

**BILLS INTRODUCED IN THE LEGISLATIVE ASSEMBLY OF THE
STATE OF TAMIL NADU**

Under Rule 130 of the Tamil Nadu Legislative Assembly Rules, the following Bill which was introduced in the Legislative Assembly of the State of Tamil Nadu on 22nd June, 2016 is published together with Statement of Objects and Reasons for general information:—

L.A. Bill No. 9 of 2016

***A Bill further to amend the Laws relating to the Municipal
Corporations in the State of Tamil Nadu.***

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

PART-I.

PRELIMINARY.

Short title **1.** (1) This Act may be called the Tamil Nadu Municipal Corporation Laws (Amendment) Act, 2016.

PART-II.

**AMENDMENTS TO THE CHENNAI CITY MUNICIPAL
CORPORATION ACT, 1919.**

Amendment of section 28. **2.** For section 28 of the Chennai City Municipal Corporation Act, 1919 (hereinafter in this Part referred to as the 1919 Act), the following section shall be substituted, namely:— Tamil Nadu Act IV of 1919.

“28. Election of Mayor.— (1) The council shall, at its first meeting after each ordinary election to the council, elect one of its councillors to be the Mayor.

(2) The Mayor shall hold office for a period of five years from the date of his election and he shall continue as such Mayor, provided that in the meantime he does not cease to be a councillor.

(3) Any casual vacancy in the office of the Mayor shall be filled by a fresh election and a person elected as Mayor on any such vacancy shall enter upon office forthwith and hold office only so long as the person in whose place he is elected would have been entitled to hold office, if the vacancy had not occurred.

(4) A Mayor shall be deemed to have vacated his office on his becoming disqualified for holding the office or on his removal from office or on the expiry of his term of office or on his otherwise ceasing to be the Mayor.”.

Amendment of section 44-AC. **3.** In section 44-AC of the 1919 Act,—

(1) in the marginal heading, for the expression “Deputy Mayor”, the expression “Mayor or Deputy Mayor” shall be substituted;

(2) in sub-section (1), for the expression “Deputy Mayor”, the expression “Mayor or Deputy Mayor” shall be substituted;

(3) in sub-section (12), for the expression “Deputy Mayor”, the expression “Mayor or Deputy Mayor, as the case may be” shall be substituted;

(4) in sub-section (13), for the expression “Deputy Mayor”, the expression “Mayor or Deputy Mayor” shall be substituted;

(5) in sub-section (14), for the expression “a Deputy Mayor”, the expression “a Mayor or a Deputy Mayor” shall be substituted.

Amendment of section 59. **4.** In section 59 of the 1919 Act, in sub-section (2), in clause (c), for the expression “councillor or Mayor”, the expression “councillor” shall be substituted.

PART-III.

AMENDMENTS TO THE MADURAI CITY MUNICIPAL CORPORATION ACT, 1971.

Tamil Nadu Act
15 of 1971.

5. For section 29 of the Madurai City Municipal Corporation Act, 1971 (hereinafter in this Part referred to as the 1971 Act), the following section shall be substituted, namely:—

Amendment of
section 29.

“29. Election of Mayor.— (1) The council shall, at its first meeting after each ordinary election to the council, elect one of its councillors to be the Mayor.

(2) The Mayor shall hold office for a period of five years from the date of his election and he shall continue as such Mayor, provided that in the meantime he does not cease to be a councillor.

(3) Any casual vacancy in the office of the Mayor shall be filled by a fresh election and a person elected as Mayor on any such vacancy shall enter upon office forthwith and hold office only so long as the person in whose place he is elected would have been entitled to hold office, if the vacancy had not occurred.

(4) A Mayor shall be deemed to have vacated his office on his becoming disqualified for holding the office or on his removal from office or on the expiry of his term of office or on his otherwise ceasing to be the Mayor.”.

6. In section 48-AB of the 1971 Act,—

(1) in the marginal heading, for the expression “Deputy Mayor”, the expression “Mayor or Deputy Mayor” shall be substituted;

(2) in sub-section (1), for the expression “Deputy Mayor”, the expression “Mayor or Deputy Mayor” shall be substituted;

(3) in sub-section (12), for the expression “Deputy Mayor”, the expression “Mayor or Deputy Mayor, as the case may be” shall be substituted;

(4) in sub-section (13), for the expression “Deputy Mayor”, the expression “Mayor or Deputy Mayor” shall be substituted;

(5) in sub-section (14), for the expression “a Deputy Mayor”, the expression “a Mayor or a Deputy Mayor” shall be substituted.

7. In section 66 of the 1971 Act, in sub-section (2), in clause (b), for the expression “councillor or Mayor”, the expression “councillor” shall be substituted.

Amendment of
section 66.

PART-IV.

AMENDMENTS TO THE COIMBATORE CITY MUNICIPAL CORPORATION ACT, 1981.

Tamil Nadu
Act 25 of
1981.

8. For section 29 of the Coimbatore City Municipal Corporation Act, 1981 (hereinafter in this Part referred to as the 1981 Act), the following section shall be substituted, namely:—

Amendment of
section 29.

“29. Election of Mayor.— (1) The council shall, at its first meeting after each ordinary election to the council, elect one of its councillors to be the Mayor.

(2) The Mayor shall hold office for a period of five years from the date of his election and he shall continue as such Mayor, provided that in the meantime he does not cease to be a councillor.

(3) Any casual vacancy in the office of the Mayor shall be filled by a fresh election and a person elected as Mayor on any such vacancy shall enter upon office forthwith and hold office only so long as the person in whose place he is elected would have been entitled to hold office, if the vacancy had not occurred.

(4) A Mayor shall be deemed to have vacated his office on his becoming disqualified for holding the office or on his removal from office or on the expiry of his term of office or on his otherwise ceasing to be the Mayor.”.

Amendment of
section 50-C.

9. In section 50-C of the 1981 Act,—

(1) in the marginal heading, for the expression “Deputy Mayor”, the expression “Mayor or Deputy Mayor” shall be substituted;

(2) in sub-section (1), for the expression “Deputy Mayor”, the expression “Mayor or Deputy Mayor” shall be substituted;

(3) in sub-section (12), for the expression “Deputy Mayor”, the expression “Mayor or Deputy Mayor, as the case may be” shall be substituted;

(4) in sub-section (13), for the expression “Deputy Mayor”, the expression “Mayor or Deputy Mayor” shall be substituted;

(5) in sub-section (14), for the expression “a Deputy Mayor”, the expression “a Mayor or a Deputy Mayor” shall be substituted.

Amendment of
section 68.

10. In section 68 of the 1981 Act, in sub-section (2), in clause (b), for the expression “councillor or Mayor”, the expression “councillor” shall be substituted.

STATEMENT OF OBJECTS AND REASONS

At present, election to the municipal corporations are conducted on party basis. It has been brought to the notice of the Government that the councils of certain municipal corporations are not functioning properly since the Mayor does not enjoy the support of the councillors. It is considered that if the Mayor of a Corporation enjoys the support of majority of councillors, the council can function in a better manner. Therefore, the Government have decided to elect the Mayor of the Corporations indirectly by councillors from among themselves. To give effect to the above decisions, the Government have decided to amend the laws relating to the Municipal Corporations suitably.

2. The Bill seeks to give effect to the above decision.

S.P. VELUMANI,
*Minister for Municipal Administration
and Rural Development, Implementation
of Special Programme.*

A.M.P. JAMALUDEEN,
Secretary.