



**The Tamil Nadu Panchayat Union Councils (Appointment of Special Officers)
Act, 1977**

Act 5 of 1977

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PRESIDENT'S ACT NO. 5 OF 1977*.

**THE TAMIL NADU PANCHAYAT UNION
COUNCILS (APPOINTMENT OF SPECIAL
OFFICERS) ACT, 1977.**

[Received the assent of the President on the 29th January 1977, first published in the Tamil Nadu Government Gazette Extraordinary, on the 29th January 1977 (Thai 16, Nala (2008-Tiruvalluvar Andu)).]

Enacted by the President in the Twenty-eighth Year of the Republic of India.

An Act to provide for appointment of Special Officers to Panchayat Union Councils in the State of Tamil Nadu.

In exercise of the powers conferred by section 3 of the Tamil Nadu State Legislature (Delegation of Powers) Act, 1976 (41 of 1976), the President is pleased to enact as follows :—

1. (1) This Act may be called the Tamil Nadu Panchayat Union Councils (Appointment of Special Officers) Act, 1977. Short title and commencement.

(2) It shall come into force at once.

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

(a) "Panchayats Act" means the Tamil Nadu Panchayats Act, 1958 (Tamil Nadu Act XXXV of 1958);

(b) words and expressions used and not defined in this Act but defined in the Panchayats Act shall have the meanings respectively assigned to them in that Act.

3. Notwithstanding anything contained in the Tamil Nadu Panchayat Union Councils (Extension of Term of Office) Act, 1976 (President's Act 33 of 1976), the term of office of the members of all the Panchayat Union Councils in the State of Tamil Nadu holding office as such on the date of commencement of this Act, shall expire on the 31st day of January, 1977 and accordingly, all such members of all Panchayat Union Councils including the Chairmen and Vice-chairmen, and members of the Committees of such Panchayat Union Councils established or constituted by or under the Panchayats Act, shall vacate their office on the 31st day of January, 1977. Term of Office of members of the Panchayat Union Councils to expire on 31st day of January, 1977.

4. (1) (a) Notwithstanding anything contained in the Panchayats Act, the State Government shall appoint Appointment of Special Officers to exercise the powers and perform the functions of Panchayat Union Councils.

*For Reasons for the enactment, see *Tamil Nadu Government Gazette* Extraordinary, dated the 29th January 1977, Part IV—Section 2, Page 20.

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Special Officers to exercise the powers and perform the functions of—

(i) the Panchayat Union Councils established or constituted by or under the Panchayats Act and referred to in section 3 ; and

(ii) the Chairmen of the Panchayat Union Councils and of the Committees established or constituted by or under the Panchayats Act and referred to in section 3.

(b) A Special Officer may be appointed under clause (a) for one or more Panchayat Union Councils as the State Government may, by order, specify.

(2) Each Special Officer referred to in sub-section (1) may also exercise all or any of the powers and perform all or any of the functions of any other officer or authority under the Panchayats Act, which the State Government may, by notification, specify.

(3) (a) Each Special Officer shall hold office for a period of ¹[(²six years and eight months) on and from the 1st day of February, 1977]:

¹ This expression was substituted for the expression "six months on and from the 1st day of February 1977 or for such further period not exceeding six months as the State Government may, by notification, specify" by section 2(i) of the Tamil Nadu Panchayat Union Councils (Appointment of Special Officers) Amendment Act, 1978 (Tamil Nadu Act 8 of 1978).

² This expression was substituted for the expression "six years and two months" by section 2 of the Tamil Nadu Panchayat Union Councils (Appointment of Special Officers) Amendment Act, 1983 (Tamil Nadu Act 10 of 1983). [Earlier for the expressions "one year and nine months", "two years and three months", "two years and eight months", "three years and eight months", "four years and two months", "four years and eight months", "four years and eleven months" and "five years and five months", the expressions "two years and three months", "two years and eight months", "three years and eight months", "four years and two months", "four years and eight months", "four years and eleven months", "four years and eleven months", "five years and five months" and "six years and two months" were respectively substituted by the Tamil Nadu Panchayat Union Councils (Appointment of Special Officers) Amendment Act, 1979 (Tamil Nadu Act 5 of 1979), the Tamil Nadu Panchayat Union Councils (Appointment of Special Officers) Second Amendment Act, 1979 (Tamil Nadu Act 22 of 1979), the Tamil Nadu Panchayat Union Councils (Appointment of Special Officers) Third Amendment Act, 1979 (Tamil Nadu Act 61 of 1979), the Tamil Nadu Panchayat Union Councils (Appointment of Special Officers) Amendment Act, 1980 (Tamil Nadu Act 26 of 1980), the Tamil Nadu Panchayat Union Councils (Appointment of Special Officers) Amendment Act, 1981 (Tamil Nadu Act 13 of 1981), the Tamil Nadu Panchayat Union Councils (Appointment of Special Officers) Second Amendment Act, 1981 (Tamil Nadu Act 50 of 1981), the Tamil Nadu Panchayat Union Councils (Appointment of Special Officers) Amendment Act, 1982 (Tamil Nadu Act 7 of 1982) and the Tamil Nadu Panchayat Union Councils (Appointment of Special Officers) Second Amendment Act, 1982 (Tamil Nadu Act 40 of 1982).]

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Provided that if any vacancy arises in the post of a Special Officer, the vacancy shall be filled up by the State Government and the person appointed in the vacancy shall hold office for the remainder of the said period.

1[* * * * *]

(b) A Special Officer shall receive payment for his services from the Panchayat Union (General) Fund, constituted under section 134 of the Panchayats Act.

(c) The State Government may determine the relations of a Special Officer with themselves.

¹ The following proviso was added by section 2(ii) of the Tamil Nadu Panchayat Union Councils (Appointment of Special Officers) Amendment Act, 1978 (Tamil Nadu Act 8 of 1978):—

“Provided further that the State Government may, by notification, for sufficient cause direct that the term of office of the Special Officers of all or any of the Panchayat Union Councils be reduced by such period, not exceeding three months, as may be specified in such notification.”

In the said proviso, for the expressions “three months”, “six months”, “three months” and “two months”, the expressions “six months”, “three months”, “two months” and “three months” were respectively substituted by the Tamil Nadu Panchayat Union Councils (Appointment of Special Officers) Third Amendment Act, 1979 (Tamil Nadu Act 61 of 1979), the Tamil Nadu Panchayat Union Councils (Appointment of Special Officers) Amendment Act, 1980 (Tamil Nadu Act 26 of 1980), the Tamil Nadu Panchayat Union Councils (Appointment of Special Officers) Second Amendment Act, 1981 (Tamil Nadu Act 50 of 1981) and the Tamil Nadu Panchayat Union Councils (Appointment of Special Officers) Amendment Act, 1982 (Tamil Nadu Act 7 of 1982). The said proviso as so amended was omitted by section 2 (ii) of the Tamil Nadu Panchayat Union Councils (Appointment of Special Officers) Second Amendment Act, 1982 (Tamil Nadu Act 40 of 1982).

The following Act of the Tamil Nadu Legislature received the assent of the Governor on the 30th March 1985 and is hereby published for general information :—

ACT No. 9 OF 1985.

An Act further to amend the Tamil Nadu Panchayat Union Councils (Appointment of Special Officers) Act, 1977.

BE it enacted by the Legislature of the State of Tamil Nadu in the Thirty-sixth Year of the Republic of India as follows :—

1. *Short title and commencement.*—(1) This Act may be called the Tamil Nadu Panchayat Union Councils (Appointment of Special Officers) Amendment Act, 1985.

(2) It shall be deemed to have come into force on the 30th May 1984.

2. *Amendment of section 4, President's Act 5 of 1977.*—In clause (a) of sub-section (3) of section 4 of the Tamil Nadu Panchayat Union Councils (Appointment of Special Officers) Act, 1977 (President's Act 5 of 1977) (hereinafter referred to as the principal Act),—

(i) for the expression "seven years and five months", the expression "eight years and five months" shall be substituted;

(ii) in the second proviso, for the expression "two months", the expression "three months" shall be substituted.

3. *Repeal and saving.*—(1) The Tamil Nadu Panchayat Union Councils (Appointment of Special Officers) Third Amendment Ordinance, 1984 (Tamil Nadu Ordinance 23 of 1984) is hereby repealed.

(2) Notwithstanding such repeal, anything done or any action taken under the principal Act, as amended by the said Ordinance, shall be deemed to have been done or taken under the principal Act, as amended by this Act.

(By order of the Governor)

S. VADIVELU,
*Commissioner and Secretary to Government,
Law Department.*

The following Act of the Tamil Nadu Legislature received the assent of the Governor on the 10th June 1985 and is hereby published for general information:—

ACT No. 26 OF 1985.

An Act further to amend the Tamil Nadu Panchayat Union Councils (Appointment of Special Officers) Act, 1977.

BE it enacted by the Legislature of the State of Tamil Nadu in the Thirty-sixth Year of the Republic of India as follows:—

1. *Short title and commencement.*—(1) This Act may be called the Tamil Nadu Panchayat Union Councils (Appointment of Special Officers) Second Amendment Act, 1985.

(2) It shall come into force at once.

2. *Amendment of section 4, President's Act 5 of 1977.*—In clause (a) of sub-section (3) of section 4 of the Tamil Nadu Panchayat Union Councils (Appointment of Special Officers) Act, 1977 (President's Act 5 of 1977), for the expression "for a period of eight years and five months on and from the 1st day of February, 1977", the expression "for a period upto and inclusive of the 15th September 1985" shall be substituted.

(By order of the Governor.)

S. VADIVELU,

Commissioner and Secretary to Government,
Law Department.

The following Act of the Tamil Nadu Legislature received the assent of the Governor on the 8th February 1986 and is hereby published for general information:—

ACT NO. 9 OF 1986.

An Act further to amend the Tamil Nadu Panchayat Union Councils (Appointment of Special Officers) Act, 1977.

BE it enacted by the Legislature of the State of Tamil Nadu in the Thirty-seventh Year of the Republic of India as follows:—

1. *Short title and commencement.*—(1) This Act may be called the Tamil Nadu Panchayat Union Councils (Appointment of Special Officers) Amendment Act, 1986.

(2) It shall be deemed to have come into force on the 13th September 1985.

2. *Amendment of section 4, President's Act 5 of 1977.*—In clause (a) of sub-section (3) of section 4 of the Tamil Nadu Panchayat Union Councils (Appointment of Special Officers) Act, 1977 (President's Act 5 of 1977) (hereinafter referred to as the principal Act), for the expression "the 15th September 1985", the expression "the 31st March 1986" shall be substituted.

3. *Repeal and saving.*—(1) The Tamil Nadu Panchayat Union Councils (Appointment of Special Officers) Third Amendment Ordinance, 1985 (Tamil Nadu Ordinance 3 of 1985) and the Tamil Nadu Panchayat Union Councils (Appointment of Special Officers) Fourth Amendment Ordinance, 1985 (Tamil Nadu Ordinance 16 of 1985) are hereby repealed.

(2) Notwithstanding such repeal, anything done or any action taken under the principal Act, as amended by the said Ordinances, shall be deemed to have been done or taken under the principal Act, as amended by this Act.

(By order of the Governor.)

S. VADIVELU,
Commissioner and Secretary to Government,
Law Department.