



The Tamil Nadu General Clauses Act, 1867

Act 1 of 1867

Keyword(s):

Magistrate of Police, Town of Madras

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¹(TAMIL NADU) ACT No. I OF 1867².

[THE ¹(TAMIL NADU) GENERAL CLAUSES
ACT, 1867.]

(Received the assent of the Governor on the 15th February 1867, and of the Governor-General on the 21st March 1867.)

An Act to shorten the language used in ³[Tamil Nadu Acts] and to make certain provisions relating thereto.

WHEREAS it is expedient to enact once for all certain ^{Preamble.} definitions of terms usually employed in the ⁴[Tamil Nadu Acts] and to make certain other provisions regarding such Acts ; It is enacted as follows :—

1. Whenever, in any future ⁴[Tamil Nadu Act], any word or expression shall be employed which has been defined in Chapter II of the Indian Penal Code, or in Chapter I of the Code of Criminal Procedure⁵, such word or expression shall be taken to have the meaning assigned to it in those chapters, unless it be otherwise provided by the Act, or unless there be something either in the subject or context repugnant to such construction.

Central
Act
XLV of
1860.

Meaning of
words defined in
Penal and
Criminal
Procedure
Codes.

¹ 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.

² This Act does not apply to any Act passed after 1st January 1892—see Tamil Nadu General Clauses Act, 1891 (Tamil Nadu Act I of 1891), s. 2.

³ 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, 1949 (Tamil Nadu Act XXXV of 1949).

This Act was extended to the Kanyakumari district and the Shencottah taluk of the Tirunelveli district by section 10 of 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.

⁴ This expression was substituted for the expression "Acts of the Governor of Fort St. George in Council" by the Tamil Nadu Adaptation of Laws Order, 1970, which was deemed to have come into force on the 14th January 1969.

⁵ This expression was substituted for the expression "Act of the Governor of Fort St. George in Council" by *ibid.*

⁶ See now Central Act 2 of 1974.

"Magistrate of Police."

2. *First*.—The words "Magistrate of Police" shall denote any person exercising the powers of a Magistrate of Police within the local limits of the ordinary original civil jurisdiction of the High Court of Judicature at Madras for the time being.

"Town of Madras."

Second.—The words "Town of Madras" shall denote such places as are within the local limits for the time being of the ordinary original civil jurisdiction of the High Court of Judicature at Madras.

Repeal of Act not to revive laws repealed thereby.

3. Where any Act, repealing in whole or in part any former enactment, is itself repealed, such last repeal shall not revive the enactment, or any of the provisions thereof, before repealed, unless words be added reviving such enactment or provisions.

Matters prior to repeal unaffected.

4. The repeal of any Act or Regulation shall not affect any act which shall have been done, or any offence which shall have been committed, or any fine or penalty which shall have been incurred, or any proceedings which shall have been commenced, before the repealing Act shall have come into operation.

Commencement of future Acts.

5. Where in any future ¹[Tamil Nadu Act] no time is mentioned at which the same shall come into operation, such Act shall take effect from such date as the ²[State Government] may notify by ³publication in the ³[Official Gazette].

6. and 7. [*Judicial notice of Madras Acts: recital of public fact to be prima facie evidence of its truth.*] Rep. by the Repealing and Amending Act, 1874 (XVI of 1874).

Short title.

8. This Act may be cited for all purposes as the ⁴[Tamil Nadu] General Clauses Act, 1867.

¹ This expression was substituted for the expression "Act of the Governor of Fort St. George in Council" by the Tamil Nadu Adaptation of Laws Order, 1970, which was deemed to have come into force on the 14th January 1969.

² 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.

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

⁴ 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.