The Bhavanisagar Township Act, 1954

Act 25 of 1954

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[TAMIL NADU] ACT No. XXV OF 1954.

[THE BHAVANISAGAR TOWNSHIP ACT, 1954.]

(Received the assent of the Governor on the 29th August 1954; first published in the Fort St. George Gazette on the 8th September 1954.)

An Act to constitute a township for Bhavanisagar in the Coimbatore district and to provide for its administration and governance.

WHEREAS it is expedient to constitute a township for Bhavanisagar in the Coimbatore district and to provide for its administration and governance;

Be it enacted in the Fifth Year of Our Republic as follows:—

1. (1) This Act may be called the Bhavanisagar Township Act, 1954.

*2) This section shall come into force at once, and the rest of this Act shall come into force on such date as the State Government may, by notification, appoint (hereinafter referred to as the appointed date).

2. (1) With effect on and from the appointed date, Bhavanisagar shall be a township.

the area specified in the Schedule (being the area comprised within the jurisdiction of Kuduvay and Thoppampalayam panchayats immediately before the appointed date) shall be a township called the Bhavanisagar Township, and the State Government may, from time to time, by notification, alter the limits of the area specified in the Schedule and any such alteration shall have effect as if it had been made by this Act.

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.


3 This word was substituted for the words and letters "notification in the Fort St. George Gazette" by section 2 of the Mettur Township, Courtallam Township and Bhavanisagar Township (Amendment) Act, 1972 (Tamil Nadu Act 6 of 1972).

*Section 1 came into force on the 8th September 1954, the other sections came into force on the 1st April 1955.
(2) Where the limits of the area specified in the Schedule are altered by notification under sub-section (1), the notification may also contain such provisions regarding the application or cessation of application of any enactment and the local authority which is to exercise, or cease to exercise jurisdiction, in relation to the area included in or excluded from the Bhavaniisagar township, the apportionment and adjustment of assets and liabilities as between the local authorities concerned and other incidental or consequential matters, as the State Government may deem necessary or proper.

(3) The \[Tamil Nadu\] Village Panchayats Act, 1950 ([Tamil Nadu] Act X of 1950), shall, with effect from and from the appointed date, cease to apply to the Bhavaniisagar township.

Constitution and composition of committee for administration of Bhavaniisagar township.

3. 2[(1) For the purpose of administering the municipal affairs of the Bhavaniisagar township, the State Government shall, by notification, constitute a committee to be called the Bhavaniisagar Township Committee (hereinafter referred to as the Township Committee) consisting of the following members, namely:—

(a) Members of the House of the People and Members of the Legislative Assembly, chosen to represent a constituency which consists of, or comprises, or which relates to, the township or any portion thereof, and Members of the Legislative Council who ordinarily reside in the township; and

(b) such non-officials, not less than two in number, and such officers of the State Government, as they may appoint.

(1-A) Where a person ceases to be a Member of the House of the People or a Member of the State Legislature, he shall cease to be a member of the Township Committee from the date on which he ceases to be such Member.]
(2) The State Government shall appoint—

(a) one of the members of the Township Committee to be its Chairman; and

(b) another person (not being a member of the Township Committee) to be its Executive Officer.

(2-A) Notwithstanding anything contained in sub-section (2), no member of the Township Committee, who is a Member of the House of the People or a Member of the State Legislature shall be appointed by the State Government to be its Chairman.

(3) The Township Committee shall be a body corporate, having perpetual succession and a common seal, and subject to any restrictions or qualifications imposed by or under this or any other enactment, shall be vested with the capacity of suing and being sued in its corporate name, of acquiring, holding and transferring property, movable or immovable, of entering into contracts, and of doing all things necessary, proper or expedient for the purposes for which it is constituted.

4. (1) The State Government may, by notification, apply any of the provisions of the Tamil Nadu District Municipalities Act, 1920 (Act V of 1920) or of any rules made thereunder or any other enactment for the time being in force elsewhere in the State of Tamil Nadu, but not in the Bhavanisagar township, subject to specified modifications, additions and restrictions as may be specified in the notification.

4 This sub-section was inserted by section 7 (ii) of the Mettur Township, Courtallam Township and Bhavanisagar Township (Amendment) Act, 1972 (Tamil Nadu Act 6 of 1973).

5 These words were substituted for the word "Madras" by the Tamil Nadu Adaptation of Laws Order, 1968, as amended by the Tamil Nadu Adaptation of Laws (Second Amendment) Order, 1969.

6 This word was substituted for the words and letters "notification in the Fort St. George Gazette" by section 2 of the Mettur Township, Courtallam Township and Bhavanisagar Township (Amendment) Act, 1972 (Tamil Nadu Act 6 of 1973).

4 This expression was substituted for the expression "State of Madras" by the Tamil Nadu Adaptation of Laws Order, 1968, as amended by the Tamil Nadu Adaptation of Laws (Second Amendment) Order, 1969.
(2) In particular and without prejudice to the
generality of the foregoing provision, such notification
may authorize—

(a) the Township Committee to levy all or any
of the taxes and fees which may be levied by virtue of
the provisions applicable to the township under this
section; and

(b) the Executive Officer of the Township Committee
to exercise and perform in regard to the township, the
powers and duties assigned to the executive authority of
a municipality under the provisions applied as aforesaid, subject to such restrictions, limitations, and conditions
and to such control, if any, as may be specified in the
notification.

Transfer of property
5. (1) All property, all rights of whatever kind
used, enjoyed or possessed by, and all interests
of whatever kind owned by or vested in or
held in trust by, or for the Kuduvay or Thoppampalayam
Kuduvay Panchayat as well as all liabilities legally subsisting against
and Thoppampalayam
any of these panchayats, shall, in so far as such property,
panchayats.
rights, interests or liabilities relate to the whole or any part
of the Bhavanisagar township, stand transferred, on and
from the appointed date to the Township Committee.

(2) All arrears of taxes or other payments by way
of composition for a tax or due for expenses or compens-
ation or otherwise, due to either of the aforesaid pancha-
yats, immediately before the appointed date may, in
so far as such arrears or other payments relate to the
whole or any part of the Bhavanisagar township, be
recovered by the Township Committee.

(3) All proceedings taken by or against either of
the aforesaid panchayats may, in so far as they relate
to any of the matters provided for in sub-sections (1) and
(2), be continued by or against the Township Committee.

4[6 * * *]

4This section was omitted by section 8 of the Mettur Township,
Courtallam Township and Bhavanisagar Township (Amendment)
Act, 1972 (Tamil Nadu Act of 6 of 1973.)
THE SCHEDULE.

(See section 2 (1).)

The limits of the area of the Bhavanisagar township shall be the area comprised in the

(i) entire Mudukkanthorai revenue village excepting the following survey numbers;—

7, 25 to 37 and 60 to 70 and

(ii) part of Thoppampalayam revenue village consisting of the following survey numbers;—

55 to 64, 66 to 76, northern portion of S.Nos. 77, 399 to 416

bounded on north by the Bhavani river;

west by the Bhavani river;

east by S. Nos. 7, 25, 37, 35, 60 and 70 of Mudukkanthorai village and 54 of Thoppampalayam village;

south by S. Nos. 65, southern portion of S. Nos. 77 and 417 of Thoppampalayam village and the dam line and water-spread area.