

**Madras District Municipalities And Local Boards
(Amendment) Act, 1947**

02 of 1947

[30 March 1947]

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PREAMBLE

An Act further to amend the Madras District Municipalities Act, 1920 (Madras Act V of 1920), the Madras Local Boards Act, 1920 (Madras Act XIV of 1920), the Madras City Municipal, District Municipalities and Local Boards (Second Amendment) Act, 1942 (Madras Act XXIV of 1942), and the Madras District Municipalities and Local Boards (Second Amendment) Act, 1946 (Madras Act XVI of 1946).

Whereas it is expedient further to amend the Madras District Municipalities Act, 1920, the Madras Local Boards Act, 1920, the Madras City Municipal, District Municipalities and Local Boards (Second Amendment) Act, 1942, and the Madras District Municipalities and Local Boards (Second Amendment) Act, 1946, for the purposes hereinafter appearing; It is hereby enacted as follows

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1. For Statement of Objects and Reasons, see Fort St. George Gazette, dated 21st January 1947, Part IV-A, pages 39-40.

1. Short title :-

This Act may be called the Madras District Municipalities and Local Boards (Amendment) Act, 1947.

2. [Omitted] :-

¹[]

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

3. [Omitted] :-

¹[]

1. Sections 2 to 4 were repealed by Madras Act XI of 1952.

4. [Omitted] :-

¹[]

1. Sections 2 to 4 were repealed by Madras Act XI of 1952.

5. Elections to municipal councils and appointment of Special Officers :-

(1) Where elections have to be held for the first time after the commencement of this Act to fill vacancies in the office of the councillors of any municipal council whose term of office has been fixed under section 3 or section 4(1) (c) or section 5 of the Madras City Municipal, District Municipalities and Local Boards (Second Amendment) Act, 1942, then, notwithstanding anything contained in section 6 of that Act and in the Madras District Municipalities Act, 1920, it shall be lawful for the ¹[State] Government--

(i) to cause elections to be held to the municipal council so that its newly elected councillors may come into office on any date fixed by the ¹[State] Government which may be different from the date of expiry of the term of office of the councillors previously holding office;

(ii) from time to time, to advance or postpone the date fixed under clause (i) and fix instead another date;

(iii) to appoint for that municipal council, a Special Officer during the interval between the date of expiry of the term of the councillors previously holding office and the date on which the newly elected councillors will come into office.

(2) Where any date other than the first day of November of any year is fixed under sub-section (1) as the date on which the newly elected councillors of a municipal council will come into office, the term of office of such councillors shall subject to the provisions of the Madras District Municipalities Act, 1920 (Madras Act V of 1920), and the Madras District Municipalities and Local Boards (Amendment) Act, 1921 (Madras Act II of 1922), expire at noon on the first day of November immediately succeeding the expiry of three years from the date so fixed.

(3) A Special Officer appointed under sub section (1) shall exercise and perform the functions specified in section 41(3) (b) of the Madras District Municipalities Act, 1920 (Madras Act V of 1920), in the same manner, as if he had been appointed under that section.

(4) A Special Officer appointed under sub-section (1) who is not a District Collector or a Revenue Divisional Officer may, if the 1[State] Government so direct, receive payment for his services from the municipal fund.

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

6. Elections to district boards under supersession at the commencement of Act :-

Where elections have to be held for the first time to a district board which has been superseded under section 45-A of the Madras Local

Boards Act, 1920²(Madras Act XIV of 1920), and has not been reconstituted at the commencement of this Act, the¹[State] Government may, notwithstanding anything contained in sub-section (4) of that section, postpone from time to time the re constitution of the district board for such period as they think fit.

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).

7. Validation of orders postponing or stopping elections :-

All orders issued by the¹[State] Government before the commencement of this Act, directing the stoppage or postponement of elections to a municipal council or local board² or any stage thereof, shall be deemed to have been as valid as if the said orders had been issued under the Madras District Municipalities Act, 1920 (Madras Act V of 1920), and the 2Madras Local Boards Act, 1920 (Madras Act XIV of 1920), 2as amended by this Act.

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).

8. Power to remove difficulties :-

If any difficulty arises in giving effect to the provisions of this Act, or of the Madras District Municipalities Act, 1920 (Madras Act V of 1920), the Madras Local Boards Act, 1920 (Madras Act XIV of 1920),² or the Madras City Municipal, District Municipalities and Local Boards (Second Amendment) Act, 1942 (Madras Act XXIV of 1942), as amended by this Act, the¹[State] Government may, as occasion may require, by order, do anything which appears to them necessary for the purpose of removing the difficulty.

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).

