

**Madras City Municipal, District Municipalities And Local  
Boards (Second Amendment) Act, 1942**

**24 of 1942**

**[07 October 1942]**

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PREAMBLE

An Act further to amend the Madras City Municipal Act, 1919, the Madras District Municipalities Act, 1920, and the Madras Local Boards Act, 1920.<sup>2</sup>

Whereas it is expedient further to amend the Madras City Municipal Act, 1919 (Madras Act IV of 1919), the Madras District Municipalities Act, 1920 (Madras Act V of 1920), and the Madras Local Boards Act, 1920 (Madras Act XIV of 1920)<sup>2</sup>, for the purposes hereinafter appearing;

<sup>3</sup>[It is hereby enacted as follows:--]

1. For Statement of Objects and Reasons, see Fort St. George Gazette, dated 3rd December 1940--Part IV-A, page 91.
2. Now the Madras District Boards Act, 1920 (Madras Act XIV of 1920).
3. These words were substituted for the paragraph containing the enacting formula and the paragraph preceding that paragraph by section 4 of the Madras Re-enacting (No. III) Act, 1948 (Madras Act IX of 1948.)

**1. Short title :-**

This Act may be called the Madras City Municipal, District Municipalities and Local Boards (Second Amendment) Act, 1942.

**2. Extension of term of office of councillors and aldermen of the Corporation of Madras :-**

(1) The term of office of the councillors and aldermen of the Corporation of Madras which, under the law now in force, extends up to noon on the first day of November 1942, shall extend instead up to noon on the first day of November 1943, and the provisions of the Madras City Municipal Act, 1919 (Madras Act IV of 1919), as amended by this section, shall have effect accordingly:

Provided that the 1[State] Government shall have power to direct that the term of office aforesaid shall expire at, or extend up to, noon on such earlier or later date as may be fixed by them and from time to time to advance or postpone any date so fixed and fix another date instead.

(2) Where any date other than the first day of November of any year is fixed under the proviso to sub-section (1), the provisions of the Madras City Municipal Act, 1919 (Madras Act IV of 1919), shall be subject to the following modifications, namely:--

(a) The <sup>1</sup>[State] Government shall cause elections and appointments of councillors and aldermen to be held or made to the council, so that the newly elected or appointed councillors and aldermen may come into office on the date fixed as aforesaid.

(b) The term of office of the newly elected or appointed councillors and aldermen shall, subject to the provisions of the Madras City Municipal Act, 1919 (Madras Act IV of 1919), expire at noon on the first day of November immediately succeeding the expiry of three years from the date referred to in clause (a).

(c) The election of the Mayor, Deputy Mayor and members of the standing committees shall be held at the first meeting of the council held after the date referred to in clause (a), and the election of the chairman of each standing committee shall be held at the first meeting of such committee.

(d) The 1[State] Government shall have power to direct that the election of the Mayor and Deputy Mayor shall not be held, as required by sub-section (1) of section 28 of the Madras City Municipal Act, 1919 (Madras Act IV Of 1919), at the first meeting of the council held after the first day of November, immediately succeeding the date referred to in clause (a).

1. This word was substituted for the word " Provincial " by the Adaptation Order of 1950.

**3. Omitted :-**

1[\* \* \*]

**4. Omitted :-**

1[\* \* \*]

**5. Omitted :-**

1[\* \* \*]

**6. Omitted :-**

1[\* \* \*]

**7. Omitted :-**

**1**[\* \* \*]

**8. Omitted :-**

**1**[\* \* \*]

1. Sections 3 to 8 were omitted by section 3 of, and the Schedule to, Madras Re-enacting (No. III) Act, 1948(Madras Act IX of 1948).

**9. Extension of term of office of members of panchayat now expiring on 1st November 1942 :-**

The term of office of the members of every panchayat constituted under the Madras Local Boards Act, 1920 (Madras Act XIV of 1920)<sup>2</sup>, which under the law now in force extends up to noon on the first day of November 1942, shall extend instead up to noon on the first day of November 1943, and the provisions of the Madras Local Boards Act, 1920 (Madras Act XIV of 1920)<sup>2</sup>, as amended by this section, shall have effect accordingly:

Provided that the <sup>1</sup>[State] Government shall have power to direct that the term of office aforesaid shall, in the case of such panchayats or any of them, expire at, or extend up to, noon on such, earlier or later date as may be fixed by them, and from time to time to advance or postpone any date so fixed and fix another date instead.

1. This word was substituted for the word " Provincial " by the Adaptation Order of 1950.

2. Now the Madras District Boards Act, 1920 (Madras Act XIV of 1920).

**10. Extension of term of office of members of panchayats in other cases :-**

In the case of any panchayat constituted under the Madras Local Boards Act, 1920 (Madras Act XIV of 1920),<sup>1</sup> to which section 9 does not apply, the <sup>2</sup>[State] Government shall have power to extend the term of office of the members up to noon on such date as may be fixed by them and from time to time to advance or postpone any date so fixed and fix another date instead.

1. Now the Madras District Boards Act, 1920 (Madras Act XIV of 1920).
2. This word was substituted for the word " Provincial " by the Adaptation Order of 1950.

**11. Special provision for reconstitution of district boards and panchayats :-**

Where any district board or panchayat has to be reconstituted by election for the first time after the commencement of this Act, the provisions of the Madras Local Boards Act, 1920 (Madras Act X, IV of 1920),<sup>1</sup> shall be subject to the following modifications, namely:--

(a) The <sup>2</sup>[State] Government shall cause elections to be held to the district board or panchayat, so that the newly elected members may come into office on the date on which the term of the members previously holding office will expire.

(b) The term of office of the newly elected members shall, subject to the provisions of the Madras Local Boards Act, 1920 (Madras Act XIV of 1920),<sup>1</sup> and the Madras District Municipalities and Local Boards (Amendment) Act, 1921 (Madras Act II of 1922), expire in such calendar year and on such date there in as the <sup>2</sup>[State] Government may fix:

Provided that the same calendar year shall be fixed in respect of all district boards and panchayats situated in any of the districts included in the same Group of the Schedule to the Madras Local Boards (Amendment) Act, 1935 (Madras Act XIII of 1935).

<sup>3</sup>[Explanation.--Nothing contained in clause (a) shall be deemed to affect in any way the operation of section 3 of the Madras District Municipalities and Local Boards (Second Amendment) Act, 1946 (Madras Act XVI of 1946).]

1. Now the Madras District Boards Act, 1920 (Madras Act XIV of 1920).
2. This word was substituted for the word " Provincial " by the

Adaptation Order of 1950.

3. This Explanation was added by section 3 of, and the Schedule to the Madras Re-enacting (No. III) Act, 1948 (Madras Act IX of 1948).

## **12. Power to remove difficulties :-**

If any difficulty arises in giving effect to the provisions of this Act, or of the Madras City Municipal Act, 1919 (Madras Act IV of 1919), the Madras District Municipalities Act, 1920 (Madras Act V of 1920), or the Madras Local Boards Act, 1920 (Madras Act X of 1920),<sup>1</sup> as amended by this Act, the <sup>2</sup>[State] Government may, as occasion may arise, by order do anything which appears to them necessary for the purpose of removing the difficulty.

1. Now the Madras District Boards Act, 1920 (Madras Act XIV of 1920).

2. This word was substituted for the word " Provincial " by the Adaptation Order of 1950