

List of Amendment Acts- 2 of 2014, 26 of 2024

TAMIL NADU GOVERNMENT GAZETTE EXTRAORDINARY

The following Act of the Tamil Nadu Legislative Assembly received the assent of the Governor on the 28th October 1997 and is hereby published for general information :—

ACT No. 51 OF 1997

AN ACT TO EXTEND THE PROVISIONS OF THE CHENNAI CITY POLICE ACT, 1888 TO THE CITIES OF SALEM, TIRUCHIRAPPALLI AND TIRUNELVELI.

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

Short title and commencement. 1. (1) This Act may be called the Chennai City Police (Extension to the Cities of Salem, Tiruchirappalli and Tirunelveli) Act, 1997.

(2) It shall be deemed to have come into force on the 1st day of June 1997

2. Definitions. In this Act, unless the context otherwise requires,—

¹[(1) “City of Salem” means the area declared by the State Government, by notification, to be the City of Salem];

²[(2) “City of Tiruchirappalli” means the area declared by the Government, by notification, to be the City of Tiruchirappalli;

(3) “City of Tirunelveli” means the area declared by the Government, by notification, to be the City of Tirunelveli]²;

(4) “City Police Act” means the Chennai City Police Act, 1888 (Tamil Nadu Act III of 1888);

(5) “Government” means the State Government;

(6) “Law in force” includes any enactment, Ordinance, regulation, order, by-law, rule, scheme or notification in force in the whole or in any part of the State of Tamil Nadu or any instrument having the force of law in the whole or in any part of the State of Tamil Nadu.

1 Substituted by s.2 of TNA 2 of 2014 (w.e.f.to be updated).

2. Substituted by s.3 of TNA 26 of 2024 (w.e.f.to be updated).

Extension of Tamil Nadu Act of 1888. 3. (1) With effect on and from the 1st day of June 1997, the City Police Act Tamil Nadu as in force immediately before the 1st day of June 1997 shall stand extended to and Act III of 1888 shall be in force, in the City of Salem, City of Tiruchirappalli and in the city of Tirunelveli .

(2) In the City Police Act as extended to the City of Salem, City of Tiruchirappalli and to the City of Tirunelveli,—

(a) any reference to the City of Chennai (other than the reference in section 3) shall by reason of this Act be construed as a reference to the City of Salem or City of Tiruchirappalli or City of Tirunelveli, as the case may be ;

(b) any reference to Presidency Magistrate shall, by reason of this Act be construed as a reference to Judicial Magistrate;

(c) any reference to the Commissioner of Police for Chennai shall, by reason of this Act, be construed as a reference to the Commissioner of Police for Salem or the Commissioner of Police for Tiruchirappalli or the Commissioner of Police for Tirunelveli, as the case may be.

Power of Government to authorize Commissioner of police and certain other police Officers in the Cities of salem, Tiruchirappalli to exercise Powers of District Magistrate and Executive Magistrate under the Code of Criminal Procedure. 1973. 4. (1) Without prejudice to the provisions contained in section 7 of the city Police Act, the Government may, by notification, and subject to such conditions and limitation as may be specified therein, empower,

(a) Central Act 2 of 1974 The Commissioner of Police for Salem or the Commissioner of Police for Tiruchirappalli or the Commissioner of Police for Tirunelveli to exercise and perform in relation to the City of Salem or the City Of Tiruchirappalli of the City of Tirunelveli, as the case may be, the powers and

duties of and Executive Magistrate and of a District Magistrate under such of the provisions of the Code of Criminal Procedure, 1973 (hereafter in this section referred to as the said Code) or of any other law in force relating to matters with respect to which the State Legislature has power to make laws for the State, as may be specified in the notification.

(b) Any officer subordinate to the Commissioner of Police in the City of Salem or in the City of Tiruchirappalli or in the City of Tirunelveli, as the case may be (not being an officer below the rank of an Assistant Commissioner of Police) to exercise and perform in relation to the City of Salem or the City of Tiruchirappalli or the City or Tirunelveli, as the case may be, as may be specified in the notification. The powers and duties of an Executive Magistrate under such of the provisions of the said Code or of any other law in force relation to matters with respect to which the State Legislature has power to make laws for the State, as may be specified in the notification.

(2) Every Officer subordinate to the Commissioner of Police in the City of Salem or in the City of Tiruchirappalli or in the City of Tirunelveli. as the case may be, shall, in the exercise and performance of any powers and duties, which he is empowered to exercise or perform under sub-section (1). be subject to the general control of the respective Commissioner of Police in the same manner and to the same extent as an Executive Magistrate appointed under section 20 of the said Code would be subject to the general control of the District Magistrate appointed under that section.

(3) The Commissioner of Police in the City of Salem or in the City of Tiruchirappalli or in the City of Tirunelveli, as the case may be or any officer subordinate to such Commissioner, shall not be subject, in the exercise and performance of any powers and duties which he is empowered to exercise and perform under sub-section (1) to the general control of the District Magistrate appointed under section 20 of the said Code.

Police force functioning in the Cities of salem, Tirunelveli immediately before the 1st day of June 1997 to be deemed to be police force Constituted under the City Police Act as extended. 5. (1) The Police force functioning in the City of Salem, City of Tiruchirappalli and in the City of Tirunelveli, immediately before the 1st day of June 1997 (hereafter in this section referred to as the existing police force) shall on the 1st day of June 1997, be deemed to be the police force constituted for the City of Salem or the City of Tiruchirappalli or the City of Tirunelveli. as the case may be. Under the City Police Act as extended and every member of the existing police force holding the office mentioned in column (1) of the Schedule immediately before the 1st day of June 1997 shall be

deemed to be appointed, on the 1st day of June 1997 to the office mentioned in the corresponding entry' in column (2) of that Schedule.

(2) All proceedings (including proceedings by way of investigations pending before any police officer of the existing police force immediately before the 1st day of June 1997 shall on the 1st day of June 1997 be deemed to be proceedings pending before him in his capacity as the holder of the office to which he is deemed to be appointed under sub-section (1) and shall be dealt with accordingly.

(3) Where any power or function which may be exercised or discharged under any law by a District Magistrate or an Executive Magistrate immediately before the 1st day of June 1997 has been conferred on the Commissioner of Police or any other police officer by or under the City Police Act as extended, all proceeding in relation to, or arising from, the exercise of such power or the discharge of such function pending immediately before such conferment before the District Magistrate, or the Executive Magistrate, as the case may be. shall on the conferment of such power or function, on the Commissioner of Police or other police officer, stand transferred to the Commissioner of Police or other Police Officer, as the case may be, and the officer to whom such proceedings stand so transferred shall either proceed do now or from the stage of such transfer.

Control of the Director Central of Police over the Commissioners of police for salem Tiruchirappalli and Tirunelveli. 6. (1) Notwithstanding anything contained in the City Police Act as extended, the Commissioner of Police for Salem, the Commissioner of Police for Tiruchirappalli and the Commissioner of Police for Tirunelveli shall, in exercise of their functions under the City Police Act as extended, be under the control and direction of the Director-General of Police for the State of Tamil Nadu subject to any rules that may be made under sub-section (2).

(2) It shall be competent to the Government to make rules to limit and regulate the exercise of the powers of control and direction conferred on the Director-General of Police by sub-section (1) in respect of the Commissioner of Police for Salem, the Commissioner of Police for Tiruchirappalli and the Commissioner of Police for Tirunelveli.

(3) Nothing in this section shall apply in relation to the powers and functions which may be exercised or discharged by the Commissioner of Police for Salem or the Commissioner of Police for Tiruchirappalli or the Commissioner of Police for Tirunelveli, as the case may be, under any law as a District Magistrate or an Executive Magistrate.

Construction of reference to laws not in force in the cities of Salem Tiruchirappalli and Tirunelveli. 7. (1) Any reference in the City Police Act as extended by this Act, to a law which is not in force in the City of Salem or in the City of Tiruchirappalli or in the City of Tirunelveli, as the case may be, on the 1st day of June 1997 shall in relation to the said cities, be construed as a reference to the corresponding law, if any, in force in the said cities.

(2). Any reference to the Tamil Nadu District Police Act, 1859 (Central Act XXIV of 1859) in any law in force in the City of Salem and in the City of Tiruchirappalli and in the City of Tirunelveli shall in relation to that area be construed, on and after the 1st day of June 1997 as a reference to the City Police Act.

Repeal of Corresponding law Central Act XXIV of 1859. 8. If, immediately before the 1st day of June 1997, there is any law in force in the City of Salem or in the City of Tiruchirappalli or in the City of Tirunelveli including the Tamil Nadu District Police Act, 1859 (hereafter in this section referred to as the Central Act) and the provisions of the City Police Act specified in the Schedule to the Central Act and extended by way of notification under section 54- A of the Central Act corresponding to the City Police Act, such corresponding law shall, on the 1st day of June 1997, stand repealed in relation to the City of Salem or the City of Tiruchirappalli or the City of Tirunelveli, as the case may be, to the extent to which the corresponding law relate to matter with respect of which the State Legislature has power to make laws for the State.

Savings. 9. (1) The repeal by section 8 of any corresponding law shall not affect—

(a) the previous operation of any such law or anything done or duly suffered thereunder; or

(b) any right, privilege, obligation or liability acquired, accrued or incurred under any such law; or

(c) any penalty, forfeiture or punishment incurred in respect of any offence committed against any such law; 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, contained or enforced and any such penalty, forfeiture or punishment may be imposed as if the City Police Act had not been extended.

(2) Subject to the provisions of sub-section (1), anything done or any action taken, including any appointment or delegation made, notification, order, instruction or direction issued, rule, regulation, form, by-law or scheme framed, certificate, permit or licence granted or registration effected under such corresponding law,, in relation to the City of Salem, or the City of Tiruchirappalli, or the City of Tirunelveli as the case may be, shall be deemed to have been done or taken under the corresponding provisions of the City Police Act and shall continue in force accordingly unless and until superseded by anything done or any action taken under the said City Police Act as extended.

Construction of reference to authorities where new authorities have been constitute. 10. Any reference by whatever form or words in any law in force to any authority competent on the date immediately preceding the 1st day of June 1997 exercise any powers or discharge any functions in th.* City of Salem or in the City of Tiruchirappalli or in the City of Tirunelveli, us the case may be. shall, where a corresponding new authority has been constituted by or under the City Police Act as extended or under this Act to the said, area have effect as it were reference to that new authority.

Powers of Courts and other authorities for purposes of facilitating application of the City Police Act. 11. For the purpose of facilitating the application, in the City of Salem, or in the City of Tiruchirappalli or in the City of Tirunelveli of the City Police Act as extended, any Court or other authority may construe the said Act with such alterations not affecting the substance as may be necessary or prop to adapt it the matter before the Court or other authority.

Power to make rules. 12. (1) The Government may make rules for carrying out all or any of the purposes of this Act.

(2) All rules made under this Act shall be published in the Tamil Government Gazette, and unless they are expressed to come into force on an particular day, shall come into force on the day on which they are so published.

(3) All notifications issued under this Act shall, unless they are expressed to come into force on a particular day, come into force on the day on which they are published.

(4) Every rule, or order made or notification issued under this Act shall, as soon as possible after it is made or issued , be placed on the table of the Legislative Assembly, and if before the expiry of the session in which it is so placed or the next session, the Legislative Assembly agrees that the rule or order or notification should not be made or issued, the rule or order or notification shall thereafter have

effect only in such modified form or be of no effect ,as the case may be, so, however, that any such modification or annulment shall be without prejudice to the validity of anything previously done under that rule or order or notification.

Power to remove difficulties. 13. If any difficulty arises in giving effect to the provisions of the City Police Act as extended by this Act, to the City of Salem, to the City of Tiruchirappalli and to the City of Tirunelveli, the Government may, as occasion may require, by order, do anything which appears to them to be necessary for the purpose of removing the difficulty

Provided that no order shall be made under this section after the expiry of two years from the 1st day of June 1997.

Repeal and saving. 14. (1) The Chennai City Police (Extension to the Cities of Salem, Tiruchirappalli and Tirunelveli) Ordinance, 1997 (Tamil Nadu Ordinances 23 of 1997) is hereby repealed.

(2) Notwithstanding sues repeal, anything done or any action taken under the said Ordinance, shall be deemed to have been done or taken under this Act.

THE SCHEDULE.

(See section 5.)

Designation of Officer as immediately before the 1st day of June 1997. (1)	Post to which the Officer shall be deemed to be appointed. (2)
(1) Superintendent of Police	Commissioner of Police: Provided that after the cate of publication of this Act, the Government may appoint a Commissioner of Police an officer in the rank of Deputy Inspector General of Police: Provided further that where a commissioner of Police is appointed in the rank of Deputy Inspector-General of Police, the Government may appoint a Deputy Commissioner of Police in the rank of Superintendent of Police.
(2) Deputy Superintendent of Police.	Assistant Commissioner of Police.

(By order of the Governor.)

A. K. RAJAN,

Secretary to Government, Law Department.

தமிழ்நாடு அரசு
Government of Tamil Nadu
சட்டத்துறை | Law Department