



# TAMIL NADU GOVERNMENT GAZETTE

EXTRAORDINARY PUBLISHED BY AUTHORITY

No. 12]

CHENNAI, THURSDAY, JANUARY 11, 2018  
Margazhi 27, Hevilambi, Thiruvalluvar Aandu-2048

## Part IV—Section 1

### Tamil Nadu Bills

#### CONTENTS

	<i>Pages.</i>
BILLS :	
<del>Bill No. 4 of 2018—The Tamil Nadu Transparency in Tenders (Amendment) Act, 2018 .. .. .</del>	<del>12-14</del>
<del>Bill No. 5 of 2018—The Tamil Nadu Local Authorities Entertainments Tax (Amendment) Act, 2018 .. .. .</del>	<del>15-16</del>
<del>Bill No. 6 of 2018—The Tamil Nadu Municipal Laws (Amendment) Act, 2018 ..</del>	<del>17-22</del>
<del>Bill No. 7 of 2018—The Tamil Nadu Municipal Laws (Second Amendment) Act, 2018</del>	<del>23-26</del>
<del>Bill No. 8 of 2018—The Tamil Nadu Municipal Laws (Third Amendment) Act, 2018</del>	<del>27-38</del>
<b>Bill No. 9 of 2018—The Tamil Nadu Local Bodies Laws (Amendment) Act, 2018</b>	<b>39-42</b>
<del>Bill No. 10 of 2018—The Tamil Nadu Panchayats (Amendment) Act, 2018 ..</del>	<del>43-46</del>
<del>Bill No. 11 of 2018—The Tamil Nadu Dr. M.G.R. Medical University, Chennai ..</del>	<del>47-50</del>

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 11th January, 2018 is published together with Statement of Objects and Reasons for general information:—

**L.A. Bill No. 9 of 2018**

***A Bill further to amend the laws relating to the Municipal Corporations, Municipalities and Panchayats 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 Local Bodies Laws (Amendment) Act, 2018.

Short title and commencement.

(2) It shall be deemed to have come into force on the 3rd day of September 2017.

**PART-II.**

AMENDMENTS TO THE CHENNAI CITY MUNICIPAL CORPORATION ACT, 1919.

Tamil Nadu Act IV of 1919.

2. In the Chennai City Municipal Corporation Act, 1919 (hereinafter in this Part referred to as the 1919 Act), in section 5, in sub-section (3), the proviso shall be omitted.

Amendment of section 5.

3. In the 1919 Act, sections 46-AA, 46-AAA and 46-AAAA shall be omitted.

Omission of sections 46-AA, 46-AAA and 46-AAAA.

**PART-III.**

AMENDMENT TO THE TAMIL NADU DISTRICT MUNICIPALITIES ACT, 1920.

Tamil Nadu Act V of 1920.

4. In the Tamil Nadu District Municipalities Act, 1920, sections 43-AA, 43-AAA and 43-AAAA shall be omitted.

Omission of sections 43-AA, 43-AAA and 43-AAAA.

**PART – IV.**

AMENDMENTS TO THE MADURAI CITY MUNICIPAL CORPORATION ACT, 1971.

Tamil Nadu Act 15 of 1971.

5. In the Madurai City Municipal Corporation Act, 1971 (hereinafter in this Part referred to as the 1971 Act), in section 5, in sub-section (3), the proviso shall be omitted.

Amendment of section 5.

6. In the 1971 Act, sections 50-A, 50-AA and 50-AAA shall be omitted.

Omission of sections 50-A, 50-AA and 50-AAA.

**PART –V.**

AMENDMENTS TO THE COIMBATORE CITY MUNICIPAL CORPORATION ACT, 1981.

Tamil Nadu Act 25 of 1981.

7. In the Coimbatore City Municipal Corporation Act, 1981 (hereinafter in this Part referred to as the 1981 Act), in section 5, in sub-section (3), the proviso shall be omitted.

Amendment of section 5.

8. In the 1981 Act, sections 52-A, 52-AA and 52-AAA shall be omitted.

Omission of sections 52-A, 52-AA and 52-AAA.

**PART –VI.**

## AMENDMENT TO THE TAMIL NADU PANCHAYATS ACT, 1994.

Omission of sections 28-A, 28-AA and 28-AAA.

9. In the Tamil Nadu Panchayats Act, 1994, sections 28-A, 28-AA and 28-AAA shall be omitted.

Tamil Nadu Act 21 of 1994.

Repeal and saving.

10. (1) The Tamil Nadu Local Bodies (Amendment) Ordinance, 2017 is hereby repealed.

Tamil Nadu Ordinance 4 of 2017.

(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 and the Tamil Nadu Panchayats Act, 1994, as amended by the said Ordinance, shall be deemed to have been done or taken under the respective Acts, as amended by this Act.

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 21 of 1994.

**STATEMENT OF OBJECTS AND REASONS.**

The Laws relating to the local bodies were amended to conduct ordinary elections to local bodies which was due in October 2016, based on the existing territorial area of the divisions or wards based on 1991 census. Due to litigation, ordinary elections to the local bodies could not be conducted and the term of offices of the elected representatives of the local bodies have expired on the 24th October 2016. Based on the orders of High Court of Madras in W.P.No.33984 of 2016, Special Officers were appointed to exercise the powers and discharge the functions of the local bodies.

2. While hearing Civil Appeal Nos.5467, 5468, 5469, 5470 and 5471 of 2017 filed before the Supreme Court of India for delimitation of territorial wards of village panchayats, panchayat unions, district panchayats, town panchayats, municipalities and municipal corporations, the Supreme Court of India has sought for clarification in regard to the conduct of ordinary elections to the local bodies without delimitation of territorial wards, in view of the provisions incorporated in the laws of the local bodies, which provide for conducting ordinary elections to the local bodies based on the existing territorial area of divisions or wards of local bodies.

3. In view of pendency of cases in the High Court of Madras and the Supreme Court of India, ordinary elections to the local bodies could not be conducted till date. Further, according to Article 243-C read with Article 243 (f) and Article 243-Q read with Article 243-P(g) of the Constitution, elections to the local bodies shall be conducted based on the population of the local bodies concerned as ascertained in the last preceding census of which the relevant figures have been published. In order to give effect to the constitutional requirements to conduct ordinary elections to the local bodies with delimitation of territorial area into divisions or wards based on the latest census as recommended by the Delimitation Commission constituted under the Tamil Nadu Delimitation Commission Act, 2017 (Tamil Nadu Act 23 of 2017), the Government have decided to amend the Tamil Nadu Panchayats Act, 1994 (Tamil Nadu Act 21 of 1994), the Chennai City Municipal Corporation Act, 1919 (Tamil Nadu Act IV of 1919), the Madurai City Municipal Corporation Act, 1971 (Tamil Nadu Act 15 of 1971), the Coimbatore City Municipal Corporation Act, 1981 (Tamil Nadu Act 25 of 1981) and the Tamil Nadu District Municipalities Act, 1920 (Tamil Nadu Act V of 1920) suitably. Accordingly, the Tamil Nadu Local Bodies (Amendment) Ordinance, 2017 (Tamil Nadu Ordinance 4 of 2017) was promulgated by the Governor on the 3rd September 2017 and the same was published in the *Tamil Nadu Government Gazette*, Extraordinary, dated the 3rd September 2017.

4. The Bill seeks to replace the said Ordinance.

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

K. BOOPATHY,  
*Secretary*