



## **The Tamil Nadu General Clauses Act, 1891**

**Act 1 of 1891**

**Keyword(s):**

**Abet, Barrister, Document, Financial Year, Good Faith, Immovable Property, Imprisonment, Judicial Proceeding, Local Authority, Movable Property, Oath, Offence, Public, Public Nuisance**

**Amendment appended: 12 of 1976**

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<sup>1</sup>(TAMIL NADU) ACT No. I OF 1891<sup>2</sup>.

[THE (TAMIL NADU) GENERAL CLAUSES ACT, 1891.]

*(Received the assent of the Governor on the 3rd April 1891, and of the Governor-General on the 14th May 1891.)*

An Act for further shortning the language used in  
<sup>3</sup>(Tamil Nadu Acts) and for other purposes.

WHEREAS it is expedient to further shorten the language used in <sup>3</sup>(Tamil Nadu Acts) made and to make certain further provisions relating to those Acts ; It is hereby enacted as follows :—

Short title.

1. (a) This Act may be called the <sup>1</sup>(Tamil Nadu) General Clauses Act, 1891 ; and

Commencement

(b) It shall come into force on the first day of January 1892.

Saving clause.

2. Notwithstanding anything contained in the (Tamil Nadu) General Clauses Act, 1867, the provisions of that Act shall not apply to this Act <sup>Tamil Nadu, Act I of 1867.</sup> or to any <sup>4</sup>(Tamil Nadu Act) which may be passed subsequent to the commencement of this Act.

<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> For Statement of Objects and Reasons, see *Fort St. George Gazette Supplement*, dated the 3rd March, 1891, p. 5 ; for Report of the Select Committee, see *ibid*, dated 10th idem, p. 1 ; for Proceedings in Council, see *ibid*, dated the 10th idem, p. 2, and *ibid*, dated the 7th April 1891, p.1.

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.

<sup>3</sup> This expression was substituted for the expression "Madras Acts" by paragraph 3 of, and the Schedule to, the Tamil Nadu Adaptation of Laws Order, 1969, as amended by the Tamil Nadu Adaptation of Laws (Second Amendment) Order, 1969.

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

## CHAPTER I.

## DEFINITIONS.

3. In this Act and in every <sup>1</sup>(Tamil Nadu Act) Definitions.  
made after the commencement of this Act, unless  
there be something repugnant in the subject or  
context,—

Central Act  
XLV of  
1860.

(1) "abet" with its grammatical variations "Abet".  
and cognate expressions, shall have the same meaning  
as in the Indian Penal Code :

(2) "barrister" shall mean a barrister of England "Barrister".  
or Ireland or a member of the Faculty of Advocates  
in Scotland :

(3) <sup>2</sup>[ . . . . ]

(4) "Chapter," "part," "section" and "schedule" "Chapter",  
shall mean respectively a Chapter, part and section "part",  
of, and schedule to, the Act in which the word "section" and  
"schedule".  
occurs :

(5) "City of Madras" shall mean such local "City of  
area as is declared from time to time to be the City Madras".  
of Madras under any Act for the time being in force  
relating to the municipal affairs of such city :

(6) "Collector" shall include every officer who, "Collector".  
for the time being, is authorized to exercise the powers  
of a Collector :

(7) "commencement," used with reference to an "Commence-  
Act, shall mean the time at which the Act comes ment".  
into force :

(8) "District Collector" shall mean the chief "District  
local officer in charge of the revenue administration Collector".  
of a district :

<sup>1</sup> This expression was substituted for the expression "Madras Act" by paragraph 3 of, and the Schedule to, the Tamil Nadu Adaptation of Laws Order, 1969, as amended by the Tamil Nadu Adaptation of Laws (Second Amendment) Order, 1969.

<sup>2</sup> Clause (3) was omitted by the Adaptation Order of 1937.

"Document".

(9) "document" shall mean any matter expressed or described upon any substance by means of letters, figures or marks, or by more than one of those means, intended to be used, or which may be used, as evidence of that matter :

"Financial year".

(10) "financial year" shall mean the year commencing on the first day of April ;

"Good faith".

(11) nothing is said to be done or believed in "good faith" which is done or believed without due care and attention :

<sup>1</sup>[ (12) . . . . . ]

<sup>2</sup>[ (13) . . . . . ]

"Immovable property".

(14) "immovable property" shall include land, benefits to arise out of land, and things attached to the earth, or permanently fastened to anything attached to the earth :

"Imprisonment".

(15) "imprisonment" shall mean imprisonment of either description as defined in the Indian Penal Code : Central Act  
XLV of  
1860.

<sup>3</sup>[(15-A) . . . . .]

"Judicial proceeding".

(16) "judicial proceeding" shall mean any proceeding in the course of which evidence is, or may be, legally taken :

"Local authority".

(17) "local authority" shall mean a Municipal Committee, District Board\*, body of Port Commissioners or other authority legally entitled to, or entrusted by the Government with, the control or management of a municipal or local fund :

<sup>4</sup>[(17a)                    \*\*\*                    \*\*\*                    \*\*\*]

<sup>1</sup> Clause (12) was omitted by the Adaptation Order of 1937.

<sup>2</sup> Clause (13) was omitted by the Adaptation (Amendment) Order of 1950.

<sup>3</sup> Clause (15-A) was omitted by the Adaptation Order of 1937.

<sup>4</sup> This clause was omitted by paragraph 5 of, and the Schedule to, 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.

\* Now the panchayat union council or panchayat.

(18) "Magistrate" shall mean any person exercising "Magistrate" all or any of the powers of a Magistrate under the Code of Criminal Procedure, 1882<sup>1</sup>:

(19) "movable property" shall mean property "Movable property" of every description except immovable property:

<sup>2</sup>[(19-a) "notification" shall mean a notification published in the Official Gazette]:

(20) "oath," "swear" and "affidavit" shall "Oath", include affirmation and declaration in the case of "swear", and persons by law allowed to affirm or declare instead of "affidavit". swearing:

(21) "offence" shall mean any act or omission "Offence" made punishable by any law for the time being in force:

(22) "person" shall include any company or "Person". association of individuals, whether incorporated or not:

(23) "place" includes also a house, building, "Place". tent and vessel:

<sup>3</sup>[(24) "prescribed" shall mean prescribed by rules, regulations or by-laws made under the Act, in which the word occurs]:

(25) "Presidency-town" shall mean the local "Presidency-town". limits for the time being of the ordinary original civil jurisdiction of the High Court of Judicature at Madras:

<sup>1</sup> See now the Code of Criminal Procedure, 1973 (Central Act 2 of 1974).

<sup>2</sup> This clause was inserted by section 3 of, and the Second Schedule to, the Tamil Nadu Repealing and Amending Act, 1955 (Tamil Nadu Act XXXVI of 1955). In so far as this Act applies to the added territories, this clause was inserted by section 4 of, and the Second Schedule to, the Tamil Nadu (Added Territories) Extension of Laws (No. 2) Act, 1961 (Tamil Nadu Act 39 of 1961).

<sup>3</sup> The original clause (24) was omitted by the Adaptation Order of 1937 and the present clause was inserted by section 3 of, and the Second Schedule to, the Tamil Nadu Repealing and Amending Act, 1955 (Tamil Nadu Act XXXVI of 1955). In so far as this Act applies to the added territories, this clause was inserted by section 4 of, and the Second Schedule to, the Tamil Nadu (Added Territories) Extension of Laws (No. 2) Act, 1961 (Tamil Nadu Act 39 of 1961).

"Public."

(26) "public" includes any class of the public or any community :

"Public nuisance."

(27) "public nuisance" shall have the meaning assigned to that expression in section 268 of the Indian Penal Code :

Central  
Act XLV  
of 1860.

"Registered."

<sup>1</sup>[(28) "registered," used with reference to a document, shall mean registered in <sup>2</sup>[India] under the law for the time being in force for the registration of documents :]

"Sign."

(29) "sign," with its grammatical variations and cognate expressions, shall, with reference to a person who is unable to write his name, include "mark" with its grammatical variations and cognate expressions :

"Son" and  
"father."

(30) in the case of any one whose personal law permits adoption, "son" shall include an adopted son, and "father" an adoptive father :

Sub-section."

(31) "sub-section" shall mean a sub-section of the section in which the word occurs :

<sup>3</sup>[(31a) "Tamil Nadu Act" shall mean an Act made by the Governor of Fort St. George in Council under the Indian Councils Acts, 1861 to 1909 or any of those Acts, or the Government of India Act, 1915, or by the Local Legislature or the Governor of the Presidency of Madras under the Government of India Act or by the Provincial Legislature of Madras under the Government of India Act, 1935, or by the Legislature of the State of Madras or Tamil Nadu under the Constitution ;]

<sup>1</sup> This clause was substituted for the original clause (28) by the Adaptation (Amendment) Order of 1950.

<sup>2</sup> This word was substituted for the words and letters "a Part A State or a Part C State" by section 4 of, and the Third Schedule to, the Tamil Nadu Repealing and Amending Act, 1957 (Tamil Nadu Act XXV of 1957).

<sup>3</sup> Clause (31a) was inserted by paragraph 5 of, and the Schedule to, 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.

(32) "value," used with reference to a suit, shall "Value." mean the amount or value of the subject-matter of the suit, computed according to the law for the time being in force regulating the valuation of suits for purposes of jurisdiction:

(33) "will" concurrence of a codicil and every "Will." writing making a ~~will~~ shall consider ~~imous~~ distribution of property:

(34) words importing the masculine gender Gender. shall include females:

(35) words in the singular shall include the plural, Number. and words in the plural shall include the singular:

(36) words which refer to acts done extend also Illegal omis- to illegal omissions : sions.

(37) "writing," with its grammatical variations "Writing." and cognate expressions, shall include "printing," "lithography," "photography," with their grammatical variations and cognate expressions, and other modes of representing or reproducing words in a visible form :

(38) "year" and "month" shall, respectively, "Year" and mean a year and month reckoned according to the "month." British calendar.

<sup>1</sup>[3-A.

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## CHAPTER II.

### GENERAL PROVISIONS APPLICABLE TO FUTURE ACTS.

4. This Chapter shall apply to all <sup>2</sup>(Tamil Nadu Application of Acts) made after the commencement of this Act, Chapter II to unless a contrary intention appears in such Acts. all future Acts.

<sup>1</sup> In so far as this Act applies to the added territories, section 3-A of this Act was repealed by section 12 of the Tamil Nadu (Added Territories) Extension of Laws (No. 2) Act, 1961 (Tamil Nadu Act 39 of 1961).

<sup>2</sup> This expression was substituted for the expression "Madras Acts" by paragraph 3 of, and the Schedule to, the Tamil Nadu Adaptation of Laws Order, 1969, as amended by the Tamil Nadu Adaptation of Laws (Second Amendment) Order, 1969.

Commence-  
ment of future  
Acts.

<sup>1</sup>[5. <sup>2</sup> [(1) Where any Act to which this Chapter applies is not expressed to come into operation, on a particular day, then, it shall come into operation, on the day on which the assent thereto of the Governor, the Governor-General or the President, as the case may require, is first published in the Official Gazette.]

(2) In every such Act the date of such publication as aforesaid shall be printed either above or below the title of the Act and shall form part of the Act.]

Making of rules  
and issue of  
orders between  
passing and  
commencement  
of Act.

6. Where, by an Act to which this Chapter applies and which is not to come into force immediately on the passing thereof, a power is conferred on Government or other authority to make rules, or to issue orders, with respect to the application of the Act, or with respect to the appointment of any officer thereunder, such power may be exercised at any time after the passing of the Act, but rules or orders so made or issued shall not take effect till the commencement of the Act.

Provisions  
regulating the  
making of rules  
after previous  
publication.

7. Where, by an Act to which this Chapter applies, a power to make rules is expressed to be given, subject to the condition of the rules being made after previous publication, the following provisions shall apply, namely :—

Publication of  
draft rules.

(a) the authority having the power to make the rules shall, before making them, publish a draft of the proposed rules;

Manner of  
publication.

(b) the publication shall be made in such manner as that authority deems to be sufficient, or, if the condition with respect to previous publication so requires, in such manner as the <sup>3</sup>[Central Government or, as the case may be, the <sup>4</sup>(State) Government] prescribes;

<sup>1</sup> This section was substituted for the original section by the Adaptation Order of 1937.

<sup>2</sup> This sub-section was substituted for sub-section (1) by the Adaptation (Amendment) Order of 1950.

<sup>3</sup> These words were substituted for the word "Government" by the Adaptation Order of 1937.

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



(c) there shall be published with the draft Notice to accompany draft rules.  
a notice specifying a date at or after which the draft will be taken into consideration;

(d) the authority having power to make the rules, Consideration of suggestion in regard to draft rules.  
and, where the rules are to be made with the sanction, approval or concurrence of another authority, that authority also, shall consider any objection or suggestion which may be received by the authority having power to make the rules from any person with respect to the draft, before the date so specified;

(e) the publication in the <sup>1</sup>[Official Gazette] Publication. to be proof of due making of rules.  
of a rule purporting to have been made in exercise of a power to make rules after previous publication, shall be conclusive proof that the rule has been duly made.

8. Where any Act, to which this Chapter applies, Effect of repealing an Act.  
repeals any other enactment, then the repeal shall not—

(a) affect anything done or any offence committed, or any fine or penalty incurred or any proceedings begun before the commencement of the repealing Act ; or

(b) revive anything not in force or existing at the time at which the repeal takes effect; or

(c) affect the previous operation of any enactment so repealed or anything duly done or suffered under any enactment so repealed; or

(d) affect any right, privilege, obligation or liability acquired, accrued or incurred under any enactment so repealed; or

(e) affect any fine, penalty, forfeiture or punishment incurred in respect of any offence committed against any enactment so repealed ; or

(f) affect any investigation, legal proceeding or remedy in respect of any such right, privilege, obligation, liability, fine, penalty, forfeiture or punishment as aforesaid ; and any such investigation, legal proceeding or remedy may be instituted, continued or enforced,

<sup>1</sup> These words were substituted for the words " *Fort St. George Gazette*" by the Adaptation Order of 1937.

and any such fine, penalty, forfeiture or punishment may be imposed, as if the repealing Act had not been passed.

Effect of repeal of Act making textual amendment in previous Act.

<sup>1</sup>[ 8-A. Where any Act to which this Chapter applies, repeals any enactment by which the text of any previous enactment was amended by the express omission, insertion or substitution of any matter, then, unless a different intention appears, the repeal shall not affect the continuance of any such amendment made by the enactment so repealed and in operation at the time of such repeal.]

Revival of repealed enactments.

9. In any Act to which this Chapter applies—

(a) for the purpose of reviving, either wholly or partially, an Act or Regulation, wholly or partially repealed, it shall be necessary expressly to state such purpose ;

Commencement of term.

(b) for the purpose of excluding the first in a series of days or any other period of time, it shall be sufficient to use the word " from " ;

Termination of term.

(c) for the purpose of including the last in a series of days or any other period of time, it shall be sufficient to use the word " to " ;

Application to subordinates of law relative to official superiors.

(d) for the purpose of expressing that a law relative to the chief or superior of an office shall apply to the deputies or subordinates lawfully executing the duties of such office in the place of their superior, it shall be sufficient to prescribe the duty of the superior ;

Application of law to successors of functionaries and corporations.

(e) for the purpose of indicating the relation of a law to the successors of any functionaries, or of corporations having perpetual succession, it shall be sufficient to express its relation to the functionaries or corporations ; and

Application of law to persons for time being filling an office.

(f) for the purpose of indicating the application of a law to every person or number of persons for the time being executing the functions of an office, it shall be sufficient to mention the official title of the officer at present executing such functions, or that of the officer by whom the functions are commonly executed.

<sup>1</sup> Section 8-A was inserted by the Madras General Clause Amendment) Act, 1936 (Madras Act IV of 1937).

10. Where an Act, to which this Chapter applies, <sup>Expressions used in rules, by-laws and orders to have same meaning as in Act under which they are made or issued.</sup> confers power to make rules or by-laws or <sup>1</sup>[to issue notifications or orders], expressions used in such rules, <sup>1</sup>[by-laws, notifications or orders], have the same respective meanings as in the Act conferring the power.

11. Where, by an Act to which this Chapter applies, <sup>Necessary extension of periods.</sup> any act or proceeding is directed or allowed to be done or taken in a Court or office on a certain day or within a prescribed period, then, if the Court or office is closed on that day or the last day of the prescribed period, the act or proceeding shall be considered as done or taken in due time if it is done or taken on the next day afterwards on which the Court or office is open.

Central Act XV of 1877. This section does not apply to any act or proceeding to which the Indian Limitation Act, 1877<sup>2</sup> applies.

<sup>1</sup> In sections 10 and 15, for the words "to issue orders", the words "to issue notifications or orders" and for the words "by-laws or orders," the words "by-laws, notifications or orders," were substituted by section 3 of, and the Second Schedule to, the Tamil Nadu Repealing and Amending Act, 1965 (Tamil Nadu Act XXXVI of 1955).

In so far as this Act applies to the added territories, for the words "to issue orders," the words "to issue notifications or orders" and for the words "bye-laws or orders," the words "by-laws, notifications or orders" were substituted by section 4 of, and the Second Schedule to, the Tamil Nadu (Added Territories) Extension of Laws (No. 2) Act, 1961 (Tamil Nadu Act 39 of 1961).

<sup>2</sup> See now the Limitation Act, 1963 (Central Act 36 of 1963).

## CHAPTER III.

## GENERAL PROVISIONS APPLICABLE TO ALL ACTS.

**Application of Chapter III to all Acts.** 12. This Chapter shall apply to all <sup>1</sup>(Tamil Nadu Acts) unless a contrary intention appears in any such Act, but it shall not affect anything done or commenced prior to the commencement of this Act under any enactment now in force.

**When powers and duties to be exercised and performed.** 13. Where an Act confers a power or imposes a duty, then the power may be exercised and the duty shall be performed from time to time as occasion requires.

**Exercise of power and performance of duty by temporary holder of office.** 14. Where an Act confers a power or imposes a duty on the holder of an office, as such, then the power may be exercised and the duty shall be performed by the holder for the time being of the office.

**Revocation and alteration of rules, by-laws and orders.** 15. Where an Act confers a power to make any rules or by-laws, or <sup>2</sup>[to issue notifications or orders,] the power shall be construed as including a power exercisable in the like manner and subject to the like consent and conditions, if any, to rescind, revoke, amend or vary the rules, <sup>2</sup>[by-laws, notifications or orders].

<sup>1</sup> This expression was substituted for the expression "Madras Acts" by paragraph 3 of, and the Schedule to, the Tamil Nadu Adaptation of Laws Order, 1969, as amended by the Tamil Nadu Adaptation of Laws (Second Amendment) Order, 1969. In so far as this Act applies to the added territories, for the words "all Madras Acts, Andhra Acts and Andhra Pradesh Acts made", the words "all Madras Acts, Andhra Acts and Andhra Pradesh Acts" were substituted by section 4 of, and the Second Schedule to, the Tamil Nadu (Added Territories) Extension of Laws (No. 2) Act, 1961 (Tamil Nadu Act 39 of 1961).

<sup>2</sup> In sections 10 and 15, for the words "to issue orders", the words "to issue notifications or orders" and for the words "by-laws or orders", the words "by-laws, notifications or orders" were substituted by section 3 of, and the Second Schedule to, the Tamil Nadu Repealing and Amending Act, 1955 (Tamil Nadu Act XXXVI of 1955).

In so far as this Act applies to the added territories, for the words "to issue orders," the words "to issue notifications or orders" and for the words "by-laws or orders," the words "by-laws, notifications or orders" were substituted by section 4 of, and the Second Schedule to, the Tamil Nadu (Added Territories) Extension of Laws (No. 2) Act, 1961 (Tamil Nadu Act 39 of 1961).

16. Whenever by an Act any duty of customs <sup>Duty leviable</sup> or excise or in the nature thereof is leviable on any <sup>pro rata.</sup> given quantity, by weight, measure or value, of any goods or merchandise, a like duty shall be leviable according to the same rate on any greater or less quantity.

17. Whenever by an Act authority is given to confer powers or impose duties, such powers may <sup>Mode of conferring powers</sup> be conferred or duties imposed by name or by office <sup>and imposing</sup> or on classes of officials generally by their official <sup>duties.</sup> titles.

18. Where an Act repeals and re-enacts, with <sup>References to</sup> or without modification, all or any of the provisions <sup>provisions in</sup> of a former Act, references in any other Act to the <sup>Acts repealed</sup> provisions so repealed shall be construed as references <sup>and re-enacted.</sup> to the provisions so re-enacted, and if notifications have been published, proclamations or certificates issued, ~~ways~~ <sup>ways</sup> conferred, forms prescribed, local limits ~~the~~ <sup>ed</sup>, offices established, orders, rules and appointments made, engagements entered into, licences or permits granted, and other things duly done, under the provisions so repealed, the same shall be deemed, so far as the same are consistent with the provisions so re-enacted, to have been respectively published, issued, conferred, prescribed, defined, established, made, entered into, granted or done, under the provisions so re-enacted.

Central  
Act XLV of  
1860.

19. The provisions of sections 63, 68, 69 and 70 <sup>Recovery of</sup> of the Indian Penal Code shall apply to all fines <sup>fines.</sup> imposed under the authority of any Act.

20. Where an act or omission constitutes an offence <sup>Punishment for</sup> under two or more enactments, the offender shall be <sup>offences under</sup> liable to be prosecuted and punished under either <sup>more than one</sup> or <sup>enactment.</sup> any of those enactments, but shall not be liable to be punished twice for the same act or omission.

21. Where in any Act, or in any rule passed under <sup>Publication of</sup> any Act, it is directed that any order, notification <sup>orders and</sup> or other matter shall be notified or published, such <sup>notifications in</sup> <sup>the Official</sup> <sup>Gazette.</sup>

notification or publication shall, unless the Act otherwise provides, be deemed to be duly made if it is published in the <sup>1</sup>[Official Gazette].

Determination of the times at which Acts or provisions of Acts extended or applied by Government to certain places shall come into force.

22. When, by an Act <sup>2</sup>[any Government] is empowered to extend or apply an Act or any provision of an Act to any place in, or to any portion of, the <sup>3</sup>[State], the Government may, in any order extending or applying such Act or provision or in a subsequent order, notify the time at which the same shall come into force in the place or portion of the <sup>3</sup>[State] to which it is so extended or applied; and, unless it is otherwise provided in the Act, <sup>2</sup>[the Government] may, by notification in the <sup>1</sup>[Official Gazette] from time to time postpone the time at which the Act or provision shall come into force in such place or portion of the <sup>3</sup>[State] or cancel the order for extending or applying the same to such place or portion of the <sup>3</sup>[State]:

Proviso.

Provided that no order postponing the time at which an Act or provision shall come into force, or cancelling an order for extending or applying the same, shall be made after the Act or provision has actually come into force in the place or portion of the <sup>3</sup>[State] to which such order relates.

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<sup>1</sup> Those words were substituted for the words "*Fort St George Gazette*" by the Adaptation Order of 1937.

<sup>2</sup> These words were substituted for the word "Government" by *ibid.*

<sup>3</sup> The word "Province" was substituted for the words "Presidency of Madras" by the Adaptation Order of 1937 and the word "State" was substituted for "Province" by the Adaptation Order of 1950.

**<sup>1</sup> CHAPTER IV.****APPLICATION TO ORDINANCES AND  
REGULATIONS.**

**<sup>2</sup> [23. The provisions of this Act shall apply—**

*Application of  
Act to Regula-  
tions and  
Ordinances.*

**(a) <sup>3</sup> [            ]**

**(b) in relation to any Ordinance promulgated by the Governor under article 213 of the Constitution or any Regulation made by him under paragraph 5 of the Fifth Schedule to the Constitution, in like manner as they apply in relation to <sup>4</sup> [Tamil Nadu Acts] made by the State Legislature :**

**Provided that sub-section (1) of section 5 of this Act shall apply to any Ordinance referred to in clause (b) as if the reference in that sub-section to the day of the first publication of the assent to an Act in the Official Gazette were a reference instead to the day of the first publication of the Ordinance in that Gazette.]**

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<sup>1</sup> Chapter IV was inserted by the Adaptation Order of 1937.

<sup>2</sup> This section was substituted for the original section 23 by the Adaptation (Amendment) Order of 1950.

<sup>3</sup> This clause was omitted by the Madras Adaptation of Laws Order, 1957. In so far as this Act applies to the added territories, this clause was omitted by section 4 of, and the Second Schedule to, the Tamil Nadu (Added Territories) Extension of Laws (No. 2) Act, 1961 (Tamil Nadu Act 39 of 1961).

<sup>4</sup> This expression was substituted for the expression "Madras Acts" by paragraph 3 of, and the Schedule to, the Tamil Nadu Adaptation of Laws of Order, 1969, as amended by the Tamil Nadu Adaptation of Laws (Second Amendment) Order, 1969.

**PRESIDENT'S ACT NO. 12 OF 1976.\***  
**THE TAMIL NADU GENERAL CLAUSES  
(AMENDMENT) ACT, 1976.**

[*Received the assent of the President on the 16th April 1976, first published in the Tamil Nadu Government Gazette Extraordinary on the 17th April 1976 (Chithirai 5, Nala (2007-Tiruvalluvar Andu)).*]

Enacted by the President in the Twenty-seventh Year of the Republic of India.

**An Act further to amend the Tamil Nadu General Clauses Act, 1891.**

In exercise of the powers conferred by section 3 of the Tamil Nadu State Legislature (Delegation of Powers) Act, 1976 (41 of 1976), the President is pleased to enact as follows :—

1. (1) This Act may be called the Tamil Nadu General Clauses (Amendment) Act, 1976. Short title and commencement.

(2) It shall be deemed to have come into force on the 3rd day of March 1976.

2. In the Tamil Nadu General Clauses Act, 1891 (Tamil Nadu Act I of 1891) (hereinafter referred to as the principal Act), in Chapter III, after section 22, the following section shall be inserted, namely :— Insertion of new section 22-A.

“22-A. *Construction of references to Minister in Acts, etc.*—Any reference to any Minister (including the Chief Minister) in any Act or in any rule, notification, order, regulation, by-law or other instrument made or issued, under such Act, shall, during the period of operation of a Proclamation issued by the President under article 356 of the Constitution in respect of the State of Tamil Nadu, be construed as a reference to the Governor or to such adviser to the Governor or to such other officer, as the Governor may, by notification, specify in this behalf and different notifications may be issued in respect of different Acts and instruments made or issued thereunder.”.

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\*For Reasons for the enactment, see *Tamil Nadu Government Gazette Extraordinary*, dated the 17th April 1976, Part IV—Section 2, Pages 141-142.



Repeal and  
saving.

3. (1) The Tamil Nadu General Clauses (Amendment) Ordinance, 1976 (Tamil Nadu Ordinance 4 of 1976), is hereby repealed.

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