



TAMIL NADU GOVERNMENT GAZETTE

EXTRAORDINARY PUBLISHED BY AUTHORITY

No.285]

CHENNAI, WEDNESDAY, JUNE 23, 2021
Aani 9, Pilava, Thiruvalluvar Aandu-2052

Part IV—Section 1

Tamil Nadu Bills

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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 23rd June 2021 is published together with Statement of Objects and Reasons for general information:—

L.A. Bill No. 19 of 2021

A Bill further to amend the Tamil Nadu Panchayats Act, 1994.

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

1. (1) This Act may be called the Tamil Nadu Panchayats (Second Amendment) Act, 2021. Short title and commencement.

(2) It shall come into force at once.

Tamil Nadu Act
21 of 1994.

2. In section 261-A of the Tamil Nadu Panchayats Act, 1994, for the expression “upto the 30th day of June 2021”, the expression “upto the 31st day of December 2021” shall be substituted. Amendment of Section 261-A.

STATEMENT OF OBJECTS AND REASONS.

The Special Officers to the Village Panchayats, Panchayat Unions and District Panchayats were appointed in pursuance of the orders of the Hon'ble High Court of Madras in W.P. No.33984 of 2016, dated the 4th October 2016. The term of the offices of the said Special Officers of the Three Tiers of Panchayats have been extended from time to time, and lastly extended upto 30th June of 2021.

2. The Hon'ble Supreme Court of India in I.A.No.182868 of 2019 in Civil Appeal Nos.5467-5469 of 2017 dated the 6th December, 2019 read with W.P. (Civil) No.1443 of 2019, dated the 11th December, 2019 has, among other things, directed that the Respondent-authorities shall hold elections to all Panchayats at Village, Intermediate and District levels, except those in the nine reconstituted districts namely, Kancheepuram, Chengalpattu, Vellore, Ranipet, Tirupathur, Villupuram, Kallakurichi, Tirunelveli and Tenkasi and also directed to delimit the nine newly reconstituted districts in accordance with the law and thereafter hold elections for three tier Panchayats at Village, Intermediate and District levels within a period of three months. Accordingly, the Tamil Nadu State Election Commission notified election schedule for electing the Ward Members of the Village Panchayats, Panchayat Unions and District Panchayats and to the offices of the Presidents of the Village Panchayats except for the above said nine newly reconstituted districts.

3. Accordingly, the Tamil Nadu State Election Commission conducted ordinary elections to the Rural Local Bodies for all the other 27 districts in the State and the whole process of elections was completed on the 11th January 2020. Further, in respect of the remaining nine newly reconstituted districts, the Delimitation Commission has sent proposals for the Delimitation of territorial wards of the Village Panchayats, Panchayat Unions and District Panchayats to the Government. The same is under the consideration of the Government.

4. In the meantime, due to the severity of the second wave of COVID-19 pandemic total Lockdown was imposed from May 24, 2021 in the State and the lockdown is still being continued with certain relaxations. Consequent on the said measures, only limited employees of the Government are permitted to work in the offices. Further, the machinery of the Government are engaged in taking preventive, protective, relief and welfare measures on a war footing, to mitigate the suffering of the people due to the outbreak of the second wave of COVID-19. Hence, the notification of delimitation of territorial wards of three tier Panchayats in the said nine newly reconstituted districts and the preparatory works could not be completed as per the planned schedule of activities.

5. Further, after notification of the delimitation of territorial wards of Village Panchayats, Panchayat Unions and District Panchayats, the reservation of seats for Scheduled Castes, Scheduled Tribes and Women in the territorial wards of all the three tiers of Panchayats will have to be notified. Thereafter, the reservation of office for Scheduled Castes, Scheduled Tribes and Women in all the three tier of Panchayats have also to be notified by the Government. Only thereafter, the Tamil Nadu State Election Commission could be enabled to notify the schedule for the conduct of ordinary elections to the Rural Local Bodies in the nine newly reconstituted districts, as ordered by the Hon'ble Supreme Court of India after ensuring conducive atmosphere for the consideration of the health and safety of the people / voters / candidates / election machineries and the security personnel for effective participation in the electoral process without any risk. In view of the above, additional time is required for the Tamil Nadu State Election Commission to complete the preparatory works for the conduct of elections to the Rural Local Bodies.

6. Further, the Tamil Nadu State Election Commission has stated that, consequent on the situation now prevailing due to the lockdown imposed by the Government, the pre-election work viz, identification of polling stations, preparation of electoral rolls, development of software for the randomization of Polling Officers could not be completed as per the schedule of activities by the Commission. The Commission has therefore filed Interlocutory Application before the Hon'ble Supreme Court of India seeking further extension of six months time from 04-06-2021, as the time granted by the Hon'ble Supreme Court of India to comply with its order dated 11-12-2019 has lapsed on 03.06.2021 *vide* Diary No.12959/2021, dated 03-06-2021. Hence, the Tamil Nadu State Election Commission has requested the Government to take appropriate action to administer the Local Bodies till then.

7. In the circumstances stated above, as the term of office of the Special Officers in the nine reconstituted districts namely, Kancheepuram, Chengalpattu, Vellore, Ranipet, Tirupathur, Villupuram, Kallakurichi, Tirunelveli and Tenkasi is due to expire on the 30th June 2021, the Government have decided to amend the Tamil Nadu Panchayats Act, 1994 (Tamil Nadu Act 21 of 1994), so as to extend the term of offices

of the said Special Officers for a further period of six months **upto 31st day of December 2021** or until the first meeting of the Council is held after the ordinary elections to the Village Panchayats, Panchayat Unions and District Panchayats, whichever is earlier.

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

KR. PERIAKARUPPAN,
Minister for Rural Development.

K. SRINIVASAN,
Secretary.

Chennai.
23rd June 2021.