

Tamil Nadu Municipal Laws (Second Amendment) Act, 2008
35 of 2008

CONTENTS

PART 1 :- PRELIMINARY

1. Short Title And Commencement

PART 2 :- AMENDMENT TO THE CHENNAI CITY MUNICIPAL CORPORATION ACT, 1919

2. Insertion Of New Section 58-A

PART 3 :- AMENDMENT TO THE MADURAI CITY MUNICIPAL CORPORATION ACT, 1971

3. Insertion Of New Section 65-A

PART 4 :- AMENDMENT TO THE COIMBATORE CITY MUNICIPAL CORPORATION ACT, 1981

4. Insertion Of New Section 67-A

PART 5 :- AMENDMENT TO THE TAMIL NADU DISTRICT MUNICIPALITIES ACT, 1920

5. Insertion Of New Section 43-Bb

Tamil Nadu Municipal Laws (Second Amendment) Act, 2008
35 of 2008

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 Fifty-ninth Year of the Republic of India as follows:-- 1. Received the Assent of the Governor of Tamil Nadu on May 29, 2008 -- Published in Tamil Nadu Government Gazette, Extraordinary, Part IV, Section 2, Iss. No. 168, pages 137-138, dated May 30, 2008. 2. Vide L.A. Bill No.22 of 2008 -- Published in T.N. Govt. Gazette, Extra., Part IV, Section 1, Issue No.135, pages 87-89, dated May 6, 2008.

PART 1 PRELIMINARY

1. Short Title And Commencement :-

(1) This Act may be called the Tamil Nadu Municipal Laws (Second Amendment) Act, 2008.

(2) It shall come into force on such date as the State Government may, by notification, appoint.¹

1. Act came into force w.e.f. June 25, 2008 -- G.O. Ms. No.116, Municipal Administration and Water Supply (Election), June 25, 2008 -- As published in Tamil Nadu Government Gazette, Extra., Part II, Section 2, Iss. No.194, page 1, dated June 25, 2008.

PART 2 AMENDMENT TO THE CHENNAI CITY MUNICIPAL CORPORATION ACT, 1919

2. Insertion Of New Section 58-A :-

After Section 58 of the Chennai City Municipal Corporation Act, 1919 (T.N. Act IV of 1919), the following Section shall be inserted, namely:--

"58-A. Grant of paid holiday to employees on the day of poll.-- (1) Every person employed in any business, trade, industrial undertaking or any other establishment and entitled to vote at election to the corporation shall, on the day of poll, be granted a holiday.

(2) No deduction or abatement of the wages of any such person shall be made on account of a holiday having been granted in accordance with subsection (1) and if such person is employed on the basis that he would not ordinarily receive wages for such a day, he shall nonetheless be paid for such day the wages he would have drawn had not a holiday been granted to him, on that day.

(3) If an employer contravenes the provisions of sub-section (1) or subsection (2), then such employer shall be punishable with fine which may extend to five hundred rupees.

(4) This Section shall not apply to any elector whose absence may cause danger or substantial loss in respect of the employment in which he is engaged."

PART 3 AMENDMENT TO THE MADURAI CITY MUNICIPAL CORPORATION ACT, 1971

3. Insertion Of New Section 65-A :-

After Section 65 of the Madurai City Municipal Corporation Act, 1971 (T.N. Act 15 of 1971), the following Section shall be inserted, namely :--

"65-A. Grant of paid holiday to employees on the day of poll.--(1) Every person employed in any business, trade, industrial undertaking or any other establishment and entitled to vote at election to the corporation shall, on the day of poll, be granted a holiday.

(2) No deduction or abatement of the wages of any such person shall be made on account of a holiday having been granted in accordance with subsection (1) and if such person is employed on the basis that he would not ordinarily receive wages for such a day, he shall nonetheless be paid for such day the wages he would have drawn had not a holiday been granted to him, on that day.

(3) if an employer contravenes the provisions of sub-section (1) or subsection (2), then such employer shall be punishable with fine which may extend to five hundred rupees.

(4) This Section shall not apply to any elector whose absence may cause danger or substantial loss in respect of the employment in which he is engaged."

PART 4 AMENDMENT TO THE COIMBATORE CITY MUNICIPAL CORPORATION ACT, 1981

4. Insertion Of New Section 67-A :-

After Section 67 of the Coimbatore City Municipal Corporation Act, 1981 (T.N. Act 25 of 1981), the following Section shall be inserted, namely:--

"67-A. Grant of paid holiday to employees on the day of poll--(1) Every person employed in any business, trade, industrial undertaking or any other establishment and entitled to vote at election to the corporation shall, on the day of poll, be granted a holiday.

(2) No deduction or abatement of the wages of any such person shall be made on account of a holiday having been granted in accordance with subsection (1) and if such person is employed on the basis that he would not ordinarily receive wages for such a day, he shall nonetheless be paid for such day the wages he would have drawn had not a holiday been granted to him, on that day.

(3) If an employer contravenes the provisions of sub-section (1) or subsection (2), then such employer shall be punishable with fine which may extend to five hundred rupees.

(4) This Section shall not apply to any elector whose absence may cause danger or substantial loss in respect of the employment in which he is engaged."

P A R T 5 AMENDMENT TO THE TAMIL NADU DISTRICT MUNICIPALITIES ACT, 1920

5. Insertion Of New Section 43-Bb :-

After Section 43-B of the Tamil Nadu District Municipalities Act, 1920 (T.N. Act V of 1920), the following Section shall be inserted, namely:--

"43-BB. Grant of paid holiday to employees on the day of poll.--(1) Every person employed in any business, trade, industrial undertaking or any other establishment and entitled to vote at election to any Municipality including Third Grade Municipality and Town Panchayat shall, on the day of poll, be granted a holiday.

(2) No deduction or abatement of the wages of any such person shall be made on account of a holiday having been granted in accordance with subsection (1) and if such person is employed on the basis that he would not ordinarily receive wages for such a day, he shall nonetheless be paid for such day the wages he would have drawn had not a holiday been granted to him, on that day.

(3) If an employer contravenes the provisions of sub-section (1) or subsection (2), then such employer shall be punishable with fine which may extend to five hundred rupees.

(4) This Section shall not apply to any elector whose absence may cause danger or substantial loss in respect of the employment in which he is engaged."