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Part IV—Section 1

Tamil Nadu Bills

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**BILLS INTRODUCED IN THE LEGISLATIVE ASSEMBLY
OF THE STATE OF TAMIL NADU**

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 6th January, 2022 is published together with Statement of Objects and Reasons for general information:—

L.A. Bill No. 1 of 2022

**A BILL TO PROVIDE FOR THE ESTABLISHMENT
OF A MUNICIPAL CORPORATION FOR THE CITY OF CUDDALORE.**

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:—

Short title,
extent and
commence-
ment.

1. (1) This Act may be called the Cuddalore City Municipal Corporation Act, 2022.

(2) It extends to the city of Cuddalore.

(3) It shall be deemed to have come into force on the 21st day of October 2021.

Definitions.

2. (1) In this Act, unless the context otherwise requires,—

(a) “city of Cuddalore” or “city” means the local area comprised in the Cuddalore municipality and includes any local area which, after the date of the commencement of this Act, is included in the city but does not include any local area which, after such date of the commencement of this Act, is excluded from the city;

(b) “corporation” means the municipal corporation of Cuddalore established under section 3;

(c) “council” means the council of municipal corporation of Cuddalore;

(d) “Government” means the State Government;

(e) “municipal council” means the municipal council of Cuddalore municipality;

(f) “municipality” means the Cuddalore municipality;

(g) “Scheduled Castes” and “Scheduled Tribes” shall have the meanings, respectively, assigned to them in clauses (24) and (25) of Article 366 of the Constitution.

(2) All words and expressions used in this Act and not defined but defined in the Coimbatore City Municipal Corporation Act, 1981 (hereinafter referred to as the “1981 Act”), shall have the meanings, respectively, assigned to them in the 1981 Act.

Tamil Nadu Act
25 of 1981.

Establishment
of Municipal
Corporation
for City of
Cuddalore.

3. (1) With effect on and from the date of the commencement of this Act, the local area included in the Cuddalore municipality shall constitute the city of Cuddalore for the purposes of this Act and from such date of the commencement of this Act, a municipal corporation shall be deemed to have been established for the said city by the name of Cuddalore City Municipal Corporation:

Provided that the Government may, from time to time, after consultation with the corporation, by notification, alter the limits of the city constituted under this sub-section so as to include therein or to exclude therefrom the areas specified in the notification:

Provided further that the power to issue a notification under this sub-section shall be subject to previous publication.

(2) The corporation shall, by the said name, be a body corporate, having perpetual succession and a common seal with power to acquire, hold and dispose of property and to enter into contracts and may by its corporate name, sue and be sued.

(3) The Cuddalore municipality, functioning immediately before the date of the commencement of this Act, shall be deemed to have been abolished from such date of the commencement of this Act.

4. The municipal authorities charged with carrying out the provisions of this Act shall be,—

Municipal
authorities.

- (a) a Mayor;
- (b) a council;
- (c) a standing committee;
- (d) a wards committee; and
- (e) a commissioner.

5. (1) Save as otherwise provided in sub-section (2), the council shall consist of such number of councillors elected in the manner laid down in this Act as may be fixed by the Government, by notification, from time to time, so, however, that the total number of councillors of the council shall not exceed seventy two at any time.

Constitution of
council.

(2) The following persons shall also be represented in the council, namely:—

(a) the members of the House of the People representing constituencies which comprise wholly or partly the area of the corporation and the members of the Council of States registered as electors within the area of the corporation;

(b) all the members of the Tamil Nadu Legislative Assembly representing constituencies which comprise wholly or partly the area of the corporation.

(3) The persons referred to in sub-section (2) shall be entitled to take part in the proceedings but shall not have the right to vote in the meetings of the council.

(4) Seats shall be reserved for the persons belonging to the Scheduled Castes and the Scheduled Tribes in the council and the number of seats so reserved shall bear, as nearly as may be, the same proportion to the total number of seats to be filled by direct election in the council as the population of the Scheduled Castes in the city or of the Scheduled Tribes in the city bears to the total population of the city.

(5) Seats shall be reserved for women belonging to the Scheduled Castes and the Scheduled Tribes, from among the seats reserved for the persons belonging to the Scheduled Castes and the Scheduled Tribes, which shall not be less than fifty per cent of the total number of seats reserved for the persons belonging to the Scheduled Castes and the Scheduled Tribes.

(6) Seats shall be reserved for women in the council and the number of seats reserved for women shall not be less than fifty per cent including the number of seats reserved for women belonging to the Scheduled Castes and Scheduled Tribes of the total number of seats in the council.

(7) The reservation of seats under sub-sections (4) and (5) shall cease to have effect on the expiry of the period specified in Article 334 of the Constitution.

Duration of
corporation.

6. (1) The corporation, unless sooner dissolved, shall continue for five years from the date appointed for its first meeting after each ordinary election and no longer and the said period of five years shall operate as a dissolution of the corporation.

(2) An election to constitute the corporation shall be completed,—

(a) before the expiry of its duration specified in sub-section (1); or

(b) before the expiration of a period of six months from the date of its dissolution:

Provided that where the remainder of the period for which the dissolved corporation would have continued, is less than six months, it shall not be necessary to hold any election, under this sub-section for constituting the corporation for such period.

Tamil Nadu
District
Municipalities
Act, 1920 not
to apply

7. (1) Subject to the provisions of sub-sections (2) and (3), the Tamil Nadu District Municipalities Act, 1920 (hereinafter referred to as the "District Municipalities Act") shall, with effect on and from the date of the commencement of this Act, cease to apply to the local area comprised within the city of Cuddalore.

Tamil Nadu Act
V of 1920.

(2) Such cessor shall not affect,—

(a) the previous operation of the District Municipalities Act in respect of the local area comprised within the city of Cuddalore;

(b) any penalty, forfeiture or punishment incurred in respect of any offence committed against the District Municipalities Act; or

(c) any investigation, legal proceedings or remedy in respect of such penalty, forfeiture or punishment, and any such penalty, forfeiture or punishment may be imposed as if this Act had not been passed.

(3) Notwithstanding anything contained in sub-section (1), all appointments, notifications, notices, rules, bye-laws, regulations, orders, directions, licences, permissions, schemes, forms and powers, made or issued or conferred under the District Municipalities Act and in force on the date of the commencement of this Act shall, so far as they are not inconsistent with the provisions of this Act, continue to be in force in the local area comprised within the city of Cuddalore until they are replaced by the appointments, notifications, notices, rules, bye-laws, regulations, orders, directions, licences, permissions, schemes, forms and powers to be made or issued or conferred under this Act.

8. (1) Save as otherwise expressly provided herein, all the provisions of the 1981 Act, including the provisions relating to the levy and collection of any tax or fee are hereby extended to and shall apply, *mutatis mutandis* to the corporation and the 1981 Act shall, in relation to the corporation, be read and construed as if the provisions of this Act had formed part of the 1981 Act.

Application of provisions of 1981 Act to corporation.

(2) For the purpose of facilitating the application of the provisions of the 1981 Act to the corporation, the Government may, by notification, make such adaptations and modifications of the 1981 Act and the rules and bye-laws made thereunder, whether by way of repealing, amending or suspending any provisions thereof, as may be necessary or expedient and thereupon, the 1981 Act and the rules made thereunder, shall apply to the corporation subject to the adaptations and modifications so made.

(3) Notwithstanding that no provision or insufficient provision has been made under sub-section (2) for the adaptation of the provisions of the 1981 Act, or the rules and bye-laws made thereunder, any court, tribunal or authority required or empowered to enforce these provisions may, for the purpose of facilitating their application to the corporation, construe these provisions in such manner, without affecting the substance, as may be necessary or proper having regard to the matter before the court, tribunal or authority.

(4) In the 1981 Act as extended and applied to the city of Cuddalore,—

(a) any reference to the city of Coimbatore and Coimbatore municipality, shall by reason of this Act, be construed as a reference to the city of Cuddalore and Cuddalore municipality, respectively; and

(b) any reference to the Coimbatore Corporation, Corporation of Coimbatore and Municipal Corporation of Coimbatore, shall by reason of this Act, be construed as a reference to the Cuddalore Corporation, Corporation of Cuddalore and Municipal Corporation of Cuddalore, respectively.

9. (1) All property, all rights of whatever kind, used, enjoyed or possessed by and all interests of whatever kind owned by or vested in, or held in trust by or for the municipal council with all rights of whatever kind used, enjoyed or possessed by the municipal council as well as all liabilities legally subsisting against the municipal council, on and from the date of the commencement of this Act and subject to such directions as the Government may, by general or special order, give in this behalf, vest with the corporation.

Transitional provisions.

(2) All arrears of taxes or other payments by way of composition for a tax, or due for expenses or compensation, or otherwise due to the municipal council on the date of such commencement may be recovered as if they had accrued to the corporation and may be recovered as if such arrears or payments had become due, under the provisions of this Act.

(3) All taxes, fees and duties, which immediately before the date of the commencement of this Act were being levied by the municipal council shall be deemed to have been levied by the corporation under the provisions of this Act and shall continue to be in force accordingly until such taxes, fees and duties are revised, cancelled or superseded by anything done or any action taken under this Act.

(4) All proceedings taken by, or against, the municipal council or authority or any person under the District Municipalities Act may be continued by, or against, the corporation, authority or person as if such proceedings had been commenced under the provisions of this Act.

(5) Any action taken under the District Municipalities Act, by any authority before the date of such commencement shall be deemed to have been taken by the authority competent to take such action under this Act as if this Act had been in force.

(6) Notwithstanding anything contained in this Act, every officer or employee who, immediately before the date of the commencement of this Act, was in the service of the municipality shall, on and from the date of such commencement, be deemed to be an officer or employee of the corporation:

Provided that—

(a) the terms and conditions applicable to such officers and employees consequent on their absorption in the service of the corporation shall not be less favourable than those applicable to such employees immediately before the date of such commencement, as regards pay and allowances, leave, pension, gratuity, provident fund and age of superannuation; and

(b) the service rendered by any such officer or other employee under the municipality upto the date of such commencement shall be deemed to be service under the corporation and he shall be entitled to count that service for the purpose of increment, leave, pension, provident fund and gratuity:

Provided further that any officer or other employee serving in the municipality shall be given an option to be exercised within such time and in such manner as may be prescribed either to be absorbed in the service of the corporation or to be transferred to the service referred to in section 73-A of the District Municipalities Act or to be retrenched from the service of the municipality on such retrenchment benefits as may be prescribed.

(7) Any division of the Cuddalore municipality into wards, made under the District Municipalities Act, and in force on the date of the commencement of this Act shall be deemed to be a division of the corporation until altered.

(8) The electoral roll prepared for the Cuddalore municipality under the District Municipalities Act, and in force on the date of the commencement of this Act, shall be deemed to be the electoral roll for the corporation until a new electoral roll is prepared and published and the part of the electoral roll relating to each ward of the municipality shall be deemed to be the list of the electoral roll for the corresponding division of the corporation.

Appointment of
Special Officer.

10. (1) There shall be appointed by the Government, by notification, a Special Officer to exercise the powers, perform the duties and discharge the functions of—

- (a) the council,
- (b) the standing committee,
- (c) the commissioner, and
- (d) the wards committee.

(2) The Special Officer shall exercise the powers, perform the duties and discharge the functions,—

(a) of the corporation, until the elected councillors come into office;

(b) of the standing committee, until a standing committee is appointed by the corporation; and

(c) of the commissioner, until a commissioner is appointed by the Government and such officer may, if the Government so direct, receive remuneration for his services from the municipal fund.

(3) Until a new Special Officer is appointed by the Government under sub-section (1), the Special Officer of the municipality functioning immediately before the date of commencement of this Act shall be deemed to be the Special Officer of the corporation and he shall exercise the powers and perform the duties and discharge the functions as those exercised, performed and discharged by the Special Officer appointed under sub-section (1).

(4) The Special Officer appointed under sub-section (1) shall hold office for six months from the date of his appointment or until the day on which the first meeting of the council is held after ordinary elections to the corporation, whichever is earlier.

11. (1) The Government may make rules for carrying out the purposes of this Act. Power to make rules.

(2) (a) All rules made under this Act shall be published in the *Tamil Nadu Government Gazette* and, unless they are expressed to come into force on a particular day, shall come into force on the day on which they are so published.

(b) All notifications issued under this Act shall, unless they are expressed to come into force on a particular day, come into force on the day on which they are so published.

(3) Every rule made or notification or order issued under this Act shall, as soon as possible, after it is made or issued, be placed on the table of the Legislative Assembly, and if, before the expiry of the session in which it is so placed or the next session, the Assembly makes any modification in any such rule or notification or order, or the Assembly decides that the rule or notification or order should not be made or issued, the rule or notification or order shall thereafter have effect only in such modified form or be of no effect, as the case may be, so, however, that any such modification or annulment shall be without prejudice to the validity of anything previously done under that rule or notification or order.

12. If any difficulty arises in giving effect to the provisions of this Act, the Government may, by an order published in the *Tamil Nadu Government Gazette*, make such provisions not inconsistent with the provisions of this Act as appear to them to be necessary or expedient for removing the difficulty: Power to remove difficulties.

Provided that no such order shall be made after the expiry of two years from the date of the commencement of this Act.

Tamil Nadu Ordinance 1 of 2021. 13. (1) The Cuddalore City Municipal Corporation Ordinance, 2021 is hereby repealed. Repeal and saving.

(2) Notwithstanding such repeal, anything done, any action taken or any direction given under the said Ordinance, shall be deemed to have been done, taken or given under this Act.

STATEMENT OF OBJECTS AND REASONS.

As per the 2011 population census, the percentage of urban population in the State of Tamil Nadu was 48.45. Now the percentage of population living in urban areas to the total population has increased to over 53 per cent. It has therefore become essential to merge the areas having urban characteristics adjoining Corporations and Municipalities with the respective urban local bodies and to create necessary infrastructure in those areas.

2. Based on this, the Hon'ble Minister for Municipal Administration, among other things, made an announcement on the floor of the Legislative Assembly during the Demand for Grant of this department for the year 2021-2022, that, Cuddalore Special Grade Municipality and the adjoining urbanised Local Bodies will be merged and upgraded as Cuddalore City Municipal Corporation. Accordingly, as an initial measure of achieving the above objective, the Government decided to upgrade the Cuddalore Special Grade Municipality with its present territorial limits, as Cuddalore City Municipal Corporation.

3. The Government, therefore, decided to undertake a legislation adapting the provisions of the Coimbatore City Municipal Corporation Act, 1981 (Tamil Nadu Act 25 of 1981), with such modifications as are necessary. Accordingly, the Hon'ble Governor promulgated the Cuddalore City Municipal Corporation Ordinance, 2021 (Tamil Nadu Ordinance 1 of 2021) on the 20th October 2021 and the same was published in the *Tamil Nadu Government Gazette* Extraordinary, dated the 21st October 2021.

4. 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 CUDDALORE CITY MUNICIPAL CORPORATION ORDINANCE, 2021 (TAMIL NADU ORDINANCE 1 OF 2021).

As per the 2011 population census, the percentage of urban population in the State of Tamil Nadu was 48.45. Now the percentage of population living in urban areas to the total population has increased to over 53 per cent. It has therefore become essential to merge the areas having urban characteristics adjoining Corporations and Municipalities with the respective urban local bodies and to create necessary infrastructure in those areas.

2. Based on this, the Hon'ble Minister for Municipal Administration, among other things, made an announcement on the floor of the Legislative Assembly during the Demand for Grant of this department for the year 2021-2022, that, Cuddalore Special Grade Municipality and the adjoining urbanised Local Bodies will be merged and upgraded as Cuddalore City Municipal Corporation. Accordingly, as an initial measure of achieving the above objective, the Government decided to upgrade the Cuddalore Special Grade Municipality with its present territorial limits, as Cuddalore City Municipal Corporation.

3. The Government, therefore, decided to undertake a legislation adapting the provisions of the Coimbatore City Municipal Corporation Act, 1981 (Tamil Nadu Act 25 of 1981), with such modifications as are necessary.

4. 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 Cuddalore City Municipal Corporation Ordinance, 2021 (Tamil Nadu Ordinance 1 of 2021) was promulgated by the Hon'ble Governor on the 20th October 2021 and the same was published in the *Tamil Nadu Government Gazette* Extraordinary, dated the 21st October 2021.

K.N. NEHRU,
Minister for Municipal Administration.

MEMORANDUM REGARDING DELEGATED LEGISLATION.

Clauses 3, 5, 8, 9, 10, 11 and 12 of the Bill authorise the Government to issue notifications or orders or to make rules, as the case may be, to carry out the purposes specified therein.

2. The powers delegated are normal and not of an exceptional character.

K.N. NEHRU,

Minister for Municipal Administration.

Secretariat,
Chennai-600 009,
6th January 2022.

K. SRINIVASAN,
Secretary.

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 6th January, 2022 is published together with Statement of Objects and Reasons for general information:—

L.A. Bill No. 2 of 2022

**A BILL TO PROVIDE FOR THE ESTABLISHMENT
OF A MUNICIPAL CORPORATION FOR THE CITY OF
KANCHEEPURAM.**

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 Kancheepuram City Municipal Corporation Act, 2022. Short title, extent and commencement.

(2) It extends to the city of Kancheepuram.

(3) It shall be deemed to have come into force on the 21st day of October 2021.

2. (1) In this Act, unless the context otherwise requires,— Definitions.

(a) “city of Kancheepuram” or “city” means the local area comprised in the Kancheepuram municipality and includes any local area which, after the date of the commencement of this Act, is included in the city but does not include any local area which, after such date of the commencement of this Act, is excluded from the city;

(b) “corporation” means the municipal corporation of Kancheepuram established under section 3;

(c) “council” means the council of municipal corporation of Kancheepuram;

(d) “Government” means the State Government;

(e) “municipal council” means the municipal council of Kancheepuram municipality;

(f) “municipality” means the Kancheepuram municipality;

(g) “Scheduled Castes” and “Scheduled Tribes” shall have the meanings, respectively, assigned to them in clauses (24) and (25) of Article 366 of the Constitution.

(2) All words and expressions used in this Act and not defined but defined in the Coimbatore City Municipal Corporation Act, 1981 (hereinafter referred to as the “1981 Act”), shall have the meanings, respectively, assigned to them in the 1981 Act.

3. (1) With effect on and from the date of the commencement of this Act, the local area included in the Kancheepuram municipality shall constitute the city of Kancheepuram for the purposes of this Act and from such date of the commencement of this Act, a municipal corporation shall be deemed to have been established for the said city by the name of Kancheepuram City Municipal Corporation: Establishment of Municipal Corporation for City of Kancheepuram.

Provided that the Government may, from time to time, after consultation with the corporation, by notification, alter the limits of the city constituted under this sub-section so as to include therein or to exclude therefrom the areas specified in the notification:

Provided further that the power to issue a notification under this sub-section shall be subject to previous publication.

(2) The corporation shall, by the said name, be a body corporate, having perpetual succession and a common seal with power to acquire, hold and dispose of property and to enter into contracts and may by its corporate name, sue and be sued.

(3) The Kancheepuram municipality, functioning immediately before the date of the commencement of this Act, shall be deemed to have been abolished from such date of the commencement of this Act.

Municipal authorities.

4. The municipal authorities charged with carrying out the provisions of this Act shall be,—

- (a) a Mayor;
- (b) a council;
- (c) a standing committee;
- (d) a wards committee; and
- (e) a commissioner.

Constitution of council.

5. (1) Save as otherwise provided in sub-section (2), the council shall consist of such number of councillors elected in the manner laid down in this Act as may be fixed by the Government, by notification, from time to time, so, however, that the total number of councillors of the council shall not exceed seventy two at any time.

(2) The following persons shall also be represented in the council, namely:—

(a) the members of the House of the People representing constituencies which comprise wholly or partly the area of the corporation and the members of the Council of States registered as electors within the area of the corporation;

(b) all the members of the Tamil Nadu Legislative Assembly representing constituencies which comprise wholly or partly the area of the corporation.

(3) The persons referred to in sub-section (2) shall be entitled to take part in the proceedings but shall not have the right to vote in the meetings of the council.

(4) Seats shall be reserved for the persons belonging to the Scheduled Castes and the Scheduled Tribes in the council and the number of seats so reserved shall bear, as nearly as may be, the same proportion to the total number of seats to be filled by direct election in the council as the population of the Scheduled Castes in the city or of the Scheduled Tribes in the city bears to the total population of the city.

(5) Seats shall be reserved for women belonging to the Scheduled Castes and the Scheduled Tribes, from among the seats reserved for the persons belonging to the Scheduled Castes and the Scheduled Tribes, which shall not be less than fifty per cent of the total number of seats reserved for the persons belonging to the Scheduled Castes and the Scheduled Tribes.

(6) Seats shall be reserved for women in the council and the number of seats reserved for women shall not be less than fifty per cent including the number of seats reserved for women belonging to the Scheduled Castes and Scheduled Tribes of the total number of seats in the council.

(7) The reservation of seats under sub-sections (4) and (5) shall cease to have effect on the expiry of the period specified in Article 334 of the Constitution.

6. (1) The corporation, unless sooner dissolved, shall continue for five years from the date appointed for its first meeting after each ordinary election and no longer and the said period of five years shall operate as a dissolution of the corporation.

Duration of corporation.

(2) An election to constitute the corporation shall be completed,—

(a) before the expiry of its duration specified in sub-section (1); or

(b) before the expiration of a period of six months from the date of its dissolution:

Provided that where the remainder of the period for which the dissolved corporation would have continued, is less than six months, it shall not be necessary to hold any election, under this sub-section for constituting the corporation for such period.

7. (1) Subject to the provisions of sub-sections (2) and (3), the Tamil Nadu District Municipalities Act, 1920 (hereinafter referred to as the "District Municipalities Act") shall, with effect on and from the date of the commencement of this Act, cease to apply to the local area comprised within the city of Kancheepuram.

Tamil Nadu District Municipalities Act, 1920 not to apply.

(2) Such cessor shall not affect,—

(a) the previous operation of the District Municipalities Act in respect of the local area comprised within the city of Kancheepuram;

(b) any penalty, forfeiture or punishment incurred in respect of any offence committed against the District Municipalities Act; or

(c) any investigation, legal proceedings or remedy in respect of such penalty, forfeiture or punishment, and any such penalty, forfeiture or punishment may be imposed as if this Act had not been passed.

Tamil Nadu Act V of 1920.

(3) Notwithstanding anything contained in sub-section (1), all appointments, notifications, notices, rules, bye-laws, regulations, orders, directions, licences, permissions, schemes, forms and powers, made or issued or conferred under the District Municipalities Act and in force on the date of the commencement of this Act shall, so far as they are not inconsistent with the provisions of this Act, continue to be in force in the local area comprised within the city of Kancheepuram until they are replaced by the appointments, notifications, notices, rules, bye-laws, regulations, orders, directions, licences, permissions, schemes, forms and powers to be made or issued or conferred under this Act.

Application of provisions of 1981 Act to corporation.

8. (1) Save as otherwise expressly provided herein, all the provisions of the 1981 Act, including the provisions relating to the levy and collection of any tax or fee are hereby extended to and shall apply, *mutatis mutandis* to the corporation and the 1981 Act shall, in relation to the corporation, be *read* and construed as if the provisions of this Act had formed part of the 1981 Act.

(2) For the purpose of facilitating the application of the provisions of the 1981 Act to the corporation, the Government may, by notification, make such adaptations and modifications of the 1981 Act and the rules and bye-laws made thereunder, whether by way of repealing, amending or suspending any provisions thereof, as may be necessary or expedient and thereupon, the 1981 Act and the rules made thereunder, shall apply to the corporation subject to the adaptations and modifications so made.

(3) Notwithstanding that no provision or insufficient provision has been made under sub-section (2) for the adaptation of the provisions of the 1981 Act, or the rules and bye-laws made thereunder, any court, tribunal or authority required or empowered to enforce these provisions may, for the purpose of facilitating their application to the corporation, construe these provisions in such manner, without affecting the substance, as may be necessary or proper having regard to the matter before the court, tribunal or authority.

(4) In the 1981 Act as extended and applied to the city of Kancheepuram,—

(a) any reference to the city of Coimbatore and Coimbatore municipality, shall by reason of this Act, be construed as a reference to the city of Kancheepuram and Kancheepuram municipality, respectively; and

(b) any reference to the Coimbatore Corporation, Corporation of Coimbatore and Municipal Corporation of Coimbatore, shall by reason of this Act, be construed as a reference to the Kancheepuram Corporation, Corporation of Kancheepuram and Municipal Corporation of Kancheepuram, respectively.

Transitional provisions.

9. (1) All property, all rights of whatever kind, used, enjoyed or possessed by and all interests of whatever kind owned by or vested in, or held in trust by or for the municipal council with all rights of whatever kind used, enjoyed or possessed by the municipal council as well as all liabilities legally subsisting against the municipal council, on and from the date of the commencement of this Act and subject to such directions as the Government may, by general or special order, give in this behalf, vest with the corporation.

(2) All arrears of taxes or other payments by way of composition for a tax, or due for expenses or compensation, or otherwise due to the municipal council on the date of such commencement may be recovered as if they had accrued to the corporation and may be recovered as if such arrears or payments had become due, under the provisions of this Act.

(3) All taxes, fees and duties, which immediately before the date of the commencement of this Act were being levied by the municipal council shall be deemed to have been levied by the corporation under the provisions of this Act and shall continue to be in force accordingly until such taxes, fees and duties are revised, cancelled or superseded by anything done or any action taken under this Act.

(4) All proceedings taken by, or against, the municipal council or authority or any person under the District Municipalities Act may be continued by, or against, the corporation, authority or person as if such proceedings had been commenced under the provisions of this Act.

(5) Any action taken under the District Municipalities Act, by any authority before the date of such commencement shall be deemed to have been taken by the authority competent to take such action under this Act as if this Act had been in force.

(6) Notwithstanding anything contained in this Act, every officer or employee who, immediately before the date of the commencement of this Act, was in the service of the municipality shall, on and from the date of such commencement, be deemed to be an officer or employee of the corporation:

Provided that—

(a) the terms and conditions applicable to such officers and employees consequent on their absorption in the service of the corporation shall not be less favourable than those applicable to such employees immediately before the date of such commencement, as regards pay and allowances, leave, pension, gratuity, provident fund and age of superannuation; and

(b) the service rendered by any such officer or other employee under the municipality upto the date of such commencement shall be deemed to be service under the corporation and he shall be entitled to count that service for the purpose of increment, leave, pension, provident fund and gratuity:

Provided further that any officer or other employee serving in the municipality shall be given an option to be exercised within such time and in such manner as may be prescribed either to be absorbed in the service of the corporation or to be transferred to the service referred to in section 73-A of the District Municipalities Act or to be retrenched from the service of the municipality on such retrenchment benefits as may be prescribed.

(7) Any division of the Kancheepuram municipality into wards, made under the District Municipalities Act, and in force on the date of the commencement of this Act shall be deemed to be a division of the corporation until altered.

(8) The electoral roll prepared for the Kancheepuram municipality under the District Municipalities Act, and in force on the date of the commencement of this Act, shall be deemed to be the electoral roll for the corporation until a new electoral roll is prepared and published and the part of the electoral roll relating to each ward of the municipality shall be deemed to be the list of the electoral roll for the corresponding division of the corporation.

Appointment of
Special Officer.

10. (1) There shall be appointed by the Government, by notification, a Special Officer to exercise the powers, perform the duties and discharge the functions of—

- (a) the council,
- (b) the standing committee,
- (c) the commissioner, and
- (d) the wards committee.

(2) The Special Officer shall exercise the powers, perform the duties and discharge the functions,—

(a) of the corporation, until the elected councillors come into office;

(b) of the standing committee, until a standing committee is appointed by the corporation; and

(c) of the commissioner, until a commissioner is appointed by the Government and such officer may, if the Government so direct, receive remuneration for his services from the municipal fund.

(3) Until a new Special Officer is appointed by the Government under sub-section (1), the Special Officer of the municipality functioning immediately before the date of commencement of this Act shall be deemed to be the Special Officer of the corporation and he shall exercise the powers and perform the duties and discharge the functions as those exercised, performed and discharged by the Special Officer appointed under sub-section (1).

(4) The Special Officer appointed under sub-section (1) shall hold office for six months from the date of his appointment or until the day on which the first meeting of the council is held after ordinary elections to the corporation, whichever is earlier.

Power to make rules.

11. (1) The Government may make rules for carrying out the purposes of this Act.

(2) (a) All rules made under this Act shall be published in the *Tamil Nadu Government Gazette* and, unless they are expressed to come into force on a particular day, shall come into force on the day on which they are so published.

(b) All notifications issued under this Act shall, unless they are expressed to come into force on a particular day, come into force on the day on which they are so published.

(3) Every rule made or notification or order issued under this Act shall, as soon as possible, after it is made or issued, be placed on the table of the Legislative Assembly, and if, before the expiry of the session in which it is so placed or the next session, the Assembly makes any modification in any such rule or notification or order, or the Assembly decides that the rule or notification or order should not be made or issued, the rule or notification or order shall thereafter have effect only in such modified form or be of no effect, as the case may be, so, however, that any such modification or annulment shall be without prejudice to the validity of anything previously done under that rule or notification or order.

12. If any difficulty arises in giving effect to the provisions of this Act, the Government may, by an order published in the *Tamil Nadu Government Gazette*, make such provisions not inconsistent with the provisions of this Act as appear to them to be necessary or expedient for removing the difficulty:

Power to remove difficulties.

Provided that no such order shall be made after the expiry of two years from the date of the commencement of this Act.

13. (1) The Kancheepuram City Municipal Corporation Ordinance, 2021 is hereby repealed.

Repeal and saving.

(2) Notwithstanding such repeal, anything done, any action taken or any direction given under the said Ordinance, shall be deemed to have been done, taken or given under this Act.

Tamil Nadu
Ordinance
2 of 2021.

STATEMENT OF OBJECTS AND REASONS.

Considering the increase in population, growth in annual income and the level of the civic services to be provided towards fulfillment of the basic needs of the growing population of Kancheepuram Special Grade Municipality and for improving the standard of living of the people in the said Municipality, the Hon'ble Minister for Municipal Administration, among other things, made an announcement on the floor of the Legislative Assembly during the Demand for Grant of this department for the year 2021-2022, that, Kancheepuram Special Grade Municipality will be upgraded as Kancheepuram City Municipal Corporation. Accordingly, the Government decided to upgrade the Kancheepuram Special Grade Municipality with its territorial limits as Kancheepuram City Municipal Corporation.

2. The Government, therefore, decided to undertake a legislation adapting the provisions of the Coimbatore City Municipal Corporation Act, 1981 (Tamil Nadu Act 25 of 1981), with such modifications as are necessary. Accordingly, the Hon'ble Governor promulgated the Kancheepuram City Municipal Corporation Ordinance, 2021 (Tamil Nadu Ordinance 2 of 2021) on the 20th October 2021 and the same was published in the *Tamil Nadu Government Gazette* Extraordinary, dated the 21st October 2021.

3. 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 KANCHEEPURAM CITY MUNICIPAL CORPORATION ORDINANCE, 2021 (TAMIL NADUORDINANCE 2 OF 2021).

Considering the increase in population, growth in annual income and the level of the civic services to be provided towards fulfillment of the basic needs of the growing population of Kancheepuram Special Grade Municipality and for improving the standard of living of the people in the said Municipality, the Hon'ble Minister for Municipal Administration, among other things, made an announcement on the floor of the Legislative Assembly during the Demand for Grant of this department for the year 2021-2022, that, Kancheepuram Special Grade Municipality will be upgraded as Kancheepuram City Municipal Corporation. Accordingly, the Government decided to upgrade the Kancheepuram Special Grade Municipality with its territorial limits as Kancheepuram City Municipal Corporation.

2. The Government, therefore, decided to undertake a legislation adapting the provisions of the Coimbatore City Municipal Corporation Act, 1981 (Tamil Nadu Act 25 of 1981), with such modifications as are necessary.

3. 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 Kancheepuram City Municipal Corporation Ordinance, 2021 (Tamil Nadu Ordinance 2 of 2021) was promulgated by the Hon'ble Governor on the 20th October 2021 and the same was published in the *Tamil Nadu Government Gazette* Extraordinary, dated the 21st October 2021.

K.N. NEHRU,

Minister for Municipal Administration.

MEMORANDUM REGARDING DELEGATED LEGISLATION.

Clauses 3, 5, 8, 9, 10, 11 and 12 of the Bill authorise the Government to issue notifications or orders or to make rules, as the case may be, to carry out the purposes specified therein.

2. The powers delegated are normal and not of an exceptional character.

K.N. NEHRU,
Minister for Municipal Administration.

Secretariat,
Chennai-600 009,
6th January 2022.

K. SRINIVASAN,
Secretary.

Under Rule 130 of the Tamil Nadu Legislative Assembly Rules, the following Bill which was introduced in the Legislative Assembly of the Tamil Nadu on 6th January, 2022 is published together with Statement of Objects and Reasons for general information:—

L.A. Bill No. 3 of 2022

A BILL TO PROVIDE FOR THE ESTABLISHMENT OF A MUNICIPAL CORPORATION FOR THE CITY OF SIVAKASI.

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 Sivakasi City Municipal Corporation Act, 2022. Short title, extent and commencement.

(2) It extends to the city of Sivakasi.

(3) It shall be deemed to have come into force on the 21st day of October 2021.

2. (1) In this Act, unless the context otherwise requires,— Definitions.

(a) “city of Sivakasi” or “city” means the local area comprised in the Sivakasi municipality and includes any local area which, after the date of the commencement of this Act, is included in the city but does not include any local area which, after such date of the commencement of this Act, is excluded from the city;

(b) “corporation” means the municipal corporation of Sivakasi established under section 3;

(c) “council” means the council of municipal corporation of Sivakasi;

(d) “Government” means the State Government;

(e) “municipal council” means the municipal council of Sivakasi municipality;

(f) “municipality” means the Sivakasi municipality;

(g) “Scheduled Castes” and “Scheduled Tribes” shall have the meanings, respectively, assigned to them in clauses (24) and (25) of Article 366 of the Constitution.

(2) All words and expressions used in this Act and not defined but defined in the Coimbatore City Municipal Corporation Act, 1981 (hereinafter referred to as the “1981 Act”), shall have the meanings, respectively, assigned to them in the 1981 Act.

3. (1) With effect on and from the date of the commencement of this Act, the local area included in the Sivakasi municipality shall constitute the city of Sivakasi for the purposes of this Act and from such date of the commencement of this Act, a municipal corporation shall be deemed to have been established for the said city by the name of Sivakasi City Municipal Corporation: Establishment of Municipal Corporation for City of Sivakasi.

Provided that the Government may, from time to time, after consultation with the corporation, by notification, alter the limits of the city constituted under this sub-section so as to include therein or to exclude therefrom the areas specified in the notification:

Provided further that the power to issue a notification under this sub-section shall be subject to previous publication.

(2) The corporation shall, by the said name, be a body corporate, having perpetual succession and a common seal with power to acquire, hold and dispose of property and to enter into contracts and may by its corporate name, sue and be sued.

(3) The Sivakasi municipality, functioning immediately before the date of the commencement of this Act, shall be deemed to have been abolished from such date of the commencement of this Act.

Municipal authorities.

4. The municipal authorities charged with carrying out the provisions of this Act shall be,—

- (a) a Mayor;
- (b) a council;
- (c) a standing committee;
- (d) a wards committee; and
- (e) a commissioner.

Constitution of council.

5. (1) Save as otherwise provided in sub-section (2), the council shall consist of such number of councillors elected in the manner laid down in this Act as may be fixed by the Government, by notification, from time to time, so, however, that the total number of councillors of the council shall not exceed seventy two at any time.

(2) The following persons shall also be represented in the council, namely:—

(a) the members of the House of the People representing constituencies which comprise wholly or partly the area of the corporation and the members of the Council of States registered as electors within the area of the corporation;

(b) all the members of the Tamil Nadu Legislative Assembly representing constituencies which comprise wholly or partly the area of the corporation.

(3) the persons referred to in sub-section (2) shall be entitled to take part in the proceedings but shall not have the right to vote in the meetings of the council.

(4) Seats shall be reserved for the persons belonging to the Scheduled Castes and the Scheduled Tribes in the council and the number of seats so reserved shall bear, as nearly as may be, the same proportion to the total number of seats to be filled by direct election in the council as the population of the Scheduled Castes in the city or of the Scheduled Tribes in the city bears to the total population of the city.

(5) Seats shall be reserved for women belonging to the Scheduled Castes and the Scheduled Tribes, from among the seats reserved for the persons belonging to the Scheduled Castes and the Scheduled Tribes, which shall not be less than fifty per cent of the total number of seats reserved for the persons belonging to the Scheduled Castes and the Scheduled Tribes.

(6) Seats shall be reserved for women in the council and the number of seats reserved for women shall not be less than fifty per cent including the number of seats reserved for women belonging to the Scheduled Castes and Scheduled Tribes of the total number of seats in the council.

(7) The reservation of seats under sub-sections (4) and (5) shall cease to have effect on the expiry of the period specified in Article 334 of the Constitution.

6. (1) The corporation, unless sooner dissolved, shall continue for five years from the date appointed for its first meeting after each ordinary election and no longer and the said period of five years shall operate as a dissolution of the corporation.

Duration of
corporation.

(2) An election to constitute the corporation shall be completed,—

(a) before the expiry of its duration specified in sub-section (1); or

(b) before the expiration of a period of six months from the date of its dissolution:

Provided that where the remainder of the period for which the dissolved corporation would have continued, is less than six months, it shall not be necessary to hold any election, under this sub-section for constituting the corporation for such period.

7. (1) Subject to the provisions of sub-sections (2) and (3), the Tamil Nadu District Municipalities Act, 1920 (hereinafter referred to as the "District Municipalities Act") shall, with effect on and from the date of the commencement of this Act, cease to apply to the local area comprised within the city of Sivakasi.

Tamil Nadu District
Municipalities Act,
1920 not to apply.

(2) Such cessor shall not affect,—

(a) the previous operation of the District Municipalities Act in respect of the local area comprised within the city of Sivakasi;

(b) any penalty, forfeiture or punishment incurred in respect of any offence committed against the District Municipalities Act; or

(c) any investigation, legal proceedings or remedy in respect of such penalty, forfeiture or punishment, and any such penalty, forfeiture or punishment may be imposed as if this Act had not been passed.

(3) Notwithstanding anything contained in sub-section (1), all appointments, notifications, notices, rules, bye-laws, regulations, orders, directions, licences, permissions, schemes, forms and powers, made or issued or conferred under the District Municipalities Act and in force on the date of the commencement of this Act shall, so far as they are not inconsistent with the provisions of this Act, continue to be in force in the local area comprised within the city of Sivakasi until they are replaced by the appointments, notifications, notices, rules, bye-laws, regulations, orders, directions, licences, permissions, schemes, forms and powers to be made or issued or conferred under this Act.

Tamil Nadu Act
V of 1920.

Application of provisions of 1981 Act to corporation.

8. (1) Save as otherwise expressly provided herein, all the provisions of the 1981 Act, including the provisions relating to the levy and collection of any tax or fee are hereby extended to and shall apply, *mutatis mutandis* to the corporation and the 1981 Act shall, in relation to the corporation, be read and construed as if the provisions of this Act had formed part of the 1981 Act.

(2) For the purpose of facilitating the application of the provisions of the 1981 Act to the corporation, the Government may, by notification, make such adaptations and modifications of the 1981 Act and the rules and bye-laws made thereunder, whether by way of repealing, amending or suspending any provisions thereof, as may be necessary or expedient and thereupon, the 1981 Act and the rules made thereunder, shall apply to the corporation subject to the adaptations and modifications so made.

(3) Notwithstanding that no provision or insufficient provision has been made under sub-section (2) for the adaptation of the provisions of the 1981 Act, or the rules and bye-laws made thereunder, any court, tribunal or authority required or empowered to enforce these provisions may, for the purpose of facilitating their application to the corporation, construe these provisions in such manner, without affecting the substance, as may be necessary or proper having regard to the matter before the court, tribunal or authority.

(4) In the 1981 Act as extended and applied to the city of Sivakasi,—

(a) any reference to the city of Coimbatore and Coimbatore municipality, shall by reason of this Act, be construed as a reference to the city of Sivakasi and Sivakasi municipality, respectively; and

(b) any reference to the Coimbatore Corporation, Corporation of Coimbatore and Municipal Corporation of Coimbatore, shall by reason of this Act, be construed as a reference to the Sivakasi Corporation, Corporation of Sivakasi and Municipal Corporation of Sivakasi, respectively.

Transitional provisions.

9. (1) All property, all rights of whatever kind, used, enjoyed or possessed by and all interests of whatever kind owned by or vested in, or held in trust by or for the municipal council with all rights of whatever kind used, enjoyed or possessed by the municipal council as well as all liabilities legally subsisting against the municipal council, on and from the date of the commencement of this Act and subject to such directions as the Government may, by general or special order, give in this behalf, vest with the corporation.

(2) All arrears of taxes or other payments by way of composition for a tax, or due for expenses or compensation, or otherwise due to the municipal council on the date of such commencement may be recovered as if they had accrued to the corporation and may be recovered as if such arrears or payments had become due, under the provisions of this Act.

(3) All taxes, fees and duties, which immediately before the date of the commencement of this Act were being levied by the municipal council shall be deemed to have been levied by the corporation under the provisions of this Act and shall continue to be in force accordingly until such taxes, fees and duties are revised, cancelled or superseded by anything done or any action taken under this Act.

(4) All proceedings taken by, or against, the municipal council or authority or any person under the District Municipalities Act may be continued by, or against, the corporation, authority or person as if such proceedings had been commenced under the provisions of this Act.

(5) Any action taken under the District Municipalities Act, by any authority before the date of such commencement shall be deemed to have been taken by the authority competent to take such action under this Act as if this Act had been in force.

(6) Notwithstanding anything contained in this Act, every officer or employee who, immediately before the date of the commencement of this Act, was in the service of the municipality shall, on and from the date of such commencement, be deemed to be an officer or employee of the corporation:

Provided that—

(a) the terms and conditions applicable to such officers and employees consequent on their absorption in the service of the corporation shall not be less favourable than those applicable to such employees immediately before the date of such commencement, as regards pay and allowances, leave, pension, gratuity, provident fund and age of superannuation; and

(b) the service rendered by any such officer or other employee under the municipality upto the date of such commencement shall be deemed to be service under the corporation and he shall be entitled to count that service for the purpose of increment, leave, pension, provident fund and gratuity:

Provided further that any officer or other employee serving in the municipality shall be given an option to be exercised within such time and in such manner as may be prescribed either to be absorbed in the service of the corporation or to be transferred to the service referred to in section 73-A of the District Municipalities Act or to be retrenched from the service of the municipality on such retrenchment benefits as may be prescribed.

(7) Any division of the Sivakasi municipality into wards, made under the District Municipalities Act, and in force on the date of the commencement of this Act shall be deemed to be a division of the corporation until altered.

(8) The electoral roll prepared for the Sivakasi municipality under the District Municipalities Act, and in force on the date of the commencement of this Act, shall be deemed to be the electoral roll for the corporation until a new electoral roll is prepared and published and the part of the electoral roll relating to each ward of the municipality shall be deemed to be the list of the electoral roll for the corresponding division of the corporation.

10. (1) There shall be appointed by the Government, by notification, a Special Officer to exercise the powers, perform the duties and discharge the functions of—

Appointment of
Special Officer.

(a) the council,

(b) the standing committee,

(c) the commissioner, and

(d) the wards committee.

(2) The Special Officer shall exercise the powers, perform the duties and discharge the functions,—

(a) of the corporation, until the elected councillors come into office;

(b) of the standing committee, until a standing committee is appointed by the corporation; and

(c) of the commissioner, until a commissioner is appointed by the Government and such officer may, if the Government so direct, receive remuneration for his services from the municipal fund.

(3) Until a new Special Officer is appointed by the Government under sub-section (1), the Special Officer of the municipality functioning immediately before the date of commencement of this Act shall be deemed to be the Special Officer of the corporation and he shall exercise the powers and perform the duties and discharge the functions as those exercised, performed and discharged by the Special Officer appointed under sub-section (1).

(4) The Special Officer appointed under sub-section (1) shall hold office for six months from the date of his appointment or until the day on which the first meeting of the council is held after ordinary elections to the corporation, whichever is earlier.

Power to make rules.

11. (1) The Government may make rules for carrying out the purposes of this Act.

(2) (a) All rules made under this Act shall be published in the *Tamil Nadu Government Gazette* and, unless they are expressed to come into force on a particular day, shall come into force on the day on which they are so published.

(b) All notifications issued under this Act shall, unless they are expressed to come into force on a particular day, come into force on the day on which they are so published.

(3) Every rule made or notification or order issued under this Act shall, as soon as possible, after it is made or issued, be placed on the table of the Legislative Assembly, and if, before the expiry of the session in which it is so placed or the next session, the Assembly makes any modification in any such rule or notification or order, or the Assembly decides that the rule or notification or order should not be made or issued, the rule or notification or order shall thereafter have effect only in such modified form or be of no effect, as the case may be, so, however, that any such modification or annulment shall be without prejudice to the validity of anything previously done under that rule or notification or order.

Power to remove difficulties.

12. If any difficulty arises in giving effect to the provisions of this Act, the Government may, by an order published in the *Tamil Nadu Government Gazette*, make such provisions not inconsistent with the provisions of this Act as appear to them to be necessary or expedient for removing the difficulty:

Provided that no such order shall be made after the expiry of two years from the date of the commencement of this Act.

Tamil Nadu
Ordinance
3 of 2021.

13. (1) The Sivakasi City Municipal Corporation Ordinance, 2021 is hereby repealed. Repeal and saving.

(2) Notwithstanding such repeal, anything done, any action taken or any direction given under the said Ordinance, shall be deemed to have been done, taken or given under this Act.

STATEMENT OF OBJECTS AND REASONS.

As per the 2011 population census, the percentage of urban population in the State of Tamil Nadu was 48.45. Now the percentage of population living in urban areas to the total population has increased over 53 per cent. It has therefore become essential to merge the areas having urban characteristics adjoining Corporations and Municipalities with the respective urban local bodies and to create necessary infrastructure in those areas.

2. Based on this, the Hon'ble Minister for Municipal Administration, among other things, made an announcement on the floor of the Legislative Assembly during the Demand for Grant of this department for the year 2021-2022, that, Sivakasi Special Grade Municipality and the adjoining urbanised Local Bodies will be merged and upgraded as Sivakasi City Municipal Corporation. Accordingly, as an initial measure of achieving the above objective, the Government decided to upgrade the Sivakasi Special Grade Municipality with its present territorial limits, as Sivakasi City Municipal Corporation.

3. The Government, therefore, decided to undertake a legislation adapting the provisions of the Coimbatore City Municipal Corporation Act, 1981 (Tamil Nadu Act 25 of 1981), with such modifications as are necessary. Accordingly, the Hon'ble Governor promulgated the Sivakasi City Municipal Corporation Ordinance, 2021 (Tamil Nadu Ordinance 3 of 2021) on the 20th October 2021 and the same was published in the *Tamil Nadu Government Gazette* Extraordinary, dated the 21st October 2021.

4. 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 SIVAKASI CITY MUNICIPAL CORPORATION ORDINANCE, 2021 (TAMIL NADU ORDINANCE 3 OF 2021).

As per the 2011 population census, the percentage of urban population in the State of Tamil Nadu was 48.45. Now the percentage of population living in urban areas to the total population has increased over 53 per cent. It has therefore become essential to merge the areas having urban characteristics adjoining Corporations and Municipalities with the respective urban local bodies and to create necessary infrastructure in those areas.

2. Based on this, the Hon'ble Minister for Municipal Administration, among other things, made an announcement on the floor of the Legislative Assembly during the Demand for Grant of this department for the year 2021-2022, that, Sivakasi Special Grade Municipality and the adjoining urbanised Local Bodies will be merged and upgraded as Sivakasi City Municipal Corporation. Accordingly, as an initial measure of achieving the above objective, the Government decided to upgrade the Sivakasi Special Grade Municipality with its present territorial limits, as Sivakasi City Municipal Corporation.

3. The Government, therefore, decided to undertake a legislation adapting the provisions of the Coimbatore City Municipal Corporation Act, 1981 (Tamil Nadu Act 25 of 1981), with such modifications as are necessary.

4. 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 Sivakasi City Municipal Corporation Ordinance, 2021 (Tamil Nadu Ordinance 3 of 2021) was promulgated by the Hon'ble Governor on the 20th October 2021 and the same was published in the *Tamil Nadu Government Gazette* Extraordinary, dated the 21st October 2021.

K.N. NEHRU,

Minister for Municipal Administration.

MEMORANDUM REGARDING DELEGATED LEGISLATION.

Clauses 3, 5, 8, 9, 10, 11 and 12 of the Bill authorise the Government to issue notifications or orders or to make rules, as the case may be, to carry out the purposes specified therein.

2. The powers delegated are normal and not of an exceptional character.

K.N. NEHRU,
Minister for Municipal Administration.

Secretariat,
Chennai-600 009,
6th January 2022.

K. SRINIVASAN,
Secretary.

Under Rule 130 of the Tamil Nadu Legislative Assembly Rules, the following Bill which was introduced in the Legislative Assembly of the Tamil Nadu on 6th January, 2022 is published together with Statement of Objects and Reasons for general information:—

L.A. Bill No. 4 of 2022

**A BILL TO PROVIDE FOR THE ESTABLISHMENT OF
A MUNICIPAL CORPORATION FOR THE CITY OF KARUR.**

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 Karur City Municipal Corporation Act, 2022. Short title, extent and commencement.

(2) It extends to the city of Karur.

(3) It shall be deemed to have come into force on the 21st day of October 2021.

2. (1) In this Act, unless the context otherwise requires,— Definitions.

(a) “city of Karur” or “city” means the local area comprised in the Karur municipality and includes any local area which, after the date of the commencement of this Act, is included in the city but does not include any local area which, after such date of the commencement of this Act, is excluded from the city;

(b) “corporation” means the municipal corporation of Karur established under section 3;

(c) “council” means the council of municipal corporation of Karur;

(d) “Government” means the State Government;

(e) “municipal council” means the municipal council of Karur municipality;

(f) “municipality” means the Karur municipality;

(g) “Scheduled Castes” and “Scheduled Tribes” shall have the meanings, respectively, assigned to them in clauses (24) and (25) of Article 366 of the Constitution.

(2) All words and expressions used in this Act and not defined but defined in the Coimbatore City Municipal Corporation Act, 1981 (hereinafter referred to as the “1981 Act”), shall have the meanings, respectively, assigned to them in the 1981 Act.

3. (1) With effect on and from the date of the commencement of this Act, the local area included in the Karur municipality shall constitute the city of Karur for the purposes of this Act and from such date of the commencement of this Act, a municipal corporation shall be deemed to have been established for the said city by the name of Karur City Municipal Corporation: Establishment of Municipal Corporation for City of Karur.

Provided that the Government may, from time to time, after consultation with the corporation, by notification, alter the limits of the city constituted under this sub-section so as to include therein or to exclude therefrom the areas specified in the notification:

Provided further that the power to issue a notification under this sub-section shall be subject to previous publication.

(2) The corporation shall, by the said name, be a body corporate, having perpetual succession and a common seal with power to acquire, hold and dispose of property and to enter into contracts and may by its corporate name, sue and be sued.

(3) The Karur municipality, functioning immediately before the date of the commencement of this Act, shall be deemed to have been abolished from such date of the commencement of this Act.

Municipal
authorities.

4. The municipal authorities charged with carrying out the provisions of this Act shall be,—

- (a) a Mayor;
- (b) a council;
- (c) a standing committee;
- (d) a wards committee; and
- (e) a commissioner.

Constitution of
council.

5. (1) Save as otherwise provided in sub-section (2), the council shall consist of such number of councillors elected in the manner laid down in this Act as may be fixed by the Government, by notification, from time to time, so, however, that the total number of councillors of the council shall not exceed seventy two at any time.

(2) The following persons shall also be represented in the council, namely:—

(a) the members of the House of the People representing constituencies which comprise wholly or partly the area of the corporation and the members of the Council of States registered as electors within the area of the corporation;

(b) all the members of the Tamil Nadu Legislative Assembly representing constituencies which comprise wholly or partly the area of the corporation.

(3) The persons referred to in sub-section (2) shall be entitled to take part in the proceedings but shall not have the right to vote in the meetings of the council.

(4) Seats shall be reserved for the persons belonging to the Scheduled Castes and the Scheduled Tribes in the council and the number of seats so reserved shall bear, as nearly as may be, the same proportion to the total number of seats to be filled by direct election in the council as the population of the Scheduled Castes in the city or of the Scheduled Tribes in the city bears to the total population of the city.

(5) Seats shall be reserved for women belonging to the Scheduled Castes and the Scheduled Tribes, from among the seats reserved for the persons belonging to the Scheduled Castes and the Scheduled Tribes, which shall not be less than fifty per cent of the total number of seats reserved for the persons belonging to the Scheduled Castes and the Scheduled Tribes.

(6) Seats shall be reserved for women in the council and the number of seats reserved for women shall not be less than fifty per cent including the number of seats reserved for women belonging to the Scheduled Castes and Scheduled Tribes of the total number of seats in the council.

(7) The reservation of seats under sub-sections (4) and (5) shall cease to have effect on the expiry of the period specified in Article 334 of the Constitution.

6. (1) The corporation, unless sooner dissolved, shall continue for five years from the date appointed for its first meeting after each ordinary election and no longer and the said period of five years shall operate as a dissolution of the corporation.

Duration of
corporation.

(2) An election to constitute the corporation shall be completed,—

(a) before the expiry of its duration specified in sub-section (1); or

(b) before the expiration of a period of six months from the date of its dissolution:

Provided that where the remainder of the period for which the dissolved corporation would have continued, is less than six months, it shall not be necessary to hold any election, under this sub-section for constituting the corporation for such period.

7. (1) Subject to the provisions of sub-sections (2) and (3), the Tamil Nadu District Municipalities Act, 1920 (hereinafter referred to as the "District Municipalities Act") shall, with effect on and from the date of the commencement of this Act, cease to apply to the local area comprised within the city of Karur.

Tamil Nadu District
Municipalities Act,
1920 not to apply.

(2) Such cessor shall not affect,—

(a) the previous operation of the District Municipalities Act in respect of the local area comprised within the city of Karur;

(b) any penalty, forfeiture or punishment incurred in respect of any offence committed against the District Municipalities Act; or

(c) any investigation, legal proceedings or remedy in respect of such penalty, forfeiture or punishment, and any such penalty, forfeiture or punishment may be imposed as if this Act had not been passed.

(3) Notwithstanding anything contained in sub-section (1), all appointments, notifications, notices, rules, bye-laws, regulations, orders, directions, licences, permissions, schemes, forms and powers, made or issued or conferred under the District Municipalities Act and in force on the date of the commencement of this Act shall, so far as they are not inconsistent with the provisions of this Act, continue to be in force in the local area comprised within the city of Karur until they are replaced by the appointments, notifications, notices, rules, bye-laws, regulations, orders, directions, licences, permissions, schemes, forms and powers to be made or issued or conferred under this Act.

Tamil Nadu
Act V of 1920.

Application of provisions of 1981 Act to corporation.

8. (1) Save as otherwise expressly provided herein, all the provisions of the 1981 Act, including the provisions relating to the levy and collection of any tax or fee are hereby extended to and shall apply, *mutatis mutandis* to the corporation and the 1981 Act shall, in relation to the corporation, be read and construed as if the provisions of this Act had formed part of the 1981 Act.

(2) For the purpose of facilitating the application of the provisions of the 1981 Act to the corporation, the Government may, by notification, make such adaptations and modifications of the 1981 Act and the rules and bye-laws made thereunder, whether by way of repealing, amending or suspending any provisions thereof, as may be necessary or expedient and thereupon, the 1981 Act and the rules made thereunder, shall apply to the corporation subject to the adaptations and modifications so made.

(3) Notwithstanding that no provision or insufficient provision has been made under sub-section (2) for the adaptation of the provisions of the 1981 Act, or the rules and bye-laws made thereunder, any court, tribunal or authority required or empowered to enforce these provisions may, for the purpose of facilitating their application to the corporation, construe these provisions in such manner, without affecting the substance, as may be necessary or proper having regard to the matter before the court, tribunal or authority.

(4) In the 1981 Act as extended and applied to the city of Karur,—

(a) any reference to the city of Coimbatore and Coimbatore municipality, shall by reason of this Act, be construed as a reference to the city of Karur and Karur municipality, respectively; and

(b) any reference to the Coimbatore Corporation, Corporation of Coimbatore and Municipal Corporation of Coimbatore, shall by reason of this Act, be construed as a reference to the Karur Corporation, Corporation of Karur and Municipal Corporation of Karur, respectively.

Transitional provisions.

9. (1) All property, all rights of whatever kind, used, enjoyed or possessed by and all interests of whatever kind owned by or vested in, or held in trust by or for the municipal council with all rights of whatever kind used, enjoyed or possessed by the municipal council as well as all liabilities legally subsisting against the municipal council, on and from the date of the commencement of this Act and subject to such directions as the Government may, by general or special order, give in this behalf, vest with the corporation.

(2) All arrears of taxes or other payments by way of composition for a tax, or due for expenses or compensation, or otherwise due to the municipal council on the date of such commencement may be recovered as if they had accrued to the corporation and may be recovered as if such arrears or payments had become due, under the provisions of this Act.

(3) All taxes, fees and duties, which immediately before the date of the commencement of this Act were being levied by the municipal council shall be deemed to have been levied by the corporation under the provisions of this Act and shall continue to be in force accordingly until such taxes, fees and duties are revised, cancelled or superseded by anything done or any action taken under this Act.

(4) All proceedings taken by, or against, the municipal council or authority or any person under the District Municipalities Act may be continued by, or against, the corporation, authority or person as if such proceedings had been commenced under the provisions of this Act.

(5) Any action taken under the District Municipalities Act, by any authority before the date of such commencement shall be deemed to have been taken by the authority competent to take such action under this Act as if this Act had been in force.

(6) Notwithstanding anything contained in this Act, every officer or employee who, immediately before the date of the commencement of this Act, was in the service of the municipality shall, on and from the date of such commencement, be deemed to be an officer or employee of the corporation:

Provided that—

(a) the terms and conditions applicable to such officers and employees consequent on their absorption in the service of the corporation shall not be less favourable than those applicable to such employees immediately before the date of such commencement, as regards pay and allowances, leave, pension, gratuity, provident fund and age of superannuation; and

(b) the service rendered by any such officer or other employee under the municipality upto the date of such commencement shall be deemed to be service under the corporation and he shall be entitled to count that service for the purpose of increment, leave, pension, provident fund and gratuity:

Provided further that any officer or other employee serving in the municipality shall be given an option to be exercised within such time and in such manner as may be prescribed either to be absorbed in the service of the corporation or to be transferred to the service referred to in section 73-A of the District Municipalities Act or to be retrenched from the service of the municipality on such retrenchment benefits as may be prescribed.

(7) Any division of the Karur municipality into wards, made under the District Municipalities Act, and in force on the date of the commencement of this Act shall be deemed to be a division of the corporation until altered.

(8) The electoral roll prepared for the Karur municipality under the District Municipalities Act, and in force on the date of the commencement of this Act, shall be deemed to be the electoral roll for the corporation until a new electoral roll is prepared and published and the part of the electoral roll relating to each ward of the municipality shall be deemed to be the list of the electoral roll for the corresponding division of the corporation.

Appointment of
Special Officer.

10. (1) There shall be appointed by the Government, by notification, a Special Officer to exercise the powers, perform the duties and discharge the functions of—

- (a) the council,
- (b) the standing committee,
- (c) the commissioner, and
- (d) the wards committee.

(2) The Special Officer shall exercise the powers, perform the duties and discharge the functions,—

(a) of the corporation, until the elected councillors come into office;

(b) of the standing committee, until a standing committee is appointed by the corporation; and

(c) of the commissioner, until a commissioner is appointed by the Government and such officer may, if the Government so direct, receive remuneration for his services from the municipal fund.

(3) Until a new Special Officer is appointed by the Government under sub-section (1), the Special Officer of the municipality functioning immediately before the date of commencement of this Act shall be deemed to be the Special Officer of the corporation and he shall exercise the powers and perform the duties and discharge the functions as those exercised, performed and discharged by the Special Officer appointed under sub-section (1).

(4) The Special Officer appointed under sub-section (1) shall hold office for six months from the date of his appointment or until the day on which the first meeting of the council is held after ordinary elections to the corporation, whichever is earlier.

Power to make
rules.

11. (1) The Government may make rules for carrying out the purposes of this Act.

(2) (a) All rules made under this Act shall be published in the *Tamil Nadu Government Gazette* and, unless they are expressed to come into force on a particular day, shall come into force on the day on which they are so published.

(b) All notifications issued under this Act shall, unless they are expressed to come into force on a particular day, come into force on the day on which they are so published.

(3) Every rule made or notification or order issued under this Act shall, as soon as possible, after it is made or issued, be placed on the table of the Legislative Assembly, and if, before the expiry of the session in which it is so placed or the next session, the Assembly makes any modification in any such rule or notification or order, or the Assembly decides that the rule or notification or order should not be made or issued, the rule or notification or order shall thereafter have effect only in such modified form or be of no effect, as the case may be, so, however, that any such modification or annulment shall be without prejudice to the validity of anything previously done under that rule or notification or order.

12. If any difficulty arises in giving effect to the provisions of this Act, the Government may, by an order published in the *Tamil Nadu Government Gazette*, make such provisions not inconsistent with the provisions of this Act as appear to them to be necessary or expedient for removing the difficulty:

Power to remove difficulties.

Provided that no such order shall be made after the expiry of two years from the date of the commencement of this Act.

Tamil Nadu
Ordinance
4 of 2021.

13. (1) The Karur City Municipal Corporation Ordinance, 2021 is hereby repealed.

Repeal and saving.

(2) Notwithstanding such repeal, anything done, any action taken or any direction given under the said Ordinance, shall be deemed to have been done, taken or given under this Act.

STATEMENT OF OBJECTS AND REASONS.

As per the 2011 population census, the percentage of urban population in the State of Tamil Nadu was 48.45. Now, the percentage of population living in urban areas to the total population has increased over 53 per cent. It has therefore become essential to merge the areas having urban characteristics adjoining Corporations and Municipalities with the respective urban local bodies and to create necessary infrastructure in those areas.

2. Based on this, the Hon'ble Minister for Municipal Administration, among other things, made an announcement during the Demand for Grant of this department for the year 2021-2022, on the floor of the Legislative Assembly that, Karur Special Grade Municipality and the adjoining urbanized Local Bodies will be merged and upgraded as Karur City Municipal Corporation. Accordingly, as an initial measure of achieving the above objective, the Government decided to upgrade the Karur Special Grade Municipality with its present territorial limits, as Karur City Municipal Corporation.

3. The Government, therefore, decided to undertake a legislation adapting the provisions of the Coimbatore City Municipal Corporation Act, 1981 (Tamil Nadu Act 25 of 1981), with such modifications as are necessary. Accordingly, the Hon'ble Governor promulgated the Karur City Municipal Corporation Ordinance, 2021 (Tamil Nadu Ordinance 4 of 2021) on the 20th October 2021 and the same was published in the *Tamil Nadu Government Gazette* Extraordinary, dated the 21st October 2021.

4. 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 KARUR CITY MUNICIPAL CORPORATION ORDINANCE, 2021 (TAMIL NADU ORDINANCE 4 OF 2021).

As per the 2011 population census, the percentage of urban population in the State of Tamil Nadu was 48.45. Now, the percentage of population living in urban areas to the total population has increased over 53 per cent. It has therefore become essential to merge the areas having urban characteristics adjoining Corporations and Municipalities with the respective urban local bodies and to create necessary infrastructure in those areas.

2. Based on this, the Hon'ble Minister for Municipal Administration, among other things, made an announcement during the Demand for Grant of this department for the year 2021-2022, on the floor of the Legislative Assembly that, Karur Special Grade Municipality and the adjoining urbanized Local Bodies will be merged and upgraded as Karur City Municipal Corporation. Accordingly, as an initial measure of achieving the above objective, the Government decided to upgrade the Karur Special Grade Municipality with its present territorial limits, as Karur City Municipal Corporation.

3. The Government, therefore, decided to undertake a legislation adapting the provisions of the Coimbatore City Municipal Corporation Act, 1981 (Tamil Nadu Act 25 of 1981), with such modifications as are necessary.

4. 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 Hon'ble Governor promulgated the Karur City Municipal Corporation Ordinance, 2021 (Tamil Nadu Ordinance 4 of 2021) on the 20th October 2021 and the same was published in the *Tamil Nadu Government Gazette* Extraordinary, dated the 21st October 2021.

K.N. NEHRU,

Minister for Municipal Administration.

MEMORANDUM REGARDING DELEGATED LEGISLATION.

Clauses 3, 5, 8, 9, 10, 11 and 12 of the Bill authorise the Government to issue notifications or orders or to make rules, as the case may be, to carry out the purposes specified therein.

2. The powers delegated are normal and not of an exceptional character.

K.N. NEHRU,
Minister for Municipal Administration.

Secretariat,
Chennai-600 009,
6th January 2022.

K. SRINIVASAN,
Secretary.

Under Rule 130 of the Tamil Nadu Legislative Assembly Rules, the following Bill which was introduced in the Legislative Assembly of the Tamil Nadu on 6th January, 2022 is published together with Statement of Objects and Reasons for general information:—

L.A. Bill No. 5 of 2022

**A BILL TO PROVIDE FOR THE ESTABLISHMENT OF
A MUNICIPAL CORPORATION FOR THE CITY OF
TAMBARAM.**

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 Tambaram City Municipal Corporation Act, 2022. Short title, extent and commencement.

(2) It extends to the city of Tambaram.

(3) It shall be deemed to have come into force on the 3rd day of November 2021.

2. (1) In this Act, unless the context otherwise requires,— Definitions.

(a) “city of Tambaram” or “city” means the local area comprised in the Tambaram municipality and includes any local area which, after the date of the commencement of this Act, is included in the city but does not include any local area which, after such date of the commencement of this Act, is excluded from the city;

(b) “corporation” means the municipal corporation of Tambaram established under section 3;

(c) “council” means the council of municipal corporation of Tambaram;

(d) “Government” means the State Government;

(e) “municipal council” means the municipal council of Tambaram municipality;

(f) “municipality” means the Tambaram municipality;

(g) “Scheduled Castes” and “Scheduled Tribes” shall have the meanings, respectively, assigned to them in clauses (24) and (25) of Article 366 of the Constitution.

Tamil Nadu
Act 25 of 1981.

(2) All words and expressions used in this Act and not defined but defined in the Coimbatore City Municipal Corporation Act, 1981 (hereinafter referred to as the “1981 Act”), shall have the meanings, respectively, assigned to them in the 1981 Act.

3. (1) With effect on and from the date of the commencement of this Act, the local area included in the Tambaram municipality shall constitute the city of Tambaram for the purposes of this Act and from such date of the commencement of this Act, a municipal corporation shall be deemed to have been established for the said city by the name of Tambaram City Municipal Corporation: Establishment of municipal corporation for city of Tambaram.

Provided that the Government may, from time to time, after consultation with the corporation, by notification, alter the limits of the city constituted under this sub-section so as to include therein or to exclude therefrom the areas specified in the notification:

Provided further that the power to issue a notification under this sub-section shall be subject to previous publication.

(2) The corporation shall, by the said name, be a body corporate, having perpetual succession and a common seal with power to acquire, hold and dispose of property and to enter into contracts and may by its corporate name, sue and be sued.

(3) The Tambaram municipality, functioning immediately before the date of the commencement of this Act, shall be deemed to have been abolished from such date of the commencement of this Act.

Municipal
authorities.

4. The municipal authorities charged with carrying out the provisions of this Act shall be,—

- (a) a Mayor;
- (b) a council;
- (c) a standing committee;
- (d) a wards committee; and
- (e) a commissioner.

Constitution of
council.

5. (1) Save as otherwise provided in sub-section (2), the council shall consist of such number of councillors elected in the manner laid down in this Act as may be fixed by the Government, by notification, from time to time, so, however, that the total number of councillors of the council shall not exceed seventy two at any time.

(2) The following persons shall also be represented in the council, namely:—

(a) the members of the House of the People representing constituencies which comprise wholly or partly the area of the corporation and the members of the Council of States registered as electors within the area of the corporation;

(b) all the members of the Tamil Nadu Legislative Assembly representing constituencies which comprise wholly or partly the area of the corporation.

(3) The persons referred to in sub-section (2) shall be entitled to take part in the proceedings but shall not have the right to vote in the meetings of the council.

(4) Seats shall be reserved for the persons belonging to the Scheduled Castes and the Scheduled Tribes in the council and the number of seats so reserved shall bear, as nearly as may be, the same proportion to the total number of seats to be filled by direct election in the council as the population of the Scheduled Castes in the city or of the Scheduled Tribes in the city bears to the total population of the city.

(5) Seats shall be reserved for women belonging to the Scheduled Castes and the Scheduled Tribes, from among the seats reserved for the persons belonging to the Scheduled Castes and the Scheduled Tribes, which shall not be less than fifty per cent of the total number of seats reserved for the persons belonging to the Scheduled Castes and the Scheduled Tribes.

(6) Seats shall be reserved for women in the council and the number of seats reserved for women shall not be less than fifty per cent including the number of seats reserved for women belonging to the Scheduled Castes and Scheduled Tribes of the total number of seats in the council.

(7) The reservation of seats under sub-sections (4) and (5) shall cease to have effect on the expiry of the period specified in Article 334 of the Constitution.

6. (1) The corporation, unless sooner dissolved, shall continue for five years from the date appointed for its first meeting after each ordinary election and no longer and the said period of five years shall operate as a dissolution of the corporation.

Duration of
corporation.

(2) An election to constitute the corporation shall be completed,—

(a) before the expiry of its duration specified in sub-section (1); or

(b) before the expiration of a period of six months from the date of its dissolution:

Provided that where the remainder of the period for which the dissolved corporation would have continued, is less than six months, it shall not be necessary to hold any election, under this sub-section for constituting the corporation for such period.

7. (1) Subject to the provisions of sub-sections (2) and (3), the Tamil Nadu District Municipalities Act, 1920 (hereinafter referred to as the "District Municipalities Act") shall, with effect on and from the date of the commencement of this Act, cease to apply to the local area comprised within the city of Tambaram.

Tamil Nadu District
Municipalities Act,
1920 not to apply

(2) Such cessor shall not affect,—

(a) the previous operation of the District Municipalities Act in respect of the local area comprised within the city of Tambaram;

(b) any penalty, forfeiture or punishment incurred in respect of any offence committed against the District Municipalities Act; or

(c) any investigation, legal proceedings or remedy in respect of such penalty, forfeiture or punishment, and any such penalty, forfeiture or punishment may be imposed as if this Act had not been passed.

Tamil Nadu Act
V of 1920.

(3) Notwithstanding anything contained in sub-section (1), all appointments, notifications, notices, rules, bye-laws, regulations, orders, directions, licences, permissions, schemes, forms and powers, made or issued or conferred under the District Municipalities Act and in force on the date of the commencement of this Act shall, so far as they are not inconsistent with the provisions of this Act, continue to be in force in the local area comprised within the city of Tambaram until they are replaced by the appointments, notifications, notices, rules, bye-laws, regulations, orders, directions, licences, permissions, schemes, forms and powers to be made or issued or conferred under this Act.

Application of provisions of 1981 Act to corporation.

8. (1) Save as otherwise expressly provided herein, all the provisions of the 1981 Act, including the provisions relating to the levy and collection of any tax or fee are hereby extended to and shall apply, *mutatis mutandis* to the corporation and the 1981 Act shall, in relation to the corporation, be read and construed as if the provisions of this Act had formed part of the 1981 Act.

(2) For the purpose of facilitating the application of the provisions of the 1981 Act to the corporation, the Government may, by notification, make such adaptations and modifications of the 1981 Act and the rules and bye-laws made thereunder, whether by way of repealing, amending or suspending any provisions thereof, as may be necessary or expedient and thereupon, the 1981 Act and the rules made thereunder, shall apply to the corporation subject to the adaptations and modifications so made.

(3) Notwithstanding that no provision or insufficient provision has been made under sub-section (2) for the adaptation of the provisions of the 1981 Act, or the rules and bye-laws made thereunder, any court, tribunal or authority required or empowered to enforce these provisions may, for the purpose of facilitating their application to the corporation, construe these provisions in such manner, without affecting the substance, as may be necessary or proper having regard to the matter before the court, tribunal or authority.

(4) In the 1981 Act as extended and applied to the city of Tambaram,—

(a) any reference to the city of Coimbatore and Coimbatore municipality, shall by reason of this Act, be construed as a reference to the city of Tambaram and Tambaram municipality, respectively; and

(b) any reference to the Coimbatore Corporation, Corporation of Coimbatore and Municipal Corporation of Coimbatore, shall by reason of this Act, be construed as a reference to the Tambaram Corporation, Corporation of Tambaram and Municipal Corporation of Tambaram, respectively.

9. (1) All property, all rights of whatever kind, used, enjoyed or possessed by and all interests of whatever kind owned by or vested in, or held in trust by or for the municipal council with all rights of whatever kind used, enjoyed or possessed by the municipal council as well as all liabilities legally subsisting against the municipal council, on and from the date of the commencement of this Act and subject to such directions as the Government may, by general or special order, give in this behalf, vest with the corporation.

Transitional provisions.

(2) All arrears of taxes or other payments by way of composition for a tax, or due for expenses or compensation, or otherwise due to the municipal council on the date of such commencement may be recovered as if they had accrued to the corporation and may be recovered as if such arrears or payments had become due, under the provisions of this Act.

(3) All taxes, fees and duties, which immediately before the date of the commencement of this Act were being levied by the municipal council shall be deemed to have been levied by the corporation under the provisions of this Act and shall continue to be in force accordingly until such taxes, fees and duties are revised, cancelled or superseded by anything done or any action taken under this Act.

(4) All proceedings taken by, or against, the municipal council or authority or any person under the District Municipalities Act may be continued by, or against, the corporation, authority or person as if such proceedings had been commenced under the provisions of this Act.

(5) Any action taken under the District Municipalities Act, by any authority before the date of such commencement shall be deemed to have been taken by the authority competent to take such action under this Act as if this Act had been in force.

(6) Notwithstanding anything contained in this Act, every officer or employee who, immediately before the date of the commencement of this Act, was in the service of the municipality shall, on and from the date of such commencement, be deemed to be an officer or employee of the corporation:

Provided that—

(a) the terms and conditions applicable to such officers and employees consequent on their absorption in the service of the corporation shall not be less favourable than those applicable to such employees immediately before the date of such commencement, as regards pay and allowances, leave, pension, gratuity, provident fund and age of superannuation; and

(b) the service rendered by any such officer or other employee under the municipality upto the date of such commencement shall be deemed to be service under the corporation and he shall be entitled to count that service for the purpose of increment, leave, pension, provident fund and gratuity:

Provided further that any officer or other employee serving in the municipality shall be given an option to be exercised within such time and in such manner as may be prescribed either to be absorbed in the service of the corporation or to be transferred to the service referred to in section 73-A of the District Municipalities Act or to be retrenched from the service of the municipality on such retrenchment benefits as may be prescribed.

(7) Any division of the Tambaram municipality into wards, made under the District Municipalities Act, and in force on the date of the commencement of this Act shall be deemed to be a division of the corporation until altered.

(8) The electoral roll prepared for the Tambaram municipality under the District Municipalities Act, and in force on the date of the commencement of this Act, shall be deemed to be the electoral roll for the corporation until a new electoral roll is prepared and published and the part of the electoral roll relating to each ward of the municipality shall be deemed to be the list of the electoral roll for the corresponding division of the corporation.

Appointment of
Special Officer.

10. (1) There shall be appointed by the Government, by notification, a Special Officer to exercise the powers, perform the duties and discharge the functions of—

- (a) the council,
- (b) the standing committee,
- (c) the commissioner, and
- (d) the wards committee.

(2) The Special Officer shall exercise the powers, perform the duties and discharge the functions,—

(a) of the corporation, until the elected councillors come into office;

(b) of the standing committee, until a standing committee is appointed by the corporation; and

(c) of the commissioner, until a commissioner is appointed by the Government and such officer may, if the Government so direct, receive remuneration for his services from the municipal fund.

(3) Until a new Special Officer is appointed by the Government under sub-section (1), the Special Officer of the municipality functioning immediately before the date of commencement of this Act shall be deemed to be the Special Officer of the corporation and he shall exercise the powers and perform the duties and discharge the functions as those exercised, performed and discharged by the Special Officer appointed under sub-section (1).

(4) The Special Officer appointed under sub-section (1) shall hold office for six months from the date of his appointment or until the day on which the first meeting of the council is held after ordinary elections to the corporation, whichever is earlier.

11. (1) The Government may make rules for carrying out the purposes of this Act. Power to make rules.

(2) (a) All rules made under this Act shall be published in the *Tamil Nadu Government Gazette* and, unless they are expressed to come into force on a particular day, shall come into force on the day on which they are so published.

(b) All notifications issued under this Act shall, unless they are expressed to come into force on a particular day, come into force on the day on which they are so published.

(3) Every rule made or notification or order issued under this Act shall, as soon as possible, after it is made or issued, be placed on the table of the Legislative Assembly, and if, before the expiry of the session in which it is so placed or the next session, the Assembly makes any modification in any such rule or notification or order, or the Assembly decides that the rule or notification or order should not be made or issued, the rule or notification or order shall thereafter have effect only in such modified form or be of no effect, as the case may be, so, however, that any such modification or annulment shall be without prejudice to the validity of anything previously done under that rule or notification or order.

12. If any difficulty arises in giving effect to the provisions of this Act, the Government may, by an order published in the *Tamil Nadu Government Gazette*, make such provisions not inconsistent with the provisions of this Act as appear to them to be necessary or expedient for removing the difficulty: Power to remove difficulties.

Provided that no such order shall be made after the expiry of two years from the date of the commencement of this Act.

13. (1) The Tambaram City Municipal Corporation Ordinance, 2021 is hereby repealed. Repeal and saving.

(2) Notwithstanding such repeal, anything done, any action taken or any direction given under the said Ordinance, shall be deemed to have been done, taken or given under this Act.

STATEMENT OF OBJECTS AND REASONS.

Considering the rapid pace of urbanisation in the State, it is imperative to reorganise the urban local bodies. Accordingly, the Hon'ble Minister for Municipal Administration, among other things, made an announcement on the floor of the Legislative Assembly during the Demand for Grant of this department for the year 2021-2022, to the effect that, Tambaram Municipality and adjoining four Municipalities, Town Panchayats and Village Panchayats will be merged to form a City Municipal Corporation.

2. The Municipalities of Tambaram, Pallavapuram, Pammal, Anakaputhur and Sembakkam and the Town Panchayats of Chitlapakkam, Madambakkam, Perungaluthur, Peerkangaranai and Tiruneermalai located at south of Chennai City are urbanising rapidly and they are contiguous. Further, there is a need to upgrade the civic infrastructure such as street lights, water supply, sewerage, solid waste management and roads in these localities, in order to fulfill the aspirations of the people. Better administrative structure, human resources and integrated planning is required to address these issues. Hence, consolidation of these local bodies into a single larger urban local body, namely, City Municipal Corporation is considered to be essential. Besides offering an appropriate administrative set up, it will help in optimising the resources for effective delivery of services to the general public.

3. Based on the aforesaid announcement of the Hon'ble Minister in the Assembly and in view of the foregoing circumstances, the Government, by following due procedure mandated by relevant statutory provisions, notified the inclusion of the Municipalities of Pallavapuram, Pammal, Anakaputhur and Sembakkam and the Town Panchayats of Chitlapakkam, Madambakkam, Perungaluthur, Peerkangaranai and Tiruneermalai within the limits of Tambaram Municipality, so as to form the same as Tambaram City Municipal Corporation.

4. Accordingly, for the constitution and administration of Tambaram City Municipal Corporation, the Government decided to undertake a legislation adapting the provisions of the Coimbatore City Municipal Corporation Act, 1981 (Tamil Nadu Act 25 of 1981), with such modifications as are necessary. Accordingly, the Tambaram City Municipal Corporation Ordinance, 2021 (Tamil Nadu Ordinance 5 of 2021) was promulgated by the Hon'ble Governor on the 3rd November 2021 and the same was published in the *Tamil Nadu Government Gazette* Extraordinary, dated the 3rd November 2021.

5. 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 TAMBARAM CITY MUNICIPAL CORPORATION ORDINANCE, 2021 (TAMIL NADU ORDINANCE 5 OF 2021).

Considering the rapid pace of urbanisation in the State, it is imperative to reorganise the urban local bodies. Accordingly, the Hon'ble Minister for Municipal Administration, among other things, made an announcement on the floor of the Legislative Assembly during the Demand for Grant of this department for the year 2021-2022, to the effect that, Tambaram Municipality and adjoining four Municipalities, Town Panchayats and Village Panchayats will be merged to form a City Municipal Corporation.

2. The Municipalities of Tambaram, Pallavapuram, Pammal, Anakaputhur and Sembakkam and the Town Panchayats of Chitlapakkam, Madambakkam, Perungaluthur, Peerkangaranai and Tiruneermalai located at south of Chennai City are urbanising rapidly and they are contiguous. Further, there is a need to upgrade the civic infrastructure such as street lights, water supply, sewerage, solid waste management and roads in these localities, in order to fulfill the aspirations of the people. Better administrative structure, human resources and integrated planning is required to address these issues. Hence, consolidation of these local bodies into a single larger urban local body, namely, City Municipal Corporation is considered to be essential. Besides offering an appropriate administrative set up, it will help in optimising the resources for effective delivery of services to the general public.

3. Based on the aforesaid announcement of the Hon'ble Minister in the Assembly and in view of the foregoing circumstances, the Government, by following due procedure mandated by relevant statutory provisions, notified the inclusion of the Municipalities of Pallavapuram, Pammal, Anakaputhur and Sembakkam and the Town Panchayats of Chitlapakkam, Madambakkam, Perungaluthur, Peerkangaranai and Tiruneermalai within the limits of Tambaram Municipality, so as to form the same as Tambaram City Municipal Corporation.

4. Accordingly, for the constitution and administration of Tambaram City Municipal Corporation, the Government decided to undertake a legislation adapting the provisions of the Coimbatore City Municipal Corporation Act, 1981 (Tamil Nadu Act 25 of 1981), with such modifications as are necessary.

5. 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 Tambaram City Municipal Corporation Ordinance, 2021 (Tamil Nadu Ordinance 5 of 2021) was promulgated by the Hon'ble Governor on the 3rd November 2021 and the same was published in the *Tamil Nadu Government Gazette* Extraordinary, dated the 3rd November 2021.

K.N. NEHRU,

Minister for Municipal Administration.

MEMORANDUM REGARDING DELEGATED LEGISLATION.

Clauses 3, 5, 8, 9, 10, 11 and 12 of the Bill authorise the Government to issue notifications or orders or to make rules, as the case may be, to carry out the purposes specified therein.

2. The powers delegated are normal and not of an exceptional character.

K.N. NEHRU,

Minister for Municipal Administration.

Secretariat,
Chennai-600 009,
6th January 2022.

K. SRINIVASAN,
Secretary.

Under Rule 130 of the Tamil Nadu Legislative Assembly Rules, the following Bill which was introduced in the Legislative Assembly of the Tamil Nadu on 6th January, 2022 is published together with Statement of Objects and Reasons for general information:—

L.A. Bill No. 6 of 2022

**A BILL TO PROVIDE FOR THE ESTABLISHMENT OF
A MUNICIPAL CORPORATION FOR THE CITY OF
KUMBAKONAM.**

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 Kumbakonam City Municipal Corporation Act, 2022. Short title, extent and commencement.

(2) It extends to the city of Kumbakonam.

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

2. (1) In this Act, unless the context otherwise requires,— Definitions.

(a) “city of Kumbakonam” or “city” means the local area comprised in the Kumbakonam municipality and includes any local area which, after the date of the commencement of this Act, is included in the city but does not include any local area which, after such date of the commencement of this Act, is excluded from the city;

(b) “corporation” means the municipal corporation of Kumbakonam established under section 3;

(c) “council” means the council of municipal corporation of Kumbakonam;

(d) “Government” means the State Government;

(e) “municipal council” means the municipal council of Kumbakonam municipality;

(f) “municipality” means the Kumbakonam municipality;

(g) “Scheduled Castes” and “Scheduled Tribes” shall have the meanings, respectively, assigned to them in clauses (24) and (25) of Article 366 of the Constitution.

(2) All words and expressions used in this Act and not defined but defined in the Coimbatore City Municipal Corporation Act, 1981 (hereinafter referred to as the “1981 Act”), shall have the meanings, respectively, assigned to them in the 1981 Act.

3. (1) With effect on and from the date of the commencement of this Act, the local area included in the Kumbakonam municipality shall constitute the city of Kumbakonam for the purposes of this Act and from such date of the commencement of this Act, a municipal corporation shall be deemed to have been established for the said city by the name of Kumbakonam City Municipal Corporation: Establishment of Municipal Corporation for City of Kumbakonam.

Provided that the Government may, from time to time, after consultation with the corporation, by notification, alter the limits of the city constituted under this sub-section so as to include therein or to exclude therefrom the areas specified in the notification:

Provided further that the power to issue a notification under this sub-section shall be subject to previous publication.

(2) The corporation shall, by the said name, be a body corporate, having perpetual succession and a common seal with power to acquire, hold and dispose of property and to enter into contracts and may by its corporate name, sue and be sued.

(3) The Kumbakonam municipality, functioning immediately before the date of the commencement of this Act, shall be deemed to have been abolished from such date of the commencement of this Act.

Municipal
authorities.

4. The municipal authorities charged with carrying out the provisions of this Act shall be,—

- (a) a Mayor;
- (b) a council;
- (c) a standing committee;
- (d) a wards committee; and
- (e) a commissioner.

Constitution of
council.

5. (1) Save as otherwise provided in sub-section (2), the council shall consist of such number of councillors elected in the manner laid down in this Act as may be fixed by the Government, by notification, from time to time, so, however, that the total number of councillors of the council shall not exceed seventy two at any time.

(2) The following persons shall also be represented in the council, namely:—

(a) the members of the House of the People representing constituencies which comprise wholly or partly the area of the corporation and the members of the Council of States registered as electors within the area of the corporation;

(b) all the members of the Tamil Nadu Legislative Assembly representing constituencies which comprise wholly or partly the area of the corporation.

(3) The persons referred to in sub-section (2) shall be entitled to take part in the proceedings but shall not have the right to vote in the meetings of the council.

(4) Seats shall be reserved for the persons belonging to the Scheduled Castes and the Scheduled Tribes in the council and the number of seats so reserved shall bear, as nearly as may be, the same proportion to the total number of seats to be filled by direct election in the council as the population of the Scheduled Castes in the city or of the Scheduled Tribes in the city bears to the total population of the city.

(5) Seats shall be reserved for women belonging to the Scheduled Castes and the Scheduled Tribes, from among the seats reserved for the persons belonging to the Scheduled Castes and the Scheduled Tribes, which shall not be less than fifty per cent of the total number of seats reserved for the persons belonging to the Scheduled Castes and the Scheduled Tribes.

(6) Seats shall be reserved for women in the council and the number of seats reserved for women shall not be less than fifty per cent including the number of seats reserved for women belonging to the Scheduled Castes and Scheduled Tribes of the total number of seats in the council.

(7) The reservation of seats under sub-sections (4) and (5) shall cease to have effect on the expiry of the period specified in Article 334 of the Constitution.

6. (1) The corporation, unless sooner dissolved, shall continue for five years from the date appointed for its first meeting after each ordinary election and no longer and the said period of five years shall operate as a dissolution of the corporation.

Duration of
corporation.

(2) An election to constitute the corporation shall be completed,—

(a) before the expiry of its duration specified in sub-section (1); or

(b) before the expiration of a period of six months from the date of its dissolution:

Provided that where the remainder of the period for which the dissolved corporation would have continued, is less than six months, it shall not be necessary to hold any election, under this sub-section for constituting the corporation for such period.

7. (1) Subject to the provisions of sub-sections (2) and (3), the Tamil Nadu District Municipalities Act, 1920 (hereinafter referred to as the "District Municipalities Act") shall, with effect on and from the date of the commencement of this Act, cease to apply to the local area comprised within the city of Kumbakonam.

Tamil Nadu District
Municipalities Act,
1920 not to apply.

(2) Such cessor shall not affect,—

(a) the previous operation of the District Municipalities Act in respect of the local area comprised within the city of Kumbakonam;

(b) any penalty, forfeiture or punishment incurred in respect of any offence committed against the District Municipalities Act; or

(c) any investigation, legal proceedings or remedy in respect of such penalty, forfeiture or punishment, and any such penalty, forfeiture or punishment may be imposed as if this Act had not been passed.

(3) Notwithstanding anything contained in sub-section (1), all appointments, notifications, notices, rules, bye-laws, regulations, orders, directions, licences, permissions, schemes, forms and powers, made or issued or conferred under the District Municipalities Act and in force on the date of the commencement of this Act shall, so far as they are not inconsistent with the provisions of this Act, continue to be in force in the local area comprised within the city of Kumbakonam until they are replaced by the appointments, notifications, notices, rules, bye-laws, regulations, orders, directions, licences, permissions, schemes, forms and powers to be made or issued or conferred under this Act.

Tamil Nadu Act
V of 1920.

Application of provisions of 1981 Act to corporation.

8. (1) Save as otherwise expressly provided herein, all the provisions of the 1981 Act, including the provisions relating to the levy and collection of any tax or fee are hereby extended to and shall apply, *mutatis mutandis* to the corporation and the 1981 Act shall, in relation to the corporation, be read and construed as if the provisions of this Act had formed part of the 1981 Act.

(2) For the purpose of facilitating the application of the provisions of the 1981 Act to the corporation, the Government may, by notification, make such adaptations and modifications of the 1981 Act and the rules and bye-laws made thereunder, whether by way of repealing, amending or suspending any provisions thereof, as may be necessary or expedient and thereupon, the 1981 Act and the rules made thereunder, shall apply to the corporation subject to the adaptations and modifications so made.

(3) Notwithstanding that no provision or insufficient provision has been made under sub-section (2) for the adaptation of the provisions of the 1981 Act, or the rules and bye-laws made thereunder, any court, tribunal or authority required or empowered to enforce these provisions may, for the purpose of facilitating their application to the corporation, construe these provisions in such manner, without affecting the substance, as may be necessary or proper having regard to the matter before the court, tribunal or authority.

(4) In the 1981 Act as extended and applied to the city of Kumbakonam,—

(a) any reference to the city of Coimbatore and Coimbatore municipality, shall by reason of this Act, be construed as a reference to the city of Kumbakonam and Kumbakonam municipality, respectively; and

(b) any reference to the Coimbatore Corporation, Corporation of Coimbatore and Municipal Corporation of Coimbatore, shall by reason of this Act, be construed as a reference to the Kumbakonam Corporation, Corporation of Kumbakonam and Municipal Corporation of Kumbakonam, respectively.

Transitional provisions.

9. (1) All property, all rights of whatever kind, used, enjoyed or possessed by and all interests of whatever kind owned by or vested in, or held in trust by or for the municipal council with all rights of whatever kind used, enjoyed or possessed by the municipal council as well as all liabilities legally subsisting against the municipal council, on and from the date of the commencement of this Act and subject to such directions as the Government may, by general or special order, give in this behalf, vest with the corporation.

(2) All arrears of taxes or other payments by way of composition for a tax, or due for expenses or compensation, or otherwise due to the municipal council on the date of such commencement may be recovered as if they had accrued to the corporation and may be recovered as if such arrears or payments had become due, under the provisions of this Act.

(3) All taxes, fees and duties, which immediately before the date of the commencement of this Act were being levied by the municipal council shall be deemed to have been levied by the corporation under the provisions of this Act and shall continue to be in force accordingly until such taxes, fees and duties are revised, cancelled or superseded by anything done or any action taken under this Act.

(4) All proceedings taken by, or against, the municipal council or authority or any person under the District Municipalities Act may be continued by, or against, the corporation, authority or person as if such proceedings had been commenced under the provisions of this Act.

(5) Any action taken under the District Municipalities Act, by any authority before the date of such commencement shall be deemed to have been taken by the authority competent to take such action under this Act as if this Act had been in force.

(6) Notwithstanding anything contained in this Act, every officer or employee who, immediately before the date of the commencement of this Act, was in the service of the municipality shall, on and from the date of such commencement, be deemed to be an officer or employee of the corporation:

Provided that—

(a) the terms and conditions applicable to such officers and employees consequent on their absorption in the service of the corporation shall not be less favorable than those applicable to such employees immediately before the date of such commencement, as regards pay and allowances, leave, pension, gratuity, provident fund and age of superannuation; and

(b) the service rendered by any such officer or other employee under the municipality upto the date of such commencement shall be deemed to be service under the corporation and he shall be entitled to count that service for the purpose of increment, leave, pension, provident fund and gratuity:

Provided further that any officer or other employee serving in the municipality shall be given an option to be exercised within such time and in such manner as may be prescribed either to be absorbed in the service of the corporation or to be transferred to the service referred to in section 73-A of the District Municipalities Act or to be retrenched from the service of the municipality on such retrenchment benefits as may be prescribed.

(7) Any division of the Kumbakonam municipality into wards, made under the District Municipalities Act, and in force on the date of the commencement of this Act shall be deemed to be a division of the corporation until altered.

(8) The electoral roll prepared for the Kumbakonam municipality under the District Municipalities Act, and in force on the date of the commencement of this Act, shall be deemed to be the electoral roll for the corporation until a new electoral roll is prepared and published and the part of the electoral roll relating to each ward of the municipality shall be deemed to be the list of the electoral roll for the corresponding division of the corporation.

Appointment of
Special Officer.

10. (1) There shall be appointed by the Government, by notification, a Special Officer to exercise the powers, perform the duties and discharge the functions of—

- (a) the council,
- (b) the standing committee,
- (c) the commissioner, and
- (d) the wards committee.

(2) The Special Officer shall exercise the powers, perform the duties and discharge the functions,—

(a) of the corporation, until the elected councillors come into office;

(b) of the standing committee, until a standing committee is appointed by the corporation; and

(c) of the commissioner, until a commissioner is appointed by the Government and such officer may, if the Government so direct, receive remuneration for his services from the municipal fund.

(3) Until a new Special Officer is appointed by the Government under sub-section (1), the Special Officer of the municipality functioning immediately before the date of commencement of this Act shall be deemed to be the Special Officer of the corporation and he shall exercise the powers and perform the duties and discharge the functions as those exercised, performed and discharged by the Special Officer appointed under sub-section (1).

(4) The Special Officer appointed under sub-section (1) shall hold office for six months from the date of his appointment or until the day on which the first meeting of the council is held after ordinary elections to the corporation, whichever is earlier.

Power to make
rules.

11. (1) The Government may make rules for carrying out the purposes of this Act.

(2) (a) All rules made under this Act shall be published in the *Tamil Nadu Government Gazette* and, unless they are expressed to come into force on a particular day, shall come into force on the day on which they are so published.

(b) All notifications issued under this Act shall, unless they are expressed to come into force on a particular day, come into force on the day on which they are so published.

(3) Every rule made or notification or order issued under this Act shall, as soon as possible, after it is made or issued, be placed on the table of the Legislative Assembly, and if, before the expiry of the session in which it is so placed or the next session, the Assembly makes any modification in any such rule or notification or order, or the Assembly decides that the rule or notification or order should not be made or issued, the rule or notification or order shall thereafter have effect only in such modified form or be of no effect, as the case may be, so, however, that any such modification or annulment shall be without prejudice to the validity of anything previously done under that rule or notification or order.

12. If any difficulty arises in giving effect to the provisions of this Act, the Government may, by an order published in the *Tamil Nadu Government Gazette*, make such provisions not inconsistent with the provisions of this Act as appear to them to be necessary or expedient for removing the difficulty:

Power to remove difficulties.

Provided that no such order shall be made after the expiry of two years from the date of the commencement of this Act.

Tamil Nadu
Ordinance
7 of 2021.

13. (1) The Kumbakonam City Municipal Corporation Ordinance, 2021 is hereby repealed.

Repeal and saving.

(2) Notwithstanding such repeal, anything done, any action taken or any direction given under the said Ordinance, shall be deemed to have been done, taken or given under this Act.

STATEMENT OF OBJECTS AND REASONS.

Considering the rapid pace of urbanisation in the State, it is imperative to reorganise the urban local bodies. Accordingly, the Hon'ble Minister for Municipal Administration, among other things, made an announcement on the floor of the Legislative Assembly during the Demand for Grant for the year 2021-2022, to the effect that, Kumbakonam Municipality and adjoining urbanised areas will be merged to form a City Municipal Corporation.

2. The Kumbakonam town is known for its renowned Shaivite and Vaishnavite Shrines. The legendary Mahamaham festival, considered as a parallel to the globally famed Kumbh Mela festival, is held in Kumbakonam once in twelve years. It was estimated that, nearly 60 lakh Devotees/People took part in the 2016 Mahamaham festival held in the town. Further, with a number of important temples such as Navagraha temples, Dharasuram Iravatheeswarar temple, Thirunageswaram temple, Upliappan temple, etc., situated around the town, Kumbakonam is considered as a religious tourism hub. Devotees from far and wide make Kumbakonam town as their place of stay during the religious tour of the region. As a result, the Kumbakonam Municipality and the adjoining areas are urbanising fast. Therefore, in order to address the civic infrastructure requirements of the local population and the visiting devotees, it has become essential to upgrade the Kumbakonam Municipality into a City Municipal Corporation, with the inclusion of adjoining urbanised areas.

3. Based on the aforesaid announcement by the Hon'ble Minister in the Legislative Assembly, and in view of the foregoing circumstances, the Government, by following the due procedure mandated by relevant statutory provisions, notified the inclusion of Dharasuram Town Panchayat within the limits of Kumbakonam Municipality, so as to constitute Kumbakonam City Municipal Corporation.

4. Accordingly, for the constitution and administration of Kumbakonam City Municipal Corporation, the Government, decided to undertake a legislation, adapting the provisions of the Coimbatore City Municipal Corporation Act, 1981 (Tamil Nadu Act 25 of 1981), with such modifications as are necessary. Accordingly, the Kumbakonam City Municipal Corporation Ordinance, 2021 (Tamil Nadu Ordinance 7 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, dated the 21st December 2021.

5. 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 KUMBakonam CITY MUNICIPAL CORPORATION ORDINANCE, 2021 (TAMIL NADU ORDINANCE 7 OF 2021).

Considering the rapid pace of urbanisation in the State, it is imperative to reorganise the urban local bodies. Accordingly, the Hon'ble Minister for Municipal Administration, among other things, made an announcement on the floor of the Legislative Assembly during the Demand for Grant for the year 2021-2022, to the effect that, Kumbakonam Municipality and adjoining urbanised areas will be merged to form a City Municipal Corporation.

2. The Kumbakonam Town is known for its renowned Shaivite and Vaishnavite Shrines. The legendary Mahamaham festival, considered as a parallel to the globally famed Kumbh Mela festival, is held in Kumbakonam once in twelve years. It was estimated that, nearly 60 lakh Devotees/People took part in the 2016 Mahamaham festival held in the town. Further, with a number of important temples such as Navagraha temples, Dharasuram Iravatheeswarar temple, Thirunageswaram temple, Upiliappan temple, etc., situated around the town, Kumbakonam is considered as a religious tourism hub. Devotees from far and wide make Kumbakonam town as their place of stay during the religious tour of the region. As a result, the Kumbakonam Municipality and the adjoining areas are urbanising fast. Therefore, in order to address the civic infrastructure requirements of the local population and the visiting devotees, it has become essential to upgrade the Kumbakonam Municipality into a City Municipal Corporation, with the inclusion of adjoining urbanised areas.

3. Based on the aforesaid announcement by the Hon'ble Minister in the Legislative Assembly, and in view of the foregoing circumstances, the Government, by following the due procedure mandated by relevant statutory provisions, notified the inclusion of Dharasuram Town Panchayat within the limits of Kumbakonam Municipality, so as to constitute Kumbakonam City Municipal Corporation.

4. Accordingly, for the constitution and administration of Kumbakonam City Municipal Corporation, the Government, decided to undertake a legislation, adapting the provisions of the Coimbatore City Municipal Corporation Act, 1981 (Tamil Nadu Act 25 of 1981), with such modifications as are necessary.

5. 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 Hon'ble Governor promulgated the Kumbakonam City Municipal Corporation Ordinance, 2021 (Tamil Nadu Ordinance 7 of 2021) on the 20th December 2021 and the same was published in the *Tamil Nadu Government Gazette* Extraordinary, dated the 20th December 2021.

K.N. NEHRU,

Minister for Municipal Administration.

MEMORANDUM REGARDING DELEGATED LEGISLATION.

Clauses 3, 5, 8, 9, 10, 11 and 12 of the Bill authorise the Government to issue notifications or orders or to make rules, as the case may be, to carry out the purposes specified therein.

2. The powers delegated are normal and not of an exceptional character.

K.N. NEHRU,
Minister for Municipal Administration.

Secretariat,
Chennai-600 009,
6th January 2022.

K. SRINIVASAN,
Secretary.

Under Rule 130 of the Tamil Nadu Legislative Assembly Rules, the following Bill which was introduced in the Legislative Assembly of the Tamil Nadu on 6th January, 2022 is published together with Statement of Objects and Reasons for general information:—

L.A. Bill No. 7 of 2022

**A BILL FURTHER TO AMEND THE TAMIL NADU
TOWN AND COUNTRY PLANNING ACT, 1971.**

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 Town and Country Planning (Amendment) Act, 2022.

Short title and commencement.

(2) It shall come into force on such date as the State Government may, by notification, appoint.

2. In Section 50 of the Tamil Nadu Town and Country Planning Act, 1971,—

Amendment of section 50.

(1) for the expression “for a period of five years”, the expression “for a period of eight years” shall be substituted.

(2) the first proviso shall be omitted.

Tamil Nadu Act
35 of 1972.

STATEMENT OF OBJECTS AND REASONS

According to section 50 of the Tamil Nadu Town and Country Planning Act, 1971 (Tamil Nadu Act 35 of 1972), every planning permission granted for development on any land or building thereon shall remain in force for a period of five years from the date of such permission. The proviso thereunder enables the appropriate planning authority to extend the said period for three more years, on application made in this behalf.

2. In the present scenario, in cases where the construction projects are yet to be completed, the developers find it difficult to obtain a fresh permission for development, on expiry of the five year period. The Planning authorities also are not able to cause inspection of the site in a full-fledged manner in the on-going construction sites. Therefore, in many such cases, fresh planning permission could not be issued. The Confederation of Real Estate Developers Associations of India in their representation has requested to increase the timelines of validity of planning permit from the existing five years to eight years for all the projects. Further, the impact of COVID-19 on the real estate in the State, especially on the construction activities has been unprecedented to the extent that it has brought the construction activities to a halt. The interdependence of supply chains, migration of labourers, cost overruns and liquidity constraints are some of the challenges that are faced by the sector. The impact of COVID-19 may last for a long period, affecting the construction activities and hampering the implementation of the projects within the prescribed period of five years.

3. The Government have, therefore, decided to amend the Tamil Nadu Town and Country Planning Act, 1971 (Tamil Nadu Act 35 of 1972) suitably, so as to extend the validity period of planning permission from five years to eight years.

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

S. MUTHUSAMY
*Minister for Housing and
Urban Development.*

Secretariat,
Chennai-600 009,
6th January 2022.

K. SRINIVASAN,
Secretary.