

TAMIL NADU REFERENCES TO MAGISTRATES IN LAWS (SPECIAL PROVISIONS) ACT, 1980

1980 : TON, Act 331 References to Magistrates in Laws 91 (Special Provisions) TArvm, NADU ACT No. 33 OF 1980.* THE TAMIL NADU REFERENCES TO MAGIS- TRATES IN LAWS (SPECIAL PROVISIONS) ACT, 1980. {Received the assent of the President on the 29th September 1980, first published in the Tamil Nadu 30vernment Gazette Extraordinary on the 30th Septemhër 1980 (Pwattasi 14, Rowthiri-2011-Thiruvalluvar Aandu).] An Act to provide for the construction of certain references to Magistrates, etc., in laws in force in the State of Tamil Nadu. BE it enacted by the Legislature of the State of Tamil Nadu in the thirty-first .Year of the Republic of India as fol- lows 1, (1) This Act may be called the Tamil Nadu Refe- Short title and commencement. rences to Magistrates in Laws (Special Provisions) Act, 1980. (2) It shall come into force on such date as the State Government may, by notification, appoint

2. In this Act, unless the context otherwise requires,—Definitions. (a) "Code" means the Code of Criminal 1973 (Central Act 2 of 1974) (b) "law in force" includes any enactment, Ordi- nance, regulation, order, by-law, rule, scheme or notifi- cation 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. 3. (1) In the Code,— Construction of (a) any reference without any qualifying words ' references to to a Magistrate, which has to be construed a.s a reference Magistrates, to a Judicial Magistrate under section 3 (1) (a) (i) of the etc. Code, shall, by reason of this Act, be construed as a reference to a District Munsif-cum-Judicial Magistrate exercising the powers of a Judicial Magistrate of the first class or of the second class, as the case may be ; * For Statement of Objects and Reasons, see Tamil Nadu Govern- ment Gazette Extraordinary, dated the 6th August 1980, . Par- IV—Section 1, page 255, 92 Rej erences to Magistrates [1980: T.N. Act 33 in Law' (Special Provisiow) (b) any reference to a Magistrate of the second class which has to be construed as a reference to a Judicial Magistrate of the second class under section 3 (1) (b) of the Code, shall, by reason of this Act, be construed as reference to a District Munsif-cum-Judicial MaÜtrate exercising the powers of a Judicial Magistrate of the secoAd class ; (c) any reference to a Magistrate of the first class, which has to be construed as a reference to a Judicial Maøstrate of the first class under section 3 (1) (c) (ii) of the Code, shall, by reason of this Act, be construed as a reference to a District Munsif-cum-- Judicial Maøstrate exercising the powers of a Judicial Magistrate of the first class J (d) any reference to a Judicial Magistrate shall, by reason of this Act, be construed as a reference to District Munsif-cum-Judicial Magistrate exercising the powers of a Judicial Maøgrate of the first clag or of the second class, a3 the case may be, (2) Any reference in any law in force passed before the commencement of the Code,— (a) to a Magistrate of the first class which has to be construed as a reference to a Judicial Magistrate of the first class under section 3 (3) (a) of the Code, 'hall, by reann of this Act, be construed as a reference to a District Muuif-eumdujudicial Majstrate exercising the power: of a JudWal Magistrate of the first class (b) to a Magistrate of the second class or of the third class which nas to be construed as a reference to a Judicial Magistrate of the second class under section 3 (3) (b) of the Code, shall, by reason of this Act, be construed as a reference to a District Munsif-cum •Judicial Magistrate exercising the powers of a Judicial Maise trate of the second class, (3, -Any reference in any law in passed after tng commencement of the Code,— (a) to a Judicial Magistrate of the first class, by reason of this Act, be construed as a referenæ to a District Munsif-cum-hwicial Magistrate exercising powers of a Judicial Magistrate of the first class ; : f.N. Act .43) References to Magistrates in 94 Lmvs (Special Provisions) (b) to a Judicial Magistrate of the second class, 8ball, by reason of this Act, be construed asa reference to a District Munsif-cum-Judicial Magistrate exercising the powers of a Judicial Magistrate of the second class; (c) to a Judicial Magistrate, shall, by reason of Act, be construed as a reference to a District Munsif- cten-Judicial Magistrate exercising the powers of a Judicial Magistrate of the first class 01 of the second class, as the case may be. (4) For the purpose of exercise of functions of a Judicial Magistrate by a District Munsif• cum - Judicia: Magistrate exercising the powers of a Judicial Magis- trate 'Of the first class or of the second class, as the case may under any law in force other than the Code, the provisions of sub-section (4) (a) of section 3 of the shall apply,