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## **Tamil Nadu Municipal Laws (Amendment) Act, 2010**

### **35 of 2010**

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## **Tamil Nadu Municipal Laws (Amendment) Act, 2010**

### **35 of 2010**

An Act further to amend the laws relating to the Municipal Corporations and the Municipalities in the State of Tamil Nadu. Be it enacted by the Legislative Assembly of the State of Tamil Nadu in the Sixty-first Year of the Republic of India as follows:-- 1. Received the Assent of the Governor of Tamil Nadu on November 26, 2010 -- Published in Tamil Nadu Government Gazette,

Extraordinary, Part IV, Section 2, Iss. No. 363, pages 215-220, dated November 29, 2010.

PART 1

PRELIMINARY

**1. Short Title And Commencement :-**

(1) This Act may be called the Tamil Nadu Municipal Laws (Amendment) Act, 2010.

(2) It shall be deemed to have come into force on the 29th day of October 2010.

PART 2

AMENDMENTS TO THE CHENNAI CITY MUNICIPAL CORPORATION ACT, 1919

**2. Amendment Of Section 3 :-**

In Section 3 of the Chennai City Municipal Corporation Act, 1919 (Tamil Nadu Act IV of 1919) (hereafter in this Part referred to as the 1919 Act),--

(i) after Clause (2), the following Clause shall be inserted, namely:-

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"(2-A) "Area Sabha" means, in relation to an area, the body of all the persons registered in the electoral rolls pertaining to all polling booths in the area;"

(ii) for Clause (26-B), the following Clauses shall be substituted, namely:--

"(26-B) "Wards Committee" means the Wards Committee referred to in Section 5-C;

(26-BB) "Wards Committee" means the Wards Committee referred to in Section 5-A;"

**3. Insertion Of New Sections 5-C, 5-D, 5-E, 5-F, 5-G And 5-H :-**

After Section 5-B of the 1919 Act, the following Sections shall be inserted, namely:--

"5-C. Constitution of Wards Committee.-- (1) There shall be constituted by the Council, a Wards Committee for each ward within the municipal area.

(2) Each Wards Committee shall consist of the Councillor of the Corporation representing the ward and as many number of nominated members as may be prescribed, from among the persons registered in the electoral rolls of the ward and nominated

by the Council.

(3) The number of, qualification for, the nominated members and the procedure of nomination shall be such as may be prescribed.

5-D. Term of office of Chairperson of Wards Committee.-- (1) The Councillor representing the ward in the Corporation shall be the Chairperson of that Committee.

(2) The Chairperson shall vacate the office as soon as he ceases to be a Councillor.

5-E. Functions and Duties of Wards Committee.-- (1) The functions and duties of the Wards Committee, and the procedure to be adopted by such Committee for transaction of its business shall be such as may be prescribed.

(2) The duration of the Wards Committee shall be co-extensive with the duration of the Council.

5-F. Constitution of Area Sabha.--(1) There shall be constituted by the Council, an Area Sabha for each area in a ward in the municipal area.

(2) Each ward shall consist of such number of Area Sabhas not exceeding ten, as may be prescribed.

(3) An Area Sabha shall comprise of the entire geographical territory in which all the persons registered in the electoral rolls pertaining to one or more polling booths in such territory are ordinarily resident.

(4) Each Area Sabha shall consist of the elected Councillor of the ward and all the persons registered in the electoral rolls of the area.

5-G. Term of office of Chairperson of Area Sabha.--(1) The Councillor of the ward shall be Chairperson and convener of the Area Sabha.

(2) The duration of the Area Sabha shall be co-extensive with the duration of the Council.

5-H. Functions and Duties of Area Sabha.-- The functions and duties of the Area Sabha, and the procedure to be adopted for transaction of its business shall be such as may be prescribed."

### PART 3

#### AMENDMENTS TO THE MADURAI CITY MUNICIPAL CORPORATION ACT, 1971

#### **4. Amendment Of Section 2 :-**

In Section 2 of the Madurai City Municipal Corporation Act, 1971 (Tamil Nadu Act 15 of 1971) (hereafter in this Part referred to as the 1971 Act),--

(i) after Clause (2), the following Clause shall be inserted, namely:-

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"(2-A) "Area Sabha" means, in relation to an area, the body of all the persons registered in the electoral rolls pertaining to all polling booths in the area;"

(ii) for Clause (42-A), the following Clauses shall be substituted, namely:--

"(42-A) "Wards Committee" means the Wards Committee referred to in Section 5-C;

(42-AA) "Wards Committee" means the Wards Committee referred to in Section 5-A;"

## **5. Insertion Of New Sections 5-C, 5-D, 5-E, 5-F, 5-G And 5-H :-**

After Section 5-B of the 1971 Act, the following Sections shall be inserted, namely:--

"5-C. Constitution of Wards Committee.-- (1) There shall be constituted by the Council, a Wards Committee for each ward within the municipal area.

(2) Each Wards Committee shall consist of the Councillor of the Corporation representing the ward and as many number of nominated members as may be prescribed, from among the persons registered in the electoral rolls of the ward and nominated by the Council.

(3) The number of, qualification for, the nominated members and the procedure of nomination shall be such as may be prescribed.

5-D. Term of office of Chairperson of Wards Committee.--(1) The Councillor representing the ward in the Corporation shall be the Chairperson of that Committee.

(2) The Chairperson shall vacate the office as soon as he ceases to be a Councillor.

5-E. Functions and Duties of Wards Committee.--(1) The functions and duties of the Wards Committee, and the procedure to be adopted by such Committee for transaction of its business shall be such as may be prescribed.

(2) The duration of the Wards Committee shall be co-extensive with the duration of the Council.

5-F. Constitution of Area Sabha.--(1) There shall be constituted by the Council, an Area Sabha for each area in a ward in the municipal area.

(2) Each ward shall consist of such number of Area Sabhas not exceeding ten, as may be prescribed.

(3) An Area Sabha shall comprise of the entire geographical territory in which all the persons registered in the electoral rolls pertaining to one or more polling booths in such territory are ordinarily resident.

(4) Each Area Sabha shall consist of the elected Councillor of the ward and all the persons registered in the electoral rolls of the area.

5-G. Term of office of Chairperson of Area Sabha.--(1) The Councillor of the ward shall be Chairperson and convener of the Area Sabha.

(2) The duration of the Area Sabha shall be co-extensive with the duration of the Council.

5-H. Functions and Duties of Area Sabha.--The functions and duties of the Area Sabha, and the procedure to be adopted for transaction of its business shall be such as may be prescribed."

#### PART 4

#### AMENDMENTS TO THE COIMBATORE CITY MUNICIPAL CORPORATION ACT, 1981

### **6. Amendment Of Section 2 :-**

In Section 2 of the Coimbatore City Municipal Corporation Act, 1981 (Tamil Nadu Act 25 of 1981) (hereafter in this Part referred to as the 1981 Act),--

(i) after Clause (2), the following Clause shall be inserted, namely:-

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"(2-A) "Area Sabha" means, in relation to an area, the body of all the persons registered in the electoral rolls pertaining to all polling booths in the area;"

(ii) for Clause (42-A), the following Clauses shall be substituted, namely:--

"(42-A) "Wards Committee" means the Wards Committee referred to in Section 5-C;

(42-AA) "Wards Committee" means the Wards Committee referred to in Section 5-A;"

### **7. Insertion Of New Sections 5-C, 5-D, 5-E, 5-F, 5-G And 5-H :-**

After Section 5-B of the 1981 Act, the following Sections shall be inserted, namely:

"5-C. Constitution of Wards Committee.-- (1) There shall be constituted by the Council, a Wards Committee for each ward within the municipal area.

(2) Each Wards Committee shall consist of the Councillor of the

Corporation representing the ward and as many number of nominated members as may be prescribed, from among the persons registered in the electoral rolls of the ward and nominated by the Council.

(3) The number of, qualification for, the nominated members and the procedure of nomination shall be such as may be prescribed.

5-D. Term of office of Chairperson of Wards Committee.-- (1) The Councillor representing the ward in the Corporation shall be the Chairperson of that Committee.

(2) The Chairperson shall vacate the office as soon as he ceases to be a Councillor.

5-E. Functions and Duties of Wards Committee.-- (1) The functions and duties of the Wards Committee, and the procedure to be adopted by such Committee for transaction of its business shall be such as may be prescribed.

(2) The duration of the Wards Committee shall be co-extensive with the duration of the Council.

5-F. Constitution of Area Sabha.-- (1) There shall be constituted by the Council, an Area Sabha for each area in a ward in the municipal area.

(2) Each ward shall consist of such number of Area Sabhas not exceeding ten, as may be prescribed.

(3) An Area Sabha shall comprise of the entire geographical territory in which all the persons registered in the electoral rolls pertaining to one or more polling booths in such territory are ordinarily resident.

(4) Each Area Sabha shall consist of the elected Councillor of the ward and all the persons registered in the electoral rolls of the area.

5-G. Term of office of Chairperson of Area Sabha.-- (1) The Councillor of the ward shall be Chairperson and convener of the Area Sabha.

(2) The duration of the Area Sabha shall be co-extensive with the duration of the Council.

5-H. Functions and Duties of Area Sabha.-- The functions and duties of the Area Sabha, and the procedure to be adopted for transaction of its business shall be such as may be prescribed."

#### PART 5

#### AMENDMENTS TO THE TAMIL NADU DISTRICT MUNICIPALITIES ACT, 1920

### **8. Amendment Of Section 3 :-**

In Section 3 of the Tamil Nadu District Municipalities Act, 1920

(Tamil Nadu Act V of 1920) (hereafter in this Part referred to as the 1920 Act),--

(i) after Clause (2), the following Clause shall be inserted, namely:  
"(2-A) "Area Sabha" means, in relation to an area, the body of all the persons registered in the electoral rolls pertaining to all polling booths in the area;"

(ii) for Clause (29-B), the following Clauses shall be substituted, namely:--

"(29-B) "Wards Committee" means the Wards Committee referred to in Section 24-C;

(29-BB) "Wards Committee" means the Wards Committee referred to in Section 24-B;"

### **9. Insertion Of New Sections 24-C, 24-D, 24-E, 24-F, 24-G And 24-H :-**

After Section 24-B of the 1920 Act, the following Sections shall be inserted, namely:--

"24-C. Constitution of Wards Committee.--(1) There shall be constituted by the Municipal Council, a Wards Committee for each ward within the territorial area of the municipality.

( 2 ) Each Wards Committee shall consist of the Councillor representing the ward in the municipality and as many number of nominated members as may be prescribed, from among the persons registered in the electoral rolls of the ward and nominated by the Municipal Council.

(3) The number of, qualification for, the nominated members and the procedure of nomination shall be such as may be prescribed.

24-D. Term of office of Chairperson of Wards Committee.-- (1) The Councillor representing the ward in the municipality shall be the Chairperson of that Committee.

(2) The Chairperson shall vacate the office as soon as he ceases to be a Councillor.

24-E. Functions and Duties of Wards Committee.-- (1) The functions and duties of the Wards Committee, and the procedure to be adopted by such Committee for transaction of its business shall be such as may be prescribed.

(2) The duration of the Wards Committee shall be co-extensive with the duration of the Municipal Council.

24-F. Constitution of Area Sabha.--(1) There shall be constituted by the Municipal Council, an Area Sabha for each area in a ward in the municipality.

(2) Each ward shall consist of such number of Area Sabhas, not exceeding five, as may be prescribed.

(3) An Area Sabha shall comprise of the entire geographical territory in which all the persons registered in the electoral rolls pertaining to one or more polling booths in such territory are ordinarily resident.

(4) Each Area Sabha shall consist of the elected Councillor of the ward and all the persons registered in the electoral rolls of the area.  
24-G. Term of office of Chairperson of Area Sabha.--(1) The Councillor of the ward shall be Chairperson and convener of the Area Sabha.

(2) The duration of the Area Sabha shall be co-extensive with the duration of the Municipal Council.

24-H. Functions and Duties of Area Sabha.-- The functions and duties of the Area Sabha, and the procedure to be adopted for transaction of its business shall be such as may be prescribed."

### **10. Repeal And Saving :-**

(1) The Tamil Nadu Municipal Laws (Amendment) Ordinance, 2010 (Tamil Nadu Ordinance 6 of 2010) is hereby repealed.

(2) Notwithstanding such repeal, anything done or any action taken under the Chennai City Municipal Corporation Act, 1919 (Tamil Nadu Act IV of 1919), the Madurai City Municipal Corporation Act, 1971 (Tamil Nadu Act 15 of 1971), the Coimbatore City Municipal Corporation Act, 1981 (Tamil Nadu Act 25 of 1981) and the Tamil Nadu District Municipalities Act, 1920 (Tamil Nadu Act V of 1920), as amended by the said Ordinance, shall be deemed to have been done or taken under the Chennai City Municipal Corporation Act, 1919 (Tamil Nadu Act IV of 1919), the Madurai City Municipal Corporation Act, 1971 (Tamil Nadu Act 15 of 1971), the Coimbatore City Municipal Corporation Act, 1981 (Tamil Nadu Act 25 of 1981) and the Tamil Nadu District Municipalities Act, 1920 (Tamil Nadu Act V of 1920), as amended by this Act.