

Tamil Nadu Municipal Laws (Sixth Amendment) Act, 2008

38 of 2008

CONTENTS

PART 1 :- PRELIMINARY

1. Short Title And Commencement

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

2. Amendment Of Section 4
3. Substitution Of Section 37

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

4. Amendment Of Section 3
5. Substitution Of Section 38

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

6. Amendment Of Section 3
7. Substitution Of Section 39

PART 5 :- AMENDMENTTO THE TIRUCHIRAPPALLI CITY MUNICIPAL CORPORATION ACT, 1994

8. Amendment Of Section 4

PART 6 :- AMENDMENTTO THE TIRUNELVELI CITY MUNICIPAL CORPORATION ACT, 1994

9. Amendment Of Section 4

PART 7 :- AMENDMENTTO THE SALEM CITY MUNICIPAL CORPORATION ACT, 1994

10. Amendment Of Section 4

PART 8 :- AMENDMENTTO THE TIRUPPUR CITY MUNICIPAL CORPORATION ACT, 2008

11. Section 11

PART 9 :- AMENDMENT TO THE ERODE CITY MUNICIPAL CORPORATION ACT, 2008

12. Amendment Of Section 4

PART 10 :- AMENDMENT TO THE TAMIL NADU DISTRICT MUNICIPALITIES ACT, 1920

13. Amendment Of Section 68

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38 of 2008

Statement of Objects & Reasons² The Government constituted a High Level Committee under the Chairmanship of Honourable Minister for Rural Development and Local Administration, to examine and give recommendations on devolution of more powers and functions upon Urban Local Bodies. 2. The said High Level Committee has recommended among others, that the Acts governing urban local bodies of the State may be suitably amended to prescribe Mayors of City Municipal Corporations as an authority under the said Acts. The Committee has also given certain recommendations regarding prerogatives of the Mayor, relating to, access to records of the Corporation, important correspondences between Corporation and Government and also regarding entrustment of additional functions to Mayor. 3. The said High Level Committee has also recommended that the financial power of the Contract Committee of the Municipalities may be enhanced upto Rs. 50,000/-. 4. The Government have, therefore, decided to accept the above recommendations of the said High Level Committee and to amend the Acts governing urban local bodies suitably, for this purpose. 5. The Bill seeks to give effect to the above decision. Memorandum Regarding Delegated Legislation New Section 37-A of the Chennai City Municipal Corporation Act, 1919 proposed in Part II of the Bill; New Section 38-A of the Madurai City Municipal Corporation Act, 1971 proposed in Part III of the Bill; New Section 39-A of the Coimbatore City Municipal Corporation Act, 1981 proposed in Part IV of the Bill;. authorise the Government to issue notifications to carryout the purposes specified therein. 2. The powers delegated are normal and not of an exceptional character. PREAMBLE 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 143-146, dated May 30, 2008. 2. Vide L.A. Bill No.32 of 2008 -- Published in T.N. Govt. Gazette, Extra., Part IV, Section 1, Issue No.143, pages 127-132, dated May 13, 2008.

PART 1

PRELIMINARY

1. Short Title And Commencement :-

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

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

1. Act came into force w.e.f. June 25, 2008 -- G.O. Ms. No.118, 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 2, dated June 25, 2008

PART 2

AMENDMENTS TO THE CHENNAI CITY MUNICIPAL CORPORATION ACT, 1919

2. Amendment Of Section 4 :-

In Section 4 of the Chennai City Municipal Corporation Act, 1919 (T.N. Act IV of 1919) (hereinafter in this Part referred to as the 1919 Act), in sub-section (3), for clause (a), the following clauses shall be substituted, namely:--

"(a) a Mayor;

(aa) a council;"

3. Substitution Of Section 37 :-

For Section 37 of the 1919 Act, the following Sections shall be substituted, namely:--

"37. Prerogative of the Mayor.--(1) The Mayor shall have full access to all records of the corporation and may obtain reports from the commissioner on any matter connected with the administration of the corporation.

(2) All important official correspondence between the corporation and the State Government as may be decided by the council shall be conducted through the Mayor.

(3) The Mayor shall be bound to transmit communications

addressed through him by the commissioner to the State Government or by the State Government to the commissioner. While transmitting communications from the commissioner to the State Government, the Mayor may make such remarks as he thinks necessary.

37-A. Entrustment of additional functions to Mayor.--The State Government may, subject to the provisions of this Act and the Rules made thereunder, by notification, entrust to the Mayor such additional functions as it may deem necessary for carrying out the purposes of this Act."

PART 3

AMENDMENTS TO THE MADURAI CITY MUNICIPAL CORPORATION ACT, 1971

4. Amendment Of Section 3 :-

In Section 3 of the Madurai City Municipal Corporation Act, 1971 (T.N. Act 15 of 1971) (hereinafter in this Part referred to as the 1971 Act), in sub-section (3), for clause (a), the following clauses shall be substituted, namely:--

"(a) a Mayor;

(aa) a council;".

5. Substitution Of Section 38 :-

For Section 38 of the 1971 Act, the following Sections shall be substituted, namely:--

"38. Prerogative of the Mayor.--(1) The Mayor shall have full access to all records of the corporation and may obtain reports from the commissioner on any matter connected with the administration of the corporation.

(2) All important official correspondence between the corporation and the Government as may be decided by the council shall be conducted through the Mayor.

(3) The Mayor shall be bound to transmit communications addressed through him by the commissioner to the Government or by the Government to the commissioner. While transmitting communications from the commissioner to the Government, the Mayor may make such remarks as he thinks necessary.

38-A. Entrustment of additional functions to Mayor.-- The Government may, subject to the provisions of this Act and the Rules made thereunder, by notification, entrust to the Mayor such additional functions as it may deem necessary for carrying out the purposes of this Act."

PART 4

AMENDMENTS TO THE COIMBATORE CITY MUNICIPAL CORPORATION ACT, 1981

6. Amendment Of Section 3 :-

In Section 3 of the Coimbatore City Municipal Corporation Act, 1981 (T.N. Act 25 of 1981) (hereinafter in this Part referred to as the 1981 Act), in sub-section (3), for clause (a), the following clauses shall be substituted, namely:-- "(a) a Mayor; (aa) a council;".

7. Substitution Of Section 39 :-

For Section 39 of the 1981 Act, the following Sections shall be substituted, namely:--

"39. Prerogative of the Mayor.--(1) The Mayor shall have full access to all records of the corporation and may obtain reports from the commissioner on any matter connected with the administration of the corporation.

(2) All important official correspondence between the corporation and the Government as may be decided by the council shall be conducted through the Mayor.

(3) The Mayor shall be bound to transmit communications addressed through him by the commissioner to the Government or by the Government, to the commissioner. While transmitting communications from the commissioner to the Government, the Mayor may make such remarks as he thinks necessary.

39 - A . Entrustment of additional functions to Mayor.--The Government may, subject to the provisions of this Act and the Rules made thereunder, by notification, entrust to the Mayor such additional functions as it may deem necessary for carrying out the purposes of this Act."

PART 5

AMENDMENT TO THE TIRUCHIRAPPALLI CITY MUNICIPAL CORPORATION ACT, 1994

8. Amendment Of Section 4 :-

In Section 4 of the Tiruchirappalli City Municipal Corporation Act, 1994 (T.N. Act 27 of 1994), for clause (1), the following clauses shall be substituted, namely:--

"(1) a Mayor;

(1-a) a council;".

PART 6

AMENDMENT TO THE TIRUNELVELI CITY MUNICIPAL CORPORATION ACT, 1994

9. Amendment Of Section 4 :-

In Section 4 of the Tirunelveli City Municipal Corporation Act, 1994 (T.N. Act 28 of 1994), for clause (1), the following clauses shall be substituted, namely:--

"(1) a Mayor;
(1-a) a council;"

PART 7

AMENDMENT TO THE SALEM CITY MUNICIPAL CORPORATION ACT, 1994

10. Amendment Of Section 4 :-

In Section 4 of the Salem City Municipal Corporation Act, 1994 (Tamil Nadu Act 29 of 1994), for clause (1), the following clauses shall be substituted, namely:--

"(1) a Mayor;
(1-a) a council;"

PART 8

AMENDMENT TO THE TIRUPPUR CITY MUNICIPAL CORPORATION ACT, 2008

11. Section 11 :-

In Section 4 of the Tiruppur City Municipal Corporation Act, 2008 (T.N. Act 7 of 2008), for clause (1), the following clauses shall be substituted, namely:--

"(1) a Mayor;
(1-a) a council;"

PART 9

AMENDMENT TO THE ERODE CITY MUNICIPAL CORPORATION ACT, 2008

12. Amendment Of Section 4 :-

In Section 4 of the Erode City Municipal Corporation Act, 2008, for clause (1), the following clauses shall be substituted, namely:--

"(1) a Mayor; (1-a) a council;"

PART 10

AMENDMENT TO THE TAMIL NADU DISTRICT MUNICIPALITIES ACT, 1920

13. Amendment Of Section 68 :-

In Section 68 of the Tamil Nadu District Municipalities Act, 1920

(T.N. Act V of 1920), in sub-section (1)-

(1) for The Table, the following Table shall be substituted, namely:--

"THE TABLE		
	Grades	Maximum value or amount
	(1)	(2)
1.	(a) Special Grade Municipalities	Rs. 50,000/-
	(b) Selection Grade Municipalities	Rs. 40,000/-
2.	I Grade Municipalities	Rs. 30,000/-
3.	II Grade Municipalities	Rs. 20,000/-
4.	III Grade Municipalities and Town Panchayats	Rs. 10,000/-.";

(2) the Explanation shall be omitted.