

TAMIL NADU GIFT GOODS (UNLAWFUL POSSESSION) ACT, 1961

1961 : T.N. Act 49] Gift Goods (Unlawful Possession) I[TAMIL NADU] ACT No. 49 OF 1961.2 THE NADU GIFT GOODS (UNLAWFUL POSSESSION) ACT, 1961. [Received the assent of the Governor on the 27th January 1962, first published in the Fort St. George Gazette on the 17th January 1962 (Part 27, 1863).] An Act to provide for the punishment of the offence of unlawful possession of gift goods supplied by certain relief organizations. WHEREAS it is expedient to provide for the punishment of [the offence of unlawful possession of gift goods supplied by certain relief organizations] BE it enacted, in the Twelfth Year of the Republic of India as follows 1. (1) This Act may be called the [Tamil Nadu] Short title, Gift Goods (Unlawful Possession) 1961. extent and commencement (2) It extends to the whole of the [State of Tamil Nadu]. (3) It shall come into force at once. 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. 2 For Statement of Objects and Reasons, see Fort St. George Gazette Extraordinary, dated the 15th November 1961, Part IV Section 3 page 579. This expression was substituted for the expression "State of Madras" by the Tamil Nadu Adaptation of Laws Order, 1969 as amended by the Tamil Nadu Adaptation of Laws (Second Amendment) Order, 1969. 764 [1961 : T.N. Act 49 Gift Goods (Unlawful Possession) Definitions. Unlawful possession of gift goods. Offences under the Act, to be cognizable

2. In this Act, unless the context otherwise requires,—(110) "gift goods" means any of the following goods when supplied, by way of gift, by any relief organization any State Government or to the Central Government, or to any other person on behalf of such Government, namely (a) cornmeal ; (b) milk powder ; (c) vegetable oil (soya bean oil or sunflower seed oil) (d) any other goods which the State Government may, by notification, from time to time, specify;] "relief organization" means any organization specified in the Schedule appended to this Act. 3. if any person is found, or is proved to have been, in possession of any gift goods reasonably suspected of being stolen or unlawfully and cannot account satisfactorily how he came by the same, he shall be liable to imprisonment, for a term which may extend to five years, or with fine, or with both, 11. 4. (c) No. with sending any, thing contained in the Code of Criminal Procedure, 1898 (Central Act - V of 1898) shall be deemed offence to be a cognizable offence within the meaning of that Code. 1 This clause v, as substituted for the following clause (1) by section 2 of the Tamil Nadu Gift Goods (Unlawful Possession) Amendment Act, 1966 (Tamil Nadu Act 1 of 1966) : " (1) "gift goods" means any of the following goods, namely (a) cornmeal ; (b) milk powder ; (c) vegetable oil (soyabean oil or sunflower seed oil) supplied, by way of gift, by any relief organization to any State Government or to the Central Government or to any other person on behalf of such Government. Now the Code of Criminal Procedure, 1973 (Central Act 2 of 1974). 1961 , T.N. Act 49] Gift Goods (2) No court, except a Magistrate of the first class or a Presidency Magistrate or a District Magistrate, shall try any offence under this Act. Power to The State Government may, by notification, amend any organization, or omit any organization from, the Schedule of such notification, Schedule ; on and after the date on which such organization is so placed, or, if necessary, the date on which the notification comes into force on the date of the notification. (1) *C. All Notifications to be placed before the Legislature. under {I-xis A:c. (b) Every notification issued is issued, be placed on the day, as soon as possible, after of both Houses of the assembly if before the expiry of the session in which it is so placed, or, if necessary, the session. Both Houses agree in making any modification, or in any such notification or order, the Houses agree that the notification should not be issued. the notification shall thereafter have effect only in such modified form or be of no effect, as in the case may be, so however, that any such modification or annulment shall be without prejudice to anything previously done under that notification. *According to clauses (a) and (c) of subsection (3) of section 3 of the Code of Criminal Procedure, 1973 (Central Act 2 of 1974), any reference to a Magistrate of the first class shall be construed as a reference to a Judicial Magistrate of the first class and any reference to a Presidency Magistrate shall be construed as a reference to a Metropolitan Magistrate with effect on and from the 1st April 1974. [1961 ; T.N. Act 49 Gift Goods (Unlawful Possession) THE SCHEDULE [See section 2(2).] 1. **United Nations Children's Fund. 2. Co-operative for American Relief Everywhere (CARE)

3. Church World Service

4. Lutheran World Relief

5. Catholic Relief Service.** This item was substituted for the item " United Nations International Children Emergency Fund (UNICEF) " by G.O. Ms. fNo. 1726, Education and Public Health, dated 23rd July 1963.

