TAMIL NADU GOVERNMENT GAZETTE

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Part IV—Section 2

Tamil Nadu Acts and Ordinances

The following Ordinance which was promulgated by the Governor on the 11th November 2019 is hereby published for general information:—

TAMIL NADU ORDINANCE No. 6 OF 2019.

An Ordinance further to amend the Tamil Nadu District Municipalities Act, 1920.

WHEREAS the Legislative Assembly of the State is not in session and the Governor of Tamil Nadu is satisfied that circumstances exist which render it necessary for him to take immediate action for the purposes hereinafter appearing;

NOW, THEREFORE, in exercise of the powers conferred by clause (1) of Article 213 of the Constitution, the Governor hereby promulgates the following Ordinance:—

1. (1) This Ordinance may be called the Tamil Nadu District Municipalities (Amendment) Ordinance, 2019. *Short title and commencement.*

(2) Clause (b) of section 10 shall come into force at once and all the remaining provisions of this Ordinance shall be deemed to have come into force on the 6th day of January 2011.

Tamil Nadu Act V of 1920. 2. In section 3 of the Tamil Nadu District Municipalities Act, 1920 (hereinafter referred to as the principal Act),— *Amendment of section 3.*

(a) in clauses (7-A) and (12-C), the expression "Third Grade Municipality" shall be omitted;

(b) in clause (29-A), the expression "Third Grade Municipality or" shall be omitted;

(c) clause (29-AA) shall be omitted.

3. Chapter I-A of the principal Act shall be omitted. *Omission of Chapter I-A.*

4. In section 24-A of the principal Act, for the expression "Third Grade Municipality", the expression "Town Panchayat" shall be substituted. *Amendment of section 24-A.*

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Amendment of section 28.

5.   In section 28 of the principal Act, in sub-section (1), for clause (a), the following clause shall be substituted, namely:—

"(a) in the case of town panchayats, the persons referred to in sub-section (2) of section 3-Q;".

Amendment of section 30.

6.   In section 30 of the principal Act, in *Explanation*-II, for clause (a), the following clause shall be substituted, namely:—

"(a) in the case of town panchayats, the persons referred to in sub-section (2) of section 3-Q;".

Amendment of section 43-B.

7.   In section 43-B of the principal Act,—

(a)   in the marginal heading, for the expression "Third Grade Municipalities and Town Panchayats", the expression "Town Panchayats" shall be substituted;

(b)   in sub-section (1), for the expression "Third Grade Municipalities and Town Panchayats", the expression "Town Panchayats" shall be substituted.

Amendment of section 43-BB.

8. In section 43-BB of the principal Act, in sub-section (1), for the expression "Third Grade Municipality and Town Panchayat", the expression "Town Panchayat" shall be substituted.

Amendment of section 49-A.

9. In section 49-A of the principal Act, for the expression "Third Grade Municipality", the expression "town panchayat" shall be substituted.

Amendment of section 50.

10. In section 50 of the principal Act, in sub-section (1),—

(a)   the expression "clauses (b) and (c) of sub-section (2) of section 3-C or" shall be omitted;

(b)   for the expression " (a) becomes of unsound mind", the following expression shall be substituted, namely:—

"(b) becomes of unsound mind;".

Amendment of section 68.

11. In section 68 of the principal Act, in sub-section (1), in THE TABLE, for the expression "III Grade Municipalities and town panchayats", the expression "Town panchayats" shall be substituted.

Amendment of section 124-B.

12. In section 124-B of the principal Act, in sub-section (1), for the expression "Third Grade Municipalities", wherever it occurs, the expression "town panchayats" shall be substituted.

Amendment of section 223-A.

13. In section 223-A of the principal Act, in sub-section (1), for the expression "third grade municipality, town panchayat or municipality", the expression "town panchayat or municipality" shall be substituted.

Amendment of section 223-B.

14. In section 223-B of the principal Act, in sub-section (1), for the expression "third grade municipality, town panchayat or municipality", the expression "town panchayat or municipality" shall be substituted.

Amendment of section 285-C.

15.   In section 285-C of the principal Act, in sub-section (5), for the expression "municipality, town panchayat or Third Grade Municipality", the expression "municipality or town panchayat" shall be substituted.

Amendment of section 285-CC.

16.   In section 285-CC of the principal Act,—

(a) in sub-section (1), in THE TABLE, for the expression "Third Grade Municipalities", the expression "Town Panchayats" shall be substituted.

(b) in sub-section (2), for the expression "municipality, town panchayat or Third Grade Municipality", the expression "municipality or town panchayat" shall be substituted.

17. In section 357-A of the principal Act, including marginal heading, for the expression "including Third Grade Municipality and Town Panchayat", the expression "including Town Panchayat" shall be substituted.

Amendment of section 357-A.

18. In section 370 of the principal Act, in sub-section (3), for the expression "Third Grade Municipality", occurring in two places, the expression "Town Panchayat" shall be substituted.

Amendment of section 370.

19. In section 373 of the principal Act,—

Amendment of section 373.

(a) in the marginal heading, for the expression "Third Grade Municipality", the expression "town panchayat" shall be substituted;

(b) in the opening part and in clauses (d) and (j), for the expression "transitional area", the expression "panchayat town" shall be substituted;

(c) in clause (b), for the expression "for the panchayat area a Third Grade Municipality", the expression "for the panchayat town, a town panchayat" shall be substituted;

(d) in clauses (c), (f), (g), (h), (i) and (j), for the expression "Third Grade Municipality", wherever it occurs, the expression "town panchayat" shall be substituted.

20. In section 374 of the principal Act, for the expression "Third Grade Municipality", the expression "town panchayat" shall be substituted.

Amendment of section 374.

21. Section 375 of the principal Act shall be omitted.

Omission of section 375.

22. Section 376 of the principal Act shall be omitted.

Omission of section 376.

23. The expressions "Third Grade Municipality", "Third Grade Municipalities", "the Third Grade Municipalities", "or the Third Grade Municipalities", "or a Third Grade Municipality", "or Third Grade Municipality", "or of a Third Grade Municipality" and "Third Grade Municipalities and" occurring in any rules, by-law, notification or order made under the principal Act shall be omitted.

Omission of certain expressions.

11th November 2019.

BANWARILAL PUROHIT,
Governor of Tamil Nadu.

EXPLANATORY STATEMENT.

Among the 49 Third Grade Municipalities in the State of Tamil Nadu, 12 Third Grade Municipalities were annexed with the Municipal Corporations of Tiruppur, Erode, Vellore and Chennai in G.O.(Ms)No.154, Municipal Administration and Water Supply Department, dated the 9th August 2010 and thereafter 36 Third Grade Municipalities were reclassified into various grades of Municipalities at various points of time. Lastly, Melvisharam Third Grade Municipality was upgraded to that of Second Grade Municipality in G.O.(Ms) No.9, Municipal Administration and Water Supply Department, dated the 5th January 2011. As on date, there is no Third Grade Municipality in this State. Hence, the provisions governing the Third Grade Municipalities in the Tamil Nadu District Municipalities Act, 1920 (Tamil Nadu Act V of 1920) have become redundant and the said Act needs to be amended for the purpose. Accordingly, the Government have decided to amend the said Tamil Nadu Act V of 1920 suitably.

2. The Ordinance seeks to give effect to the above decision.

(By order of the Governor)

C. GOPI RAVIKUMAR,
Secretary to Government (FAC),
Law Department.