

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 7th January, 2022 is published together with Statement of Objects and Reasons for general information:—

L.A. Bill No. 9 of 2022

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 Seventy-second 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, 2022. Short title and commencement.

(2) It shall be deemed to have come into force on the 20th day of December 2021.

PART – II.

AMENDMENT TO THE CHENNAI CITY MUNICIPAL CORPORATION ACT, 1919.

Tamil Nadu Act IV of 1919.

2. In section 414-B of the Chennai City Municipal Corporation Act, 1919, for the expression “upto the 31st day of December 2021”, the expression “upto the 30th day of June 2022” shall be substituted. Amendment of section 414-B.

PART – III.

AMENDMENT TO THE TAMIL NADU DISTRICT MUNICIPALITIES ACT, 1920.

Tamil Nadu Act V of 1920.

3. In section 375-B of the Tamil Nadu District Municipalities Act, 1920, for the expression “upto the 31st day of December 2021”, the expression “upto the 30th day of June 2022” shall be substituted. Amendment of section 375-B.

PART – IV.

AMENDMENT TO THE MADURAI CITY MUNICIPAL CORPORATION ACT, 1971.

Tamil Nadu Act 15 of 1971.

4. In section 510-AAA of the Madurai City Municipal Corporation Act, 1971, for the expression “upto the 31st day of December 2021”, the expression “upto the 30th day of June 2022” shall be substituted. Amendment of section 510-AAA.

PART – V.

AMENDMENT TO THE COIMBATORE CITY MUNICIPAL CORPORATION ACT, 1981.

Tamil Nadu Act 25 of 1981.

5. In section 511-AAA of the Coimbatore City Municipal Corporation Act, 1981, for the expression “upto the 31st day of December 2021”, the expression “upto the 30th day of June 2022” shall be substituted. Amendment of section 511-AAA.

PART – VI.

AMENDMENT TO THE TIRUCHIRAPPALLI CITY MUNICIPAL CORPORATION ACT, 1994.

Tamil Nadu Act 27 of 1994.

6. In section 10-A of the Tiruchirappalli City Municipal Corporation Act, 1994, for the expression “upto the 31st day of December 2021”, the expression “upto the 30th day of June 2022” shall be substituted. Amendment of section 10-A.

PART – VII.**AMENDMENT TO THE TIRUNELVELI CITY MUNICIPAL CORPORATION ACT, 1994.**

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| Amendment of section 10-A. | 7. In section 10-A of the Tirunelveli City Municipal Corporation Act, 1994, for the expression “upto the 31st day of December 2021”, the expression “upto the 30th day of June 2022” shall be substituted. | Tamil Nadu Act 28 of 1994. |
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PART – VIII.**AMENDMENT TO THE SALEM CITY MUNICIPAL CORPORATION ACT, 1994.**

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| Amendment of section 10-A. | 8. In section 10-A of the Salem City Municipal Corporation Act, 1994, for the expression “upto the 31st day of December 2021”, the expression “upto the 30th day of June 2022” shall be substituted. | Tamil Nadu Act 29 of 1994. |
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PART – IX.**AMENDMENT TO THE TIRUPPUR CITY MUNICIPAL CORPORATION ACT, 2008.**

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| Amendment of section 9-A. | 9. In section 9-A of the Tiruppur City Municipal Corporation Act, 2008, for the expression “upto the 31st day of December 2021”, the expression “upto the 30th day of June 2022” shall be substituted. | Tamil Nadu Act 7 of 2008. |
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PART – X.**AMENDMENT TO THE ERODE CITY MUNICIPAL CORPORATION ACT, 2008.**

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| Amendment of section 9-A. | 10. In section 9-A of the Erode City Municipal Corporation Act, 2008, for the expression “upto the 31st day of December 2021”, the expression “upto the 30th day of June 2022” shall be substituted. | Tamil Nadu Act 8 of 2008. |
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PART – XI.**AMENDMENT TO THE VELLORE CITY MUNICIPAL CORPORATION ACT, 2008.**

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| Amendment of section 9-A. | 11. In section 9-A of the Vellore City Municipal Corporation Act, 2008, for the expression “upto the 31st day of December 2021”, the expression “upto the 30th day of June 2022” shall be substituted. | Tamil Nadu Act 26 of 2008. |
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PART – XII.**AMENDMENT TO THE THOOTHUKUDI CITY MUNICIPAL CORPORATION ACT, 2008.**

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| Amendment of section 9-A. | 12. In section 9-A of the Thoothukudi City Municipal Corporation Act, 2008, for the expression “upto the 31st day of December 2021”, the expression “upto the 30th day of June 2022” shall be substituted. | Tamil Nadu Act 27 of 2008. |
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PART – XIII.**AMENDMENT TO THE THANJAVUR CITY MUNICIPAL CORPORATION ACT, 2013.**

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| Amendment of section 9-A. | 13. In section 9-A of the Thanjavur City Municipal Corporation Act, 2013, for the expression “upto the 31st day of December 2021”, the expression “upto the 30th day of June 2022” shall be substituted. | Tamil Nadu Act 24 of 2013. |
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PART – XIV.**AMENDMENT TO THE DINDIGUL CITY MUNICIPAL CORPORATION ACT, 2013.**

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| Tamil Nadu Act 25 of 2013. | 14. In section 9-A of the Dindigul City Municipal Corporation Act, 2013, for the expression “upto the 31st day of December 2021”, the expression “upto the 30th day of June 2022” shall be substituted. | Amendment of section 9-A. |
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PART – XV.**AMENDMENT TO THE HOSUR CITY MUNICIPAL CORPORATION ACT, 2019.**

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| Tamil Nadu Act 10 of 2019. | 15. In section 10 of the Hosur City Municipal Corporation Act, 2019, in sub-section (4), for the expression “upto the 31st day of December 2021”, the expression “upto the 30th day of June 2022” shall be substituted. | Amendment of section 10. |
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PART – XVI.**AMENDMENT TO THE NAGERCOIL CITY MUNICIPAL CORPORATION ACT, 2019.**

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| Tamil Nadu Act 11 of 2019. | 16. In section 10 of the Nagercoil City Municipal Corporation Act, 2019, in sub-section (4), for the expression “upto the 31st day of December 2021”, the expression “upto the 30th day of June 2022” shall be substituted. | Amendment of section 10. |
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PART – XVII.**AMENDMENT TO THE AVADI CITY MUNICIPAL CORPORATION ACT, 2019.**

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| Tamil Nadu Act 24 of 2019. | 17. In section 10 of the Avadi City Municipal Corporation Act, 2019, in sub-section (4), for the expression “upto the 31st day of December 2021”, the expression “upto the 30th day of June 2022” shall be substituted. | Amendment of section 10. |
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| Tamil Nadu Ordinance 8 of 2021. | 18. (1) the Tamil Nadu Municipal Laws (Third Amendment) Ordinance, 2021 is hereby repealed. | Repeal and saving. |
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(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 City Municipal Corporation Act, 2008, the Thoothukudi City Municipal Corporation Act, 2008, the Thanjavur City Municipal Corporation Act, 2013, the Dindigul City Municipal Corporation Act, 2013, the Hosur City Municipal Corporation Act, 2019, the Nagercoil City Municipal Corporation Act, 2019 and the Avadi City Municipal Corporation Act, 2019 as amended by the said Ordinance, shall be deemed to have been done or taken under the respective Acts and Ordinance, 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 27 of 1994.
Tamil Nadu Act 28 of 1994.
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.
Tamil Nadu Act 10 of 2019.
Tamil Nadu Act 11 of 2019.
Tamil Nadu Act 24 of 2019.

STATEMENT OF OBJECTS AND REASONS.

The Special Officers to the Town Panchayats, Municipalities and Municipal Corporations 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 office of the said Special Officers of the Town Panchayats, Municipalities and Municipal Corporations was extended from time to time and lastly upto the 31st December 2021.

2. Following the direction of 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 Writ Petition (Civil) No. 1443 of 2019, dated the 11th December 2019, the delimitation of territorial wards of all Urban Local Bodies in the nine newly reconstituted districts of Kancheepuram, Chengalpattu, Vellore, Tirupathur, Ranipet, Villupuram, Kallakurichi, Tirunelveli and Tenkasi have been notified on the 1st, 2nd and 3rd November 2021. Further, the reservation of seats in the said Urban Local Bodies for the persons belonging to the Scheduled Castes, the Scheduled Tribes and Women belonging to the Scheduled Castes and Scheduled Tribes and Women (General) have also been notified on the 7th, 8th and 9th December 2021 based on the recommendation of the Delimitation Commission.

3. Further, based on the announcement of the Hon'ble Minister for Municipal Administration during the demand for grant of Municipal Administration and Water Supply Department for the year 2021-2022, on the floor of the Legislative Assembly, six Municipalities namely, the Municipalities of Cuddalore, Kancheepuram, Sivakasi, Karur, Tambaram and Kumbakonam have been upgraded as City Municipal Corporations and 28 Town Panchayats were upgraded as Municipalities. The delimitation of wards and reservation process for the above newly constituted Corporations and Municipalities have to be undertaken. Thereafter, reservation for the offices of the said Urban Local Bodies will have to be notified.

4. Further, the Hon'ble Supreme Court of India in its order dated 27.09.2021 in M.A.No.1404/2021 in M.A.No.2120/2021 in W.P.(C)No.1443/2019, granted four months time from the date of its order to hold ordinary elections to Urban Local Bodies in the State.

5. In pursuance of the said order of the Hon'ble Supreme Court of India, the Tamil Nadu State Election Commission initiated swift action for the process of conduct of ordinary elections to the 17 City Municipal Corporations, 110 Municipalities and 489 Town Panchayats. The process of pre-election activities viz., preparation of ward-wise Local Body Electoral Rolls based on the current Assembly Electoral Rolls, identification of polling stations, training for handling Electronic Voting Machines to all related officials, first level checking of Electronic Voting Machines, etc., is being carried out by the said Commission.

6. In the circumstances stated above, as the term of office of the Special Officers was due to expire on the 31st December 2021, the Government decided to amend the laws relating to the Town Panchayats, Municipalities and City Municipal Corporations, so as to extend the term of office of the Special Officers for a further period of six months upto the 30th June 2022 or until the first meeting of the council is held after the next ordinary elections to the Town Panchayats, Municipalities and City Municipal Corporations, whichever is earlier.

7. As the Legislative Assembly of the State was not in session at that time, it became necessary to promulgate an Ordinance to give effect to the above decision. Accordingly, the Tamil Nadu Municipal Laws (Third Amendment) Ordinance, 2021 (Tamil Nadu Ordinance 8 of 2021) was promulgated by the Hon'ble Governor on the 20th December 2021 and the same was published in the *Tamil Nadu Government Gazette*, Extraordinary, on the same date.

8. The Bill seeks to replace the said Ordinance.

K.N.NEHRU,
Minister for Municipal Administration.

STATEMENT UNDER RULE 168 OF THE TAMIL NADU LEGISLATIVE ASSEMBLY RULES EXPLAINING THE CIRCUMSTANCES WHICH NECESSITATED THE PROMULGATION OF THE TAMIL NADU MUNICIPAL LAWS (THIRD AMENDMENT) ORDINANCE, 2021 (TAMIL NADU ORDINANCE 8 OF 2021).

The Special Officers to the Town Panchayats, Municipalities and Municipal Corporations 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 office of the said Special Officers of the Town Panchayats, Municipalities and Municipal Corporations was extended from time to time and lastly upto the 31st December 2021.

2. Following the direction of 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 Writ Petition (Civil) No. 1443 of 2019, dated the 11th December 2019, the delimitation of territorial wards of all Urban Local Bodies in the nine newly reconstituted districts of Kancheepuram, Chengalpattu, Vellore, Tirupathur, Ranipet, Villupuram, Kallakurichi, Tirunelveli and Tenkasi have been notified on the 1st, 2nd and 3rd November 2021. Further, the reservation of seats in the said Urban Local Bodies for the persons belonging to the Scheduled Castes, the Scheduled Tribes and Women belonging to the Scheduled Castes and Scheduled Tribes and Women (General) have also been notified on the 7th, 8th and 9th December 2021 based on the recommendation of the Delimitation Commission.

3. Further, based on the announcement of the Hon'ble Minister for Municipal Administration during the demand for grant of Municipal Administration and Water Supply Department for the year 2021-2022, on the floor of the Legislative Assembly, six Municipalities namely, the Municipalities of Cuddalore, Kancheepuram, Sivakasi, Karur, Tambaram and Kumbakonam have been upgraded as City Municipal Corporations and 28 Town Panchayats were upgraded as Municipalities. The delimitation of wards and reservation process for the above newly constituted Corporations and Municipalities have to be undertaken. Thereafter, reservation for the offices of the said Urban Local Bodies will have to be notified.

4. Further, the Hon'ble Supreme Court of India in its order dated 27.09.2021 in M.A.No.1404/2021 in M.A.No.2120/2021 in W.P.(C)No.1443/2019, granted four months time from the date of its order to hold ordinary elections to Urban Local Bodies in the State.

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6. In the circumstances stated above, as the term of office of the Special Officers was due to expire on the 31st December 2021, the Government decided to amend the laws relating to the Town Panchayats, Municipalities and City Municipal Corporations, so as to extend the term of office of the Special Officers for a further period of six months upto the 30th June 2022 or until the first meeting of the council is held after the next ordinary elections to the Town Panchayats, Municipalities and City Municipal Corporations, whichever is earlier.

7. As the Legislative Assembly of the State was not in session at that time, it became necessary to promulgate an Ordinance to give effect to the above decision. Accordingly, the Tamil Nadu Municipal Laws (Third Amendment) Ordinance, 2021 (Tamil Nadu Ordinance 8 of 2021) was promulgated by the Hon'ble Governor on the 20th December 2021 and the same was published in the *Tamil Nadu Government Gazette*, Extraordinary, on the same date.

K.N.NEHRU,
Minister for Municipal Administration.

Secretariat,
Chennai-600 009,
7th January 2022.

K. SRINIVASAN,
Secretary.