THE CHENNAI CITY POLICE (EXTENSION TO THE CITIES OF AVADI AND TAMBARAM) ACT, 2022

ACT NO. 07 OF 2022

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THE CHENNAI CITY POLICE (EXTENSION TO THE CITIES OF AVADI AND TAMBARAM) ACT, 2022

ACT NO. 07 OF 2022

[21st January 2022]

An Act to extend the provisions of the Chennai City Police Act, 1888 to the Cities of Avadi and Tambaram.

BE it enacted by the Legislative Assembly of the State of Tamil Nadu in the Seventy-second Year of the Republic of India as follows:—

1.Short title and commencement. — (1) This Act may be called the Chennai City Police (Extension to the cities of Avadi and Tambaram) Act, 2022.

(2) It shall be deemed to have come into force on the 1st day of January 2022.

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

1) "city of Avadi" means the local area comprising the limits of the police stations specified in Schedule I;

(2) "city of Tambaram" means the local area comprising the limits of the police stations specified in Schedule II;

(3) "City Police Act" means the Chennai City Police Act, 1888;

(4) "date of publication of this Act" means the date of publication of the Chennai City Police (Extension to the cities of Avadi and Tambaram) Act, 2022 in the Tamil Nadu Government Gazette;

(5) "Government" means the Government of Tamil Nadu;

(6) "law in force" includes any enactment, Act, regulation, order, by-law, rule, scheme or notification in force in the whole or in any part of the State or any instrument having the force of law in the whole or in any part of the State;

(7) "Schedule" means a Schedule appended to this Act;

(8) "State" means the State of Tamil Nadu.

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3. Extension of Tamil Nadu Act III of 1888. – (1) With effect on and from the date of publication of this Act, the City Police Act as in force immediately before the date of publication of this Act, shall stand extended to, and shall be in force, in the cities of Avadi and Tambaram

(2) In the City Police Act, as extended to the cities of Avadi and Tambaram,—

(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 Avadi or the city of Tambaram, as the case may be;

(b) 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 Avadi or the Commissioner of Police for Tambaram, as the case may be.

4. Power of Government to authorize Commissioner of Police and certain other police officers in cities of Avadi and Tambaram to exercise powers of District Magistrates and Executive Magistrates under Code of Criminal Procedure, 1973. — (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) the Commissioner of Police for Avadi or the Commissioner of Police for Tambaram, to exercise and perform in relation to the city of Avadi or the city of Tambaram, as the case may be, the powers and duties of an Executive Magistrate and of a District Magistrate under such of the provisions of the Code of Criminal Procedure, 1973 (hereinafter 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 for Avadi or the Commissioner of Police for Tambaram (not being an officer below the rank of an Assistant Commissioner of Police) to exercise and perform in relation to the city of Avadi or the city of Tambaram, as the case may be, the powers and duties of an Executive Magistrate under such of the provisions of 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.

(2) Every officer subordinate to the Commissioner of Police for Avadi or the

Commissioner of Police for Tambaram, shall, in the exercise and performance of any powers and duties, which he is empowered to exercise or perform functions 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 for Avadi or the Commissioner of Police for Tambaram, 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.

5. Police force functioning in cities of Avadi and Tambaram immediately before date of publication of this Act to be deemed to be police force constituted under City Police Act as extended.— (1) The police force functioning in the city of Avadi and in the city of Tambaram, immediately before the date of publication of this Act (hereinafter in this section referred to as the existing police force) shall, on the date of publication of this Act, be deemed to be the police force constituted for the city of Avadi or the city of Tambaram, as the case may be, under the City Police Act as extended, by this Act and every member of the existing police force holding office immediately before the date of publication of this Act shall be deemed to be appointed on such date of publication, as members of the police force for the city of Avadi or the city of Tambaram, as the case may be.

(2) All proceedings (including proceedings by way of investigations) pending before any police officer of the existing police force immediately before the date of publication of this Act, shall on the date of publication of this Act, 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 date of publication of this Act has been conferred on the Commissioner of Police for Avadi or the Commissioner of Police for Tambaram or any other police officer by or under the City Police Act as extended, all proceedings 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 Executive Magistrate, as the case may be, shall on the conferment of such power or function on the Commissioner of Police for Avadi or the Commissioner of Police for Tambaram or other police officer, stand transferred to the Commissioner of Police for Avadi or the Commissioner of Police for Tambaram, or other police officer, as the case may be, and the officer to whom such proceedings stand so transferred shall either proceed de novo or from the stage of such transfer.

6.Control of Director General of Police over Commissioner of Police for Avadi and Tambaram. –

(1) Notwithstanding anything contained in the City Police Act as extended, the Commissioner of Police for Avadi and the Commissioner of Police for Tambaram 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, 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 subsection (1) in respect of the Commissioner of Police for Avadi and the Commissioner of Police for Tambaram.

(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 Avadi or the Commissioner of Police for Tambaram, as the case may be, under any law as a District Magistrate or an Executive Magistrate.

7. Construction of reference to laws not in force in cities of Avadi and Tambaram.— (1) Any reference in the City Police Act as extended by this Act to a law which is not in force in the cities of Avadi or Tambaram, on the date of publication of this Act shall, in relation to those 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 in any law in force in the cities of Avadi and Tambaram shall, in relation to those cities, be construed, on and after the date of publication of this Act, as reference to the City Police Act.

8. Repeal of corresponding law.— If, immediately before the date of publication of this Act, there is any law in force in the cities of Avadi or Tambaram including the Tamil Nadu District Police Act, 1859 (hereinafter 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 date of publication of this Act, stand repealed in relation to the cities of Avadi or Tambaram, as the case may be, to the extent to which the corresponding law relates to matters with respect to which the State Legislature has power to make laws for the State.

9. Savings. – (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, continued 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 cities of Avadi or Tambaram, 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.

10.Construction of reference to authorities where new authorities have been constituted.— Any reference by whatever form or words in any law in force to any authority competent on the date immediately preceding the date of publication of this Act, to exercise any power or discharge any function in the cities of Avadi or Tambaram, 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 cities, have effect as if it were a reference to that new authority.

11. Powers of courts and other authorities for purposes of facilitating application of City Police Act.— For the purpose of facilitating the application, in the city of Avadi and in the city of Tambaram, of the City Police Act as extended, any court or other authority may construe the said Act with such alteration not affecting the substance as may be necessary or proper to adapt it to the matter before the court or other authority.

12. Power to remove difficulties.— If any difficulty arises in giving effect to the provisions of the City Police Act as extended by this Act, to the cities of Avadi and Tambaram, the Government may, as occasion may require, by order, do anything which appear to them to be necessary for the purpose of removing the difficulty:

Provided that no such order shall be made after the expiry of two years from the date of the commencement of this Act.

13.Power to amend Schedules.—The Government may, by notification, amend the Schedules, so as to include or exclude any police station.

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

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

(3) Every rule made or notification or order 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 notification or order should not be made or issued, the rule or notification or order 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 notification or order.

15. Repeal and saving. – (1) The Chennai City Police (Extension to the cities of Avadi and Tambaram) Ordinance, 2021 is hereby repealed.

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

SCHEDULE – I

City of Avadi

[See section 2(1)]

Sl. No.	**Police Stations**.
1.	Ambattur
2.	Ambattur Estate
3.	Avadi
4.	Ennore
5.	Kattur
6.	Korattur
7.	Manali
8.	ManaliPudunagar
9.	Mangadu
10.	Minjur
11.	M.M Colony
12	Muthupudhupet
13.	Nazarethpet
14.	Pattabiram
15.	Poonamalle
16.	Redhills
17.	Sathangadu
18.	Sevvapet
19.	Sholavaram

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20.	SRMC
21.	Tank Factory
22.	Thirumullaivoil
23.	Thirunindravur
24.	Thirunindravur
25.	Vellavedu

SCHEDULE – II

City of Tambaram

[See section 2(2)]

Sl.No.	**Police Stations.**
1.	Chrompet
2.	Chitlapakkam
3.	Guduvanchery
4.	Kannagi Nagar
5.	Kanathur
6.	Kelambakkam
7.	Kundrathur
8.	Maraimalai Nagar
9.	Manimangalam
10.	Otteri
11.	Pallavaram
12.	Pallikaranai
13.	Peerkankaranai
14.	Perumbakkam
15.	Selaiyur
16.	Semmanchery
17.	Shankar Nagar
18.	Somangalam
19.	Tambaram
20.	Thazhambur

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