

Tamil Nadu Panchayats (Third Amendment) Act, 2004

39 of 2004

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Tamil Nadu Panchayats (Third Amendment) Act, 2004

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An Act further to amend the Tamil Nadu Panchayats Act, 1994. BE it enacted by the Legislative Assembly of the State of Tamil Nadu in the Fifty-fifth Year of the Republic of India as follows:-- 1. Received the Assent of the Governor of Tamil Nadu on the 11th December, 2004 -- Published in Tamil Nadu Government Gazette, Extraordinary, Part IV, Section 2, Iss. No.309, pages 139-140 dated 13th December, 2004.

1. Short Title And Commencement :-

- (1) This Act may be called the Tamil Nadu Panchayats (Third Amendment) Act, 2004.
- (2) It shall be deemed to have come into force on the 14th day of June 2004.

2. Amendment Of Section 2 :-

In Section 2 of the Tamil Nadu Panchayats Act, 1994 (Tamil Nadu Act 21 of 1994) (hereinafter referred to as the principal Act),--

(i) after clause (32-a), the following clause shall be inserted, namely:--

"(32-b) special village panchayat means the special village panchayat referred to in sub-section (4) of Section 6;";

(ii) in clause (37), the expression "and includes a special village

panchayat" shall be added at the end.

3. Amendment Of Section 6 :-

In Section 6 of the principal Act, for subsection (4), the following sub-sections shall be substituted, namely:--

"(4) The village panchayats constituted under this Act on or after the 14th day of June 2004 consequent on the cancellation of the notification declaring them as town panchayats or Third Grade municipalities, as the case may be, under Section 3-B of the Tamil Nadu District Municipalities Act, 1920 (Tamil Nadu Act V of 1920) shall be called as special village panchayats and the rest of the village panchayats constituted under this Act shall be called as village panchayats.

(5) The Government may, by notification, classify the special village panchayats referred to in sub-section (4) and village panchayats into various grades for the purpose of effective administration of the said village panchayats in accordance with such norms as may be prescribed."

4. Amendment Of Section 8 :-

In Section 8 of the principal Act, in subsection (3), for the word "fifteen", the words "twentyone" shall be substituted.

5. Amendment Of Section 83 :-

In Section 83 of the principal Act, the expression "and different persons may be appointed to different classes of village panchayats" shall be added at the end.

6. Insertion Of New Chapter :-

After Chapter VI of the principal Act, the following Chapter shall be inserted, namely:--

"CHAPTER VI-A.

SPECIAL PROVISION RELATING TO SPECIAL VILLAGE PANCHAYATS.

100-A. Certain modifications of provisions of this Act.--
Notwithstanding anything contained in this Act, in respect of special village panchayats,--

(a) the executive officer of the special village panchayat shall be the executive authority;

(b) the provisions of the Tamil Nadu District Municipalities Act,

1920 (Tamil Nadu Act V of 1920) and the rules made thereunder shall apply,--

(i) in respect of the regulation or restriction of building and the use of sites for building;

(ii) in respect of levy of property tax;

(c) all cheques for payment from panchayat fund or other funds shall be signed by the executive officer of the special village panchayat."

7. Repeal And Saving :-

(1) The Tamil Nadu Panchayats (Third Amendment) Ordinance, 2004 (Tamil Nadu Ordinance 9 of 2004) is hereby repealed.

(2) Notwithstanding such repeal, anything done or any action taken under the principal Act, as amended by the said Ordinance, shall be deemed to have been done or taken under the principal Act, as amended by this Act.