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Part IV—Section 1

Tamil Nadu Bills

CONTENTS

	<i>Pages.</i>
BILLS:	
No. 40 of 2018—The Tamil Nadu Town and Country Planning (Second Amendment) Act, 2018	278-282
No. 41 of 2018—The Tamil Nadu Town and Country Planning (Third Amendment) Act, 2018	283-294
No. 42 of 2018—The Tamil Nadu District Municipalities (Amendment) Act, 2018 ..	295-296
No. 43 of 2018—The Tamil Nadu Municipal Laws (Fifth Amendment) Act, 2018 ..	297-302
No. 44 of 2018—The Tamil Nadu Lokayukta Act, 2018	303-328
No. 45 of 2018—The Tamil Nadu National Law School (Amendment) Act, 2018 ..	329-330
No. 46 of 2018—The Chennai City Civil Court (Amendment) Act, 2018..	331-332
No. 47 of 2018—The Tamil Nadu Appropriation (No.3) Act, 2018	333-339

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 9th July, 2018 is published together with Statement of Objects and Reasons for general information:—

L.A. Bill No. 42 of 2018

A Bill further to amend the Tamil Nadu District Municipalities Act, 1920.

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

1. (1) This Act may be called the Tamil Nadu District Municipalities (Amendment) Act, 2018. Short title and commencement.

(2) Sections 2 and 4 shall be deemed to have come into force on the 14th day of July 2006.

Tamil Nadu Act
V of 1920.

2. For section 3-AA of the Tamil Nadu District Municipalities Act, 1920 (hereinafter referred to as the principal Act), the following section shall be substituted, namely:— Substitution of section 3-AA.

“3-AA. Provisions of the Act shall apply to Town Panchayats subject to certain modifications.— All provisions of the Act, except sections 5, 7, 12-C, 13-B, 43, 77-AA and 77-B shall apply to all the Town Panchayats, subject to the following modifications, namely:—

(1) for the expression “municipality” wherever it occurs, the expression “town panchayat” shall be substituted;

(2) for the expression “municipal council” wherever it occurs, the expression “council” shall be substituted;

(3) for the expression “councillor” and “councillors” wherever it occurs, the expression “member” and “members” shall, respectively, be substituted;

(4) for the expression “municipal authority” wherever it occurs, the expression “authority” shall be substituted;

(5) for the expression “commissioner” wherever it occurs, the expression “Executive Officer” shall be substituted;

(6) in section 4, in sub-section (6), for the expression “State Government”, the expression “Director of Town Panchayats” shall be substituted.”.

3. The notification issued by the Government in the Municipal Administration and Water Supply Department No.II(2)/MAWS/701(c)/2014, published in Part II-Section 2 of the *Tamil Nadu Government Gazette*, Extraordinary, dated the 21st day of November 2014 shall cease to have effect from the date of the publication of this Act in the *Tamil Nadu Government Gazette*. Notification to cease to have effect.

4. Notwithstanding anything contained in the principal Act or any other law or order or notification for the time being in force or in any judgment, decree or order of any court or other authority, all acts done or proceedings taken by the council, authority, chairman, vice-chairman, member, officers, Inspector, the Director of Town Panchayats and committees of the Town Panchayats under the provisions of the principal Act, during the period commencing on the 14th day of July 2006 and ending with the date of publication of this Act in the *Tamil Nadu Government Gazette*, shall, for all purposes, be deemed to be, and to have always been, validly done or taken in accordance with law, as if the principal Act, as amended by this Act, had been in force at all material times when such acts or proceedings were done or taken. Validation

STATEMENT OF OBJECTS AND REASONS

The Government reconstituted Special Grade Village Panchayats as Town Panchayats under the Tamil Nadu District Municipalities Act, 1920 (Tamil Nadu Act V of 1920), as amended by the Tamil Nadu Municipal Laws (Amendment) Act, 2006 (Tamil Nadu Act 18 of 2006). According to section 3-AA of the said Tamil Nadu Act V of 1920, the State Government may, by notification, direct that any of the provisions of the said Act and the rules made thereunder shall apply to that Town Panchayats to such extent and subject to such modifications. But, the Government had not issued any notification to that effect to the newly reconstituted Town Panchayats on or after the 14th day of July 2006. Further, the Government had issued notification No.II(2)/MAWS/701(c)/2014, dated 21.11.2014 under section 3-AA of the said Tamil Nadu Act V of 1920, for applying the provisions of the Tamil Nadu District Municipalities Act, 1920 to the Town Panchayats with effect on and from the 21st day of November 2014 only. However, the council, chairman, vice-chairman, members, officers, committees, Inspectors and Director of Town Panchayats exercised the powers and performed the duties in respect of Town Panchayats by applying the provisions of the said Tamil Nadu Act V of 1920 on and from the 14th day of July 2006.

2. In the circumstances, it is necessary to apply the provisions of the said Tamil Nadu Act V of 1920 retrospectively to the Town Panchayats and also to validate the action of the council, authority, chairman, vice-chairman, members, officers, committees of the Town Panchayats, Inspectors and Director of Town Panchayats. The Government, therefore, have decided to amend the said Act to achieve the object in view.

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

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

K. SRINIVASAN,
Secretary.