

TAMIL NADU PROHIBITION (SUPPLEMENTARY) ACT, 1941

1[Tamil Nadu] ii Act X of 1937. 26 Geo. 1 {Tamiil Nadu] Act I of 1941: 'f.N. Act 'irāiijiiioi 843' NADU] ACT No. xr OF 1941. [THE (TAMIL NADU) PROHIBITION (SUPPLEMENTARY) ACT, 1941.] [Received the assent of the Governor-General on the 16th April 1941; first published in the Fort St. George Gazette, on the 23rd April 1941.] An Act to supplement the [Tamil Nadu] Prohibition Act, 1937. WHEREAS in Criminal Revision Cases Numbers 1052, 1053 and 1054 of 1940 on its file, the High Court of Judicature at Madras has decided that section 4 (1 of the I(Tamil NaduyProhibition Act, 1937, in so far as it relates to dangerous éxygS,a matter included in the Concurrent LegliIäiG List in the Seventh Schedvle to the Government of India Act, 1935, is repugnant to the provisions of an existing Indian law on such matter, namely, the I(Tamil Nadu) Abkari Act, 1886, and the rules made thereunder, and is Consequently void by reason of the fact that the said Prohibition Act was not reserved for the consideration of the Governor-General or for the signification of His Majesty's pleasure as required by sub-section (2) of section 107 of the said Government of India Act ; AND WHEREAS it is necessary to rectify the defect disclosed by the judgment of the High Court in the cases referred to above ; AND WHEREAS it is also necessary to protect the 2[State Government], omcers ofthe8[Central or State Govern- ment], and authorities and persons acting under the orders of the '[State Government] or of such officers, Thése words were substituted for the word "Madras" by the Tamil Nadu Adaptation of Laps Orer, 1969, as amended by the Tamil Nadu Adaptation of Laws Gecond Amendment) Order, 1969, which came into force on the 14th January 1969. 2 These words were substituted for tha words "Provincial Govern- ment" by the Adaptation (Amendment) Order of 9 SO. t These words were substituted for the word 'Crown" by ibid. 'Thee words were substituted for the words "said Government" by tbtd. 4 Short title. ProN&itiop, [1941' : T.N I from liability. in respect.,of. anyPking, in, &bodqfaith ordered •or done or purporting td-haüe been' olrdered ot done under the provisions of the said Prohibitipn Act ; 111t is hereby enacted as follows 1. •This Act may be called the 2K Tamil Nadu] Prohibition (Supplementary) Act, 1941

2. The provisions of the 21 Tamil Nadul Prohibition 2tTami1 QTamil Nadu] Prohibition Aet to apply to certain dangerous drugs.Indemnity. Act, 1937 (hereinafter referred to as the said Act), in Nadu] Act X of regird to intoxicating drugs shall' apply to every 1937. intoxicating drug as therein defined although such drug may a.lso be a dangerous drug

3. No suit or other legal proceeding whatsoever, whether Civil or Criminal, shall lie in any Court of law against the 3[Statej Government, any omcer of the '[Central or State Government] or any authority or person acting under the orders of the '[State Govern- mentl or of any such omcer, for or in respect of any act, matter or thing in good faith ordered or done or purporting to have been ordered or done under the provisions of the said Act before the commencement of' this Act.on the ground that such act, matter or thing svas in excess of the powers conferred by the law as then in force, if the saine could lawfully be ordered or done under the said Act after the commencement of this Act. These words were substituted for the paragraph containing the enacting formula and the paragraph preceding that paragraph by setion 5 of the Tamil Nadu Re-enacting and Repealing (No. r) Act, 1948 Nadu Act vrr of 1948). These words were substituted for the word "Madras" by th9 Tamil Nadv Adaptation of Laws Order, 1969. as amended by tho Tamil Nadu Adaptation of Laws (Second Amendment) Order, 1969. This, word* was substituted for the word "Provincial" by tbe A daptâtion. Order' of 1950b 4, Thesqwords.wero. substituted,.for the words "Crown" by Ibid b These words were for •tho words 'Baid Government"