the long title, for the expression “the Inspector-General of Police”, the expression “the Director-General of Police” shall be substituted ;

(b) in the preamble, for the expression “the Inspector-General”, the expression “the Director-General” shall be substituted ;

(c) in section 2 and in the marginal heading thereto, for the expression “the Inspector-General”, the expression “Director-General” shall be substituted ;

(d) in section 3, for the expression “Inspector-General of Police”, the expression “Director-General of Police” shall be substituted.

4. Unless the context otherwise requires, in any enactment other than the Tamil Nadu District Police Act, 1859 (Central Act XXIV of 1859) or the Madras City Police (Amendment) Act, 1907 (Tamil Nadu Act III of 1907), any reference to the Inspector-General of Police shall be construed as a reference to the Director-General of Police. Construction of  
reference.

5. Anything done or any action taken by the Director-General of Police before the 13th October 1979 which, under any law, is required to be done or taken by the Inspector-General of Police, shall for all purposes be deemed to be, and to have always been, validly done or taken in accordance with law as if this Act had been in force at all material times and it shall not be liable to be questioned in any court of law. Validation.

6. (1) The Tamil Nadu Police Laws (Amendment and Validation) Ordinance, 1979 (Tamil Nadu Ordinance 19 of 1979) is hereby repealed. Repeal and  
saving.

(2) Notwithstanding such repeal, anything done or any action taken under the Police Laws as amended by the said Ordinance shall be deemed to have been done or taken under the Police Laws as amended by this Act.



**TAMIL NADU ACT NO. 35 OF 1981\***

**THE TAMIL NADU DISTRICT POLICE AND  
THE MADRAS CITY POLICE (AMENDMENT)  
ACT, 1981.**

[Received the assent of the Governor on the 29th May 1981, first published in the Tamil Nadu Government Gazette Extraordinary on the 6th June 1981 (Vaikasi 24, Thunmathi--2012—Thiruvalluvar Aandu).]

*An Act further to amend the Tamil Nadu District Police Act, 1859 and the Madras City Police Act, 1888.*

BE it enacted by the Legislature of the State of Tamil Nadu in the Thirty-second Year of the Republic of India as follows :—

1. (1) This Act may be called the Tamil Nadu District Police and the Madras City Police (Amendment) Act, 1981. Short title and commencement.

(2) Clauses (1) and (2) of section 2 and clause (3) of section 3 shall be deemed to have come into force on the 20th October 1971 ; and the rest of this Act shall come into force on such date as the State Government may, by notification, appoint.

2. In the Tamil Nadu District Police Act, 1859 (Central Act XXIV of 1859),— Amendment of Central Act XXIV of 1859.

(1) in section 8, for the words “as may be determined by the State Government”, the following shall be substituted, namely:—

“as may be determined by the State Government by rules either prospectively or retrospectively :

Provided that the rules made under this section shall not have retrospective effect from a date earlier than the 20th day of October 1971.”;

(2) in section 10,—

(i) before the words “under this Act”, the words “either prospectively or retrospectively” shall be inserted ;

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\* For Statement of Objects and Reasons, see *Tamil Nadu Government Gazette Extraordinary*, dated the 2nd April 1981, Part IV—Section 1, page 488.

518 *District Police and the Madras City Police (Amendment)* [1981 : T.N. Act 35]

(ii) the following proviso shall be added at the end, namely :—

“ Provided that the rules made under this section shall not have retrospective effect from a date earlier than the 20th day of October 1971.”;

(3) in section 50, for the words “a Magistrate”, the words “an executive magistrate” shall be substituted.

Amendment of Tamil Nadu Act III of 1888. 3. In the Madras City Police Act, 1888 (Tamil Nadu Act III of 1888),—

(1) for section 7, the following section shall be substituted, namely :—

“7. *Commissioner's power as Magistrate.*—The Commissioner shall, by virtue of his office, be an executive magistrate for the purposes of the Code of Criminal Procedure, 1973 (Central Act 2 of 1974), and shall exercise the powers as an executive magistrate, subject to such orders as the State Government may, from time to time, issue.”;

(2) section 8 shall be omitted ;

(3) in section 9, in the second paragraph, for the words “as may be determined by the State Government”, the following shall be substituted, namely :—

“as may be determined by the State Government by rules either prospectively or retrospectively ;

Provided that the rules made under this section, shall not have retrospective effect from a date earlier than the 20th day of October 1971.”;

(4) in section 24;—

(i) in the marginal heading, for the words “on view of offence”, the words “offences committed in their presence” shall be substituted ;

(ii) in sub-sections (1) and (2), for the words “in his view” in the two places where they occur, the words “in his presence” shall be substituted ;

(5) in section 26, for the expression “Code of Criminal Procedure, 1882”, the expression “Code of Criminal Procedure, 1973 (Central Act 2 of 1974)” shall be substituted;

72

(6) in section 31,—

(i) for the expression “523, 524 and 525 of the Code of Criminal Procedure, 1882”, the expression “457, 458 and 459 of the Code of Criminal Procedure, 1973 (Central Act 2 of 1974)” shall be substituted ;

(ii) for the expression “Code of Criminal Procedure, 1882” occurring in the margin, the expression “Code of Criminal Procedure, 1973” shall be substituted and the marginal expression “Central Act X of 1882” shall be omitted ;

(7) in section 71,—

(a) before clause (i), the following proviso shall be inserted, namely :—

“Provided that a person convicted for an offence under clause (xvi) shall also be liable to pay by way of compensation to the owner or occupier such amount not exceeding five hundred rupees as the court may, by order, direct which may, in the opinion of the court be reasonably incurred by such owner or occupier in erasing and colour-washing the portion of the public place or any building, monument, statue, effigy, post, wall, fence, tree or other erection therein which has been defaced, disfigured, written upon or otherwise marked.”;

(b) in clause (xvi), for the word “whoever”, the words “whoever whether by himself or by any other person on his behalf” shall be substituted.

## TAMIL NADU ACT NO. 37 OF 1981\*

THE TAMIL NADU PAYMENT OF SALARIES  
(AMENDMENT) ACT, 1981.

[Received the assent of the Governor on the 6th June 1981,  
first published in the Tamil Nadu Government  
Gazette Extraordinary on the 9th June 1981 (Var-  
kasi 27, Thunmathi-2012—Thiruvalluvar Aandu).]

An Act further to amend the Tamil Nadu Payment of Salaries  
Act, 1951.

BE it enacted by the Legislature of the State of Tamil Nadu  
in the Thirty-second Year of the Republic of India as  
follows :—

Short title and commencement. 1. (1) This Act may be called the Tamil Nadu Payment  
of Salaries (Amendment) Act, 1981.

(2) (i) Clause (1) of section 2 shall be deemed to have  
come into force on the 1st May 1981.

(ii) Clause (3) of section 2 shall be deemed to have  
come into force on the 1st July 1980.

Amendment of  
section 12,  
Tamil Nadu  
Act XX of  
1951.

2. In section 12 of the Tamil Nadu Payment of Salaries  
Act, 1951 (Tamil Nadu Act XX of 1951),—

(1) in sub-section (1-A), for the expression "three  
hundred and fifty rupees per mensem", the expression  
"four hundred rupees per mensem" shall be substituted ;

(2) in sub-section (4-B), for the expression "telephone  
allowance of one hundred and fifty rupees per mensem  
irrespective of the fact whether he has any telephone or  
not", the following shall be substituted, namely :—

"telephone allowance of—

(a) (i) one hundred and fifty rupees per mensem  
with effect on and from the 1st July 1980 ; and

(ii) two hundred and fifty rupees per mensem  
with effect on and from the 1st May 1981,  
if he has a telephone at his residence ;

(b) (i) two hundred rupees per mensem with  
effect on and from the 1st July 1980 ; and

\* For Statement of Objects and Reasons, see Tamil Nadu  
Government Gazette Extraordinary, dated the 11th May 1981,  
Part IV—Section 1, pages 597 and 598.

(ii) three hundred rupees per mensem with effect on and from the 1st May 1981,

if he has no telephone at his residence.” ;

(3) in sub-section (4-C), for the word “alone”, the words “and the quarterly rent at the rate of one hundred and seventy-five rupees per quarter” shall be substituted.



TAMIL NADU  
GOVERNMENT GAZETTE  
EXTRAORDINARY PUBLISHED BY AUTHORITY

No. 293]

MADRAS, THURSDAY, AUGUST 1, 1985

AADI 17, KUROTHANA, THIRUVALLUVAR AANDU—2016

Part IV—Section 2

Tamil Nadu Acts and Ordinances.

The following Act of the Tamil Nadu Legislature received the assent of the Governor on the 30th July 1985 and is hereby published for general information:—

**ACT NO. 33 OF 1985.**

*An Act further to amend the Madras City Police Act, 1888 and the Tamil Nadu District Police Act, 1859.*

BE it enacted by the Legislature of the State of Tamil Nadu in the Thirty-sixth Year of the Republic of India as follows:—

1. *Short title and commencement.*—(1) This Act may be called the Madras City Police and the Tamil Nadu District Police (Amendment) Act, 1985.

(2) It shall come into force on such date as the State Government may, by notification, appoint.

2. *Amendment of section 51-A, Tamil Nadu Act III of 1888.*—  
In section 51-A of the Madras City Police Act, 1888 (Tamil Nadu Act III of 1888),—

(i) in sub-section (1),—

(a) in clause (a), the portion beginning with the words “who has not been born” and ending with the words, figures and letters “the 1st April 1960” shall be omitted;

(b) the *Explanation* shall be omitted.

(ii) after sub-section (1) as so amended, the following sub-sections shall be inserted, namely:—

“(1-A) Whenever the Commissioner has reason to believe that any person in the City of Madras who has been convicted of an offence under section 135 of the Customs Act, 1962 (Central Act 52 of 1962) is likely again to engage himself in the Commission of the offence for which he was convicted, the Commissioner may, by an order in writing signed by him, require such person to remove himself outside the said city and any district or districts or any part thereof contiguous thereto, by such route and within such time as may be specified in the order:

(1-B) The order under sub-section (1) or sub-section (1-A) shall specify the period not exceeding two years during which such order shall remain in force.”

(iii) in sub-sections (2), (3), (4), (5) and (6), after the expression “sub-section (1)”, the expression “or sub-section (1-A)” shall be inserted.

3. *Amendment of Schedule to Central Act XXIV of 1859.*—  
In the Schedule to the Tamil Nadu District Police Act, 1859 (Central Act XXIV of 1859), after the figures “50”, the figures and letter “51-A” shall be inserted.

(By order of the Governor)

S. VADIVELU,  
*Commissioner and Secretary to Government,  
Law Department.*

*The following Act of the Tamil Nadu Legislative Assembly received the assent of the Governor on the 9th December 1995 and is hereby published for general information :—*

ACT No. 42 OF 1995.

**An Act further to amend the Tamil Nadu District Police Act, 1859.**

BE it enacted by the Legislative Assembly of the State of Tamil Nadu in the Forty-sixth Year of the Republic of India as follows:—

1. (1) This Act may be called the Tamil Nadu District Police (Amendment) Act, 1995. **Short title and commencement.**

(2) It shall come into force on such date as the State Government may, by notification, appoint.

2. In the Schedule to the Tamil Nadu District Police Act, 1859, after the **Amendment of Schedule.** figures "33", the figures and letter "34-A" shall be inserted.

(By order of the Governor)

M. MUNIRAMAN,  
Secretary to Government,  
Law Department.