

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 30th January, 2017 is published together with Statement of Objects and Reasons for general information:—

**L.A. Bill No. 3 of 2017**

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

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

**PART – I.**

**PRELIMINARY.**

1. (1) This Act may be called the Tamil Nadu Municipal Laws (Amendment) Act, 2017.

Short title and commencement.

(2) It shall be deemed to have come into force on the 17th day of October 2016.

**PART – II.**

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

Tamil Nadu Act IV of 1919.

2. After section 414-A of the Chennai City Municipal Corporation Act, 1919, the following section shall be inserted, namely:—

Insertion of new section 414-B.

“414-B. **Appointment of Special Officer.**— Notwithstanding anything contained in this Act, or in any other law for the time being in force, the State Government may, by notification, appoint a Special Officer to exercise the powers and discharge the functions of the corporation, until the day on which the first meeting of the council is held after ordinary election to the corporation after the date of commencement of the Tamil Nadu Municipal Laws (Amendment) Act, 2017 or upto the 30th day of June 2017, whichever is earlier.”.

**PART – III.**

**AMENDMENT TO THE TAMIL NADU DISTRICT MUNICIPALITIES ACT, 1920.**

Tamil Nadu Act V of 1920.

3. After section 375-A of the Tamil Nadu District Municipalities Act, 1920, the following section shall be inserted, namely:—

Insertion of new section 375-B.

“375-B. **Appointment of Special Officers.**— Notwithstanding anything contained in this Act, or in any other law for the time being in force, the State Government may, by notification, appoint Special Officers to exercise the powers and discharge the functions of the Municipalities or the Town Panchayats, as the case may be, until the day on which the first meetings of the councils are held after ordinary elections to the Municipalities or the Town Panchayats, as the case may be, after the date of commencement of the Tamil Nadu Municipal Laws (Amendment) Act, 2017 or upto the 30th day of June 2017, whichever is earlier.”.

**PART – IV.**

**AMENDMENT TO THE MADURAI CITY MUNICIPAL CORPORATION ACT, 1971.**

Tamil Nadu Act 15 of 1971.

4. After section 510-AA of the Madurai City Municipal Corporation Act, 1971, the following section shall be inserted, namely:—

Insertion of new section 510-AAA.

**“510-AAA. Appointment of Special Officer.—** Notwithstanding anything contained in this Act, or in any other law for the time being in force, the Government may, by notification, appoint a Special Officer to exercise the powers and discharge the functions of the corporation, until the day on which the first meeting of the council is held after ordinary election to the corporation after the date of commencement of the Tamil Nadu Municipal Laws (Amendment) Act, 2017 or upto the 30th day of June 2017, whichever is earlier.”.

#### PART – V.

##### AMENDMENT TO THE COIMBATORE CITY MUNICIPAL CORPORATION ACT, 1981.

Insertion of new section 511-AAA.

5. After section 511-AA of the Coimbatore City Municipal Corporation Act, 1981, the following section shall be inserted, namely:—

Tamil Nadu Act 25 of 1981.

**“511-AAA. Appointment of Special Officer.—** Notwithstanding anything contained in this Act, or in any other law for the time being in force, the Government may, by notification, appoint a Special Officer to exercise the powers and discharge the functions of the corporation, until the day on which the first meeting of the council is held after ordinary election to the corporation after the date of commencement of the Tamil Nadu Municipal Laws (Amendment) Act, 2017 or upto the 30th day of June 2017, whichever is earlier.”.

#### PART – VI.

##### AMENDMENT TO THE TIRUCHIRAPPALLI CITY MUNICIPAL CORPORATION ACT, 1994.

Insertion of new section 10-A.

6. After section 10 of the Tiruchirappalli City Municipal Corporation Act, 1994, the following section shall be inserted, namely:—

Tamil Nadu Act 27 of 1994.

**“10-A. Appointment of Special Officer.—** Notwithstanding anything contained in this Act, or in any other law for the time being in force, the Government may, by notification, appoint a Special Officer to exercise the powers and discharge the functions of the corporation, until the day on which the first meeting of the council is held after ordinary election to the corporation after the date of commencement of the Tamil Nadu Municipal Laws (Amendment) Act, 2017 or upto the 30th day of June 2017, whichever is earlier.”.

#### PART – VII.

##### AMENDMENT TO THE TIRUNELVELI CITY MUNICIPAL CORPORATION ACT, 1994.

Insertion of new section 10-A.

7. After section 10 of the Tirunelveli City Municipal Corporation Act, 1994, the following section shall be inserted, namely:—

Tamil Nadu Act 28 of 1994.

**“10-A. Appointment of Special Officer.—** Notwithstanding anything contained in this Act, or in any other law for the time being in force, the Government may, by notification, appoint a Special Officer to exercise the powers and discharge the functions of the corporation, until the day on which the first meeting of the council is held after ordinary election to the corporation after the date of commencement of the Tamil Nadu Municipal Laws (Amendment) Act, 2017 or upto the 30th day of June 2017, whichever is earlier.”.

**PART – VIII.****AMENDMENT TO THE SALEM CITY MUNICIPAL CORPORATION ACT, 1994.**

Tamil Nadu  
Act 29 of  
1994.

8. After section 10 of the Salem City Municipal Corporation Act, 1994, the following section shall be inserted, namely:—

Insertion of  
new section  
10-A.

**“10-A. Appointment of Special Officer.—** Notwithstanding anything contained in this Act, or in any other law for the time being in force, the Government may, by notification, appoint a Special Officer to exercise the powers and discharge the functions of the corporation, until the day on which the first meeting of the council is held after ordinary election to the corporation after the date of commencement of the Tamil Nadu Municipal Laws (Amendment) Act, 2017 or upto the 30th day of June 2017, whichever is earlier.”.

**PART – IX.****AMENDMENT TO THE TIRUPPUR CITY MUNICIPAL CORPORATION ACT, 2008.**

Tamil Nadu  
Act 7 of  
2008.

9. After section 9 of the Tiruppur City Municipal Corporation Act, 2008, the following section shall be inserted, namely:—

Insertion of  
new section  
9-A.

**“9-A. Appointment of Special Officer.—** Notwithstanding anything contained in this Act, or in any other law for the time being in force, the Government may, by notification, appoint a Special Officer to exercise the powers and discharge the functions of the corporation, until the day on which the first meeting of the council is held after ordinary election to the corporation after the date of commencement of the Tamil Nadu Municipal Laws (Amendment) Act, 2017 or upto the 30th day of June 2017, whichever is earlier.”.

**PART – X.****AMENDMENT TO THE ERODE CITY MUNICIPAL CORPORATION ACT, 2008.**

Tamil Nadu Act  
8 of 2008.

10. After section 9 of the Erode City Municipal Corporation Act, 2008, the following section shall be inserted, namely:—

Insertion of  
new section  
9-A.

**“9-A. Appointment of Special Officer.—** Notwithstanding anything contained in this Act, or in any other law for the time being in force, the Government may, by notification, appoint a Special Officer to exercise the powers and discharge the functions of the corporation, until the day on which the first meeting of the council is held after ordinary election to the corporation after the date of commencement of the Tamil Nadu Municipal Laws (Amendment) Act, 2017 or upto the 30th day of June 2017, whichever is earlier.”.

**PART – XI.****AMENDMENT TO THE VELLORE CITY MUNICIPAL CORPORATION ACT, 2008.**

Tamil Nadu Act  
26 of 2008.

11. After section 9 of the Vellore City Municipal Corporation Act, 2008, the following section shall be inserted, namely:—

Insertion of new  
section 9-A.

**“9-A. Appointment of Special Officer.—** Notwithstanding anything contained in this Act, or in any other law for the time being in force, the Government may, by notification, appoint a Special Officer to exercise the powers and discharge the functions of the corporation, until the day on which the first meeting of the council is held after ordinary election to the corporation after the date of commencement of the Tamil Nadu Municipal Laws (Amendment) Act, 2017 or upto the 30th day of June 2017, whichever is earlier.”.

**PART – XII.**

## AMENDMENT TO THE THOOTHUKUDI CITY MUNICIPAL CORPORATION ACT, 2008.

Insertion of new section 9-A.

12. After section 9 of the Thoothukudi City Municipal Corporation Act, 2008, the following section shall be inserted, namely:—

Tamil Nadu Act 27 of 2008.

**“9-A. Appointment of Special Officer.—** Notwithstanding anything contained in this Act, or in any other law for the time being in force, the Government may, by notification, appoint a Special Officer to exercise the powers and discharge the functions of the corporation, until the day on which the first meeting of the council is held after ordinary election to the corporation after the date of commencement of the Tamil Nadu Municipal Laws (Amendment) Act, 2017 or upto the 30th day of June 2017, whichever is earlier.”.

**PART – XIII.**

## AMENDMENT TO THE THANJAVUR CITY MUNICIPAL CORPORATION ACT, 2013.

Insertion of new section 9-A.

13. After section 9 of the Thanjavur City Municipal Corporation Act, 2013, the following section shall be inserted, namely:—

Tamil Nadu Act 24 of 2013.

**“9-A. Appointment of Special Officer.—** Notwithstanding anything contained in this Act, or in any other law for the time being in force, the Government may, by notification, appoint a Special Officer to exercise the powers and discharge the functions of the corporation, until the day on which the first meeting of the council is held after ordinary election to the corporation after the date of commencement of the Tamil Nadu Municipal Laws (Amendment) Act, 2017 or upto the 30th day of June 2017, whichever is earlier.”.

**PART – XIV.**

## AMENDMENT TO THE DINDIGUL CITY MUNICIPAL CORPORATION ACT, 2013.

Insertion of new section 9-A.

14. After section 9 of the Dindigul City Municipal Corporation Act, 2013, the following section shall be inserted, namely:—

Tamil Nadu Act 25 of 2013.

**“9-A. Appointment of Special Officer.—** Notwithstanding anything contained in this Act, or in any other law for the time being in force, the Government may, by notification, appoint a Special Officer to exercise the powers and discharge the functions of the corporation, until the day on which the first meeting of the council is held after ordinary election to the corporation after the date of commencement of the Tamil Nadu Municipal Laws (Amendment) Act, 2017 or upto the 30th day of June 2017, whichever is earlier.”.

Repeal and saving.

15. (1) The Tamil Nadu Municipal Laws (Third Amendment) Ordinance, 2016 and the Tamil Nadu Municipal Laws (Fourth Amendment) Ordinance, 2016 are hereby repealed.

Tamil Nadu Ordinance 2 of 2016.

Tamil Nadu Ordinance 4 of 2016.

(2) Notwithstanding such repeal, anything done or any action taken under the Chennai City Municipal Corporation Act, 1919, the Tamil Nadu District Municipalities Act, 1920, the Madurai City Municipal Corporation Act, 1971, the Coimbatore City Municipal Corporation Act, 1981, the Tiruchirappalli City Municipal Corporation Act, 1994, the Tirunelveli City Municipal Corporation Act, 1994, the Salem City Municipal Corporation Act, 1994, the Tiruppur City Municipal Corporation Act, 2008, the Erode City Municipal Corporation Act, 2008, the Vellore

Tamil Nadu Act IV of 1919.

Tamil Nadu Act V of 1920.

Tamil Nadu Act 15 of 1971.

Tamil Nadu Act 25 of 1981.

Tamil Nadu Act 27 of 1994.

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Tamil Nadu Act 28 of 1994.	City Municipal Corporation Act, 2008, the Thoothukudi City Municipal Corporation Act, 2008, the Thanjavur City Municipal Corporation Act, 2013 and the Dindigul City Municipal Corporation Act, 2013, as amended by the said Ordinances, shall be deemed to have been done or taken under the respective Acts, as amended by this Act.
Tamil Nadu Act 29 of 1994.	
Tamil Nadu Act 7 of 2008.	
Tamil Nadu Act 8 of 2008.	
Tamil Nadu Act 26 of 2008.	
Tamil Nadu Act 27 of 2008.	
Tamil Nadu Act 24 of 2013.	
Tamil Nadu Act 25 of 2013.	

**STATEMENT OF OBJECTS AND REASONS.**

The Tamil Nadu State Election Commission has issued notification for the purpose of filling up of ordinary vacancies in the offices of ward members/ councillors of Town Panchayats, Municipalities and Municipal Corporations. In the meantime, a Writ Petition was filed in the High Court of Madras challenging the said notification. The High Court of Madras in its order, dated 4-10-2016 in W.P.No.33984 of 2016 and W.M.P. Nos.29329 and 29330 of 2016, among other things, has directed the Tamil Nadu State Election Commission to issue fresh notification to conduct election and complete such election process at the earliest, not later than the 31st December 2016 and has also directed the Government to administer the local bodies by appointing Special Officers till the elections are held, as the terms of offices of the elected representatives of local bodies are to expire soon and the same cannot be extended beyond five years. In view of the above directions of the High Court of Madras, the Commissioner of Municipal Administration, the Director of Town Panchayats and the Commissioner, Greater Chennai Corporation being the State Election Officers and the District Election Officer, respectively, requested the Government to appoint Special Officers to administer the Town Panchayats, Municipalities and Municipal Corporations, until the councils are formed after the ordinary elections. In view of the above direction of the High Court, Madras, the laws relating to the Town Panchayats, Municipalities and Municipal Corporations have been amended by the Tamil Nadu Municipal Laws (Third Amendment) Ordinance, 2016 (Tamil Nadu Ordinance 2 of 2016) to appoint Special Officers to exercise the powers and discharge the functions of the said Town Panchayats, Municipalities and Municipal Corporations till elections to the said Town Panchayats, Municipalities and Municipal Corporations are held or upto the 31st December 2016, whichever is earlier. Pursuant to the above Ordinance, Special Officers were appointed to administer Town Panchayats, Municipalities and Municipal Corporations.

2. As per the laws relating to the Town Panchayats, Municipalities and Municipal Corporations, the electoral roll of Town Panchayats, Municipalities and Municipal Corporations shall be the same as the electoral roll of the Tamil Nadu Legislative Assembly prepared and revised in accordance with the provisions of the law for the time being in force in respect of Town Panchayats, Municipalities and Municipal Corporations and shall be deemed to be electoral roll for such Town Panchayats, Municipalities and Municipal Corporations. The special summary revision of electoral roll for the Tamil Nadu Legislative Assembly is under progress and the same is expected to be made available from the Election Commission of India only in the month of January 2017. On receipt of Assembly Electoral Rolls, the Tamil Nadu State Election Commission shall be in a position to publish the final electoral roll for the purpose of conducting ordinary elections. The State Election Commission has also stated that the annual examination for school students including the HSC (12th Standard) and SSLC (10th Standard) are scheduled to be held between the 2nd March 2017 and the middle of April 2017 and that most of the polling personnel are drafted from the teaching staff of School Education Department and therefore they cannot be deployed for the election duties for conducting local bodies elections and also most of the school premises are used as polling stations, which will be available only after the annual examination and valuation of answer sheets are over in the month of April 2017. Hence, the Tamil Nadu State Election Commission has requested that an appropriate action may be taken by the Government to make suitable arrangements for administering the affairs of the urban local bodies considering the expiry of term of office of Special Officers on the 31st December 2016. Further, the Commissioner of Municipal Administration and Director of Town Panchayats being the State

Election Officers of Municipalities, Municipal Corporations and Town Panchayats respectively and the Commissioner, Chennai Corporation being the District Election Officer of Chennai Corporation limits, have also expressed similar views and stated that as elections could not be conducted before the 31st December 2016, the term of office of Special Officers may be extended beyond the 31st December 2016 for a further period of six months, upto the 30th June 2017. The Government, therefore, decided to extend the term of office of Special Officers beyond the 31st December 2016 for a further period of six months upto the 30th June 2017.

3. Accordingly, the Governor has promulgated the Tamil Nadu Municipal Laws (Fourth Amendment) Ordinance, 2016 (Tamil Nadu Ordinance 4 of 2016) to extend the term of office of the Special Officers for a further period of six months upto the 30th June 2017 or until the first meeting of the council is held after the ordinary elections to the Town Panchayats, Municipalities and Municipal Corporations, whichever is earlier.

4. The Bill seeks to replace the said Ordinances.

**S.P. VELUMANI,**

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Rural Development, Implementation of  
Special Programme*

A.M.P. JAMALUDEEN,  
*Secretary.*

