

Bhavanisagar Township Act, 1954

25 of 1954

[08 September 1954]

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SCHEDULE 1 :- SCHEDULE

Bhavanisagar Township Act, 1954

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[08 September 1954]

PREAMBLE

An Act to constitute a township for Bhavanisagar in the Coimbatore district and to provide for its administration and governance.

Whereas it is expedient to constitute a township for Bhavanisagar in the Coimbatore district and to provide for its administration and governance:

Be it enacted in the Fifth Year of Our Republic as follows:--

1. For Statement of Objects and Reasons, see Fort St. George Gazette, part IV-A, dated 21st July 1954, Page 220.

1. Short title and commencement :-

(1) This Act may be called the Bhavanisagar Township Act, 1954.

*(2) This section shall come into force at once, and the rest of this

Act shall come into force on such date as the State Government may, by notification in the Fort St. George Gazette, appoint (hereinafter referred to as the appointed date).

* Section 1 came into force on the 8th September 1954, the other sections came into force on the 1st April 1955.

2. Bhavanisagar to be a township :-

(1) With effect on and from the appointed date, the area specified in the Schedule (being the area comprised, within the jurisdiction of Kuduvay and Thoppampalayam panchayats immediately before the appointed date) shall be a township called the Bhavanisagar Township, and the State Government may, from time to time, by notification in the Fort St. George Gazette, alter the limits of the area specified in the Schedule and any such alteration shall have effect as if it had been made by this Act.

(2) Where the limits of the area specified in the Schedule are altered by notification under sub-section (1), the notification may also contain such provisions regarding the application or cesser of application of any enactment and the local authority which is to exercise, or cease to exercise jurisdiction, in relation to the area included in or excluded from the Bhavanisagar township, the apportionment and adjustment of assets and liabilities as between the local authorities concerned and other incidental or consequential matters, as the State Government may deem necessary or proper.

(3) The Madras Village Panchayats Act, 1950 (Madras Act X of 1950), shall, with effect on and from the appointed date, cease to apply to the Bhavanisagar township.

3. Constitution and composition of committee for administration of Bhavanisagar township :-

(1) For the purpose of administering the municipal affairs of the

Bhavanisagar township, the State Government shall, by notification in the Fort St. George Gazette, constitute a Committee to be called the Bhavanisagar Township Committee (hereinafter referred to as the Township Committee) consisting of six members who shall be appointed by the State Government. Of the six members aforesaid, two shall be non-officials.

(2) The State Government shall appoint --

(a) one of the members of the Township Committee to be its Chairman; and

(b) another person (not being a member of the Township Committee) to be its Executive Officer.

(3) The Township Committee shall be a body corporate, having perpetual succession and a common seal, and subject to any restrictions or qualifications imposed by or under this or any other enactment, shall be vested with the capacity of suing and being sued in its corporate name, of acquiring, holding and transferring property, movable or immovable, of entering into contracts, and of doing all things necessary, proper or expedient for the purposes for which it is constituted.

4. Application of Madras Act V of 1920 and other enactments to Bhavanisagar township subject to specified modifications, additions and restrictions :-

(1) The State Government may, by notification in the Fort St. George Gazette, direct that any of the provisions of the Madras District Municipalities Act, 1920 (Madras Act V of 1920), or of any rules made thereunder or any other enactment for the time being in force elsewhere in the State of Madras, but not in the Bhavanisagar township, shall apply to the township to such extent and subject to such modifications, additions and restrictions as may be specified in the notification.

(2) In particular and without prejudice to the generality of the foregoing provision, such notification may authorize--

(a) the Township Committee to levy all or any of the taxes and fees which may be levied by virtue of the provisions applicable to the township under this section; and

(b) the Executive Officer of the Township Committee to exercise and perform in regard to the township, the powers and duties assigned to the executive authority of a municipality under the provisions applied as aforesaid, subject to such restrictions, limitations and conditions and to such control, if any, as may be specified in the notification.

5. Transfer of property, rights and liabilities of the Kuduway and Thoppampalayam panchayats :-

(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 Kuduway or Thoppampalayam Panchayat as well as all liabilities legally subsisting against any of these panchayats, shall, in so far as such property, rights, interests or liabilities relate to the whole or any part of the Bhavanisagar township, stand transferred, on and from the appointed date to the Township Committee.

(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 either of the aforesaid panchayats, immediately before the appointed date may, in so far as such arrears or other payments relate to the whole or any part of the Bhavanisagar township, be recovered by the Township Committee.

(3) All proceedings taken by or against either of the aforesaid panchayats may, in so far as they relate to any of the matters provided for in sub-sections (1) and (2), be continued by or against the Township Committee.

6. Power to remove difficulties :-

(1) If any difficulty arises in giving effect to the provisions of this Act, the State Government may, as occasion may require, by order do anything which appears to them necessary for the purpose of removing the difficulty.

(2) All notifications and orders made under this Act shall, as soon as possible after it is made, be placed on the table of the Legislative Assembly for fourteen days, and shall be subject to such modification whether by way of repeal or amendment as the Legislative Assembly may make during the session in which it is so laid.

SCHEDULE 1

SCHEDULE

THE SCHEDULE.

[See section 2(1).]

The limits of the area of the Bhavanisagar township shall be the area comprised in the

(i) entire Mudukkanthorai revenue village excepting the following survey numbers:--

7, 25 to 37 and 00 to 70 and

(ii) part of Thoppampalayam revenue village consisting of the following survey numbers:--

55 to 64, 60 to 70, northern portion of S. Nos. 77, 399 to 416

bounded on north by the Bhavani river;

west by the Bhavani river;

east by S. Nos. 7, 25, 37, 35, 60 and 70 of Mudukkanthorai village and 54 of Thoppampalayam village;

south by S. No. 65, southern portion of S. Nos. 77 and

417. of Thoppampalayam village and the dam line and water-spread area.