Part IV—Section 2

Tamil Nadu Acts and Ordinances

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The following Act of the Tamil Nadu Legislative Assembly received the assent of the Governor on the 6th September 2011 and is hereby published for general information:—

ACT No. 15 OF 2011.

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-Second Year of the Republic of India as follows:—

PART-I.

PRELIMINARY.

1. (1) This Act may be called the Tamil Nadu Municipal Laws (Second Amendment) Act, 2011.

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

PART-II.

AMENDMENTS TO THE CHENNAI CITY MUNICIPAL CORPORATION ACT, 1919.

2. For sections 28 and 29 of the Chennai City Municipal Corporation Act, 1919 (hereinafter in this Part referred to as the 1919 Act), the following sections shall be substituted, namely:—

“28. Election of Mayor.—(1) (a) The Mayor shall be elected by the persons whose names appear in the voters list for the divisions from among themselves in accordance with such procedure as may be prescribed;

(b) If at an ordinary or casual election, no Mayor is elected, a fresh election shall be held:

Provided that a person who stands for election as Mayor shall not be eligible to stand for election as a councillor:

Provided further that a person who stands for election as a councillor shall not be eligible to stand for election as a Mayor:

Provided also that no councillor shall be eligible to stand for election as a Mayor.

(2) The election of the Mayor may be held ordinarily at the same time and in the same places as the ordinary elections of the councillors of the divisions are held.

(3) The term of office of the Mayor who is elected at an ordinary election shall, save as otherwise expressly provided in, be five years beginning at noon on the day on which the ordinary vacancy occurs.

(4) Any casual vacancy in the office of the Mayor shall be filled by a fresh election and a person elected as Mayor in any such vacancy shall enter upon office forthwith and hold office only so long as the person in whose place he is elected would have been entitled to hold office, if the vacancy had not occurred.

(5) Unless the Tamil Nadu State Election Commissioner otherwise directs, no casual vacancy in the office of the Mayor shall be filled within six months before the date on which the ordinary election of the Mayor under sub-section (1) is due.
(6) The Mayor shall be an ex-officio member of the council and shall have all the rights and privileges of an elected councillor of the council.

29. **Election of Deputy Mayor.**—(1) The Deputy Mayor shall be elected by the councillors from among themselves in accordance with such procedure as may be prescribed.

(2) If at an election held under sub-section (1), no Deputy Mayor is elected, a fresh election shall be held for electing a Deputy Mayor.

(3) The Deputy Mayor shall hold office for a period of five years from the date of his election and he shall continue as such Deputy Mayor, provided that in the meantime he does not cease to be a councillor.

(4) Any casual vacancy in the office of the Deputy Mayor shall be filled by a fresh election held in accordance with such procedure as may be prescribed and a person elected as Deputy Mayor on any such vacancy shall enter upon office forthwith and hold office only so long as the person in whose place he is elected would have been entitled to hold office, if the vacancy had not occurred.”.

3. In section 44-AB of the 1919 Act,—

(1) in the marginal heading, the words “Mayor or” shall be omitted;

(2) in sub-section (1), the words “a Mayor or” shall be omitted;

(3) in sub-section (2), the words “Mayor or” shall be omitted;

(4) in sub-section (3), the words “Mayor or” shall be omitted.

4. In section 44-AC of the 1919 Act,—

(1) in the marginal heading, the words “Mayor or” shall be omitted;

(2) in sub-section (1), the words “Mayor or” shall be omitted;

(3) in sub-section (2), for the expression “Mayor or the Deputy Mayor, as the case may be”, the words “Deputy Mayor” shall be substituted;

(4) in sub-section (3), the words “Mayor or the” shall be omitted;

(5) in sub-section (4), the words “a Mayor or” shall be omitted.

5. After section 44-AC of the 1919 Act, the following section shall be inserted, namely:—

“44-AD. **Removal of Mayor.**—(1) The councillors constituting three-fifth of the sanctioned strength of the council may, by written notice, presented by any two of them, to the Commissioner, with a copy to the Mayor, express their intention to make a motion against the Mayor that the Mayor wilfully omits or refuses to carry out or disobeys any provision of this Act, or any rule, by-law, regulation, or lawful order made or issued under this Act or abuses any power vested in him. The Commissioner shall, on receipt of such notice, convene a special meeting for the consideration of the motion and record the views of the council, at the office of the municipal corporation at a date appointed by the Commissioner. The motion shall be deemed to have been passed by the council if four-fifth of sanctioned strength of the council present and voting, is in favour of it; and if it is not passed by four-fifth of the sanctioned strength of the council present and voting, it shall be treated as dropped.
(2) A copy of the notice of the meeting shall be caused to be delivered to the Mayor and to all the councillors by the Commissioner at least fifteen days before the date of the meeting.

(3) The Commissioner shall preside at the meeting convened under this section and no other person shall preside thereat. If, within half an hour, appointed for the meeting, the Commissioner is not present to preside at the meeting, the meeting shall stand adjourned to a date to be appointed and notified to the Mayor and councillors by the Commissioner under sub-section (4).

(4) If the Commissioner is unable to preside at the meeting, he may after recording his reasons in writing, adjourn the meeting to such other date as he may appoint. The date so appointed shall not be later than thirty days from the date appointed for the meeting under sub-section (1). Notice of not less than fifteen days shall be given to the Mayor and the councillors, of the date appointed for the adjourned meeting.

(5) Save as provided in sub-sections (3) and (4), a meeting convened for the purpose of considering the notice for the removal of the Mayor under this section shall not for any reason, be adjourned.

(6) As soon as the meeting convened under this section is commenced, the Commissioner shall read to the council the notice for the consideration of which it has been convened.

(7) The Commissioner shall not speak on the merits of the notice, nor shall he be entitled to vote at the meeting.

(8) The views of the council shall be duly recorded in the minutes of the meeting and copy of the minutes shall, forthwith on the termination of the meeting, be forwarded by the Commissioner to the State Government.

(9) The State Government shall, after considering the views of the council in this regard, by notice in writing require the Mayor to offer, within a specified date, his explanation with respect to his acts of commission or omission mentioned in the notice. If the explanation is received within the specified date and the State Government consider that the explanation is satisfactory, they may drop further action with respect to the notice. If no explanation is received within the specified date, or if the explanation received within such date is not satisfactory, the State Government may pass orders removing the Mayor. The orders of the State Government removing the Mayor from office shall be final. The orders of the State Government removing the Mayor from office shall be published in the Tamil Nadu Government Gazette.

(10) Any person in respect of whom orders have been published under sub-section (9) removing him from the office of Mayor shall be ineligible for election as a Mayor until the date on which notice of the next ordinary elections to the municipal corporation is published in the manner prescribed, or the expiry of one year from the date specified in the order published under sub-section (9).”.

6. In section 59 of the 1919 Act, in sub-section (2), in clause (c), for the word “councillor”, the words “councillor or Mayor” shall be substituted.
7. For sections 29 and 30 of the Madurai City Municipal Corporation Act, 1971 (hereinafter in this Part referred to as the 1971 Act), the following sections shall be substituted, namely:

"29. Election of Mayor.—(1) (a) The Mayor shall be elected by the persons whose names appear in the voters list for the wards from among themselves in accordance with such procedure as may be prescribed;

(b) If at an ordinary or casual election, no Mayor is elected, a fresh election shall be held:

Provided that a person who stands for election as Mayor shall not be eligible to stand for election as a councillor:

Provided further that a person who stands for election as a councillor shall not be eligible to stand for election as a Mayor:

Provided also that no councillor shall be eligible to stand for election as a Mayor.

(2) The election of the Mayor may be held ordinarily at the same time and in the same places as the ordinary elections of the councillors of the wards are held.

(3) The term of office of the Mayor who is elected at an ordinary election shall, save as otherwise expressly provided in, be five years beginning at noon on the day on which the ordinary vacancy occurs.

(4) Any casual vacancy in the office of the Mayor shall be filled by a fresh election and a person elected as Mayor in any such vacancy shall enter upon office forthwith and hold office only so long as the person in whose place he is elected would have been entitled to hold office, if the vacancy had not occurred.

(5) Unless the Tamil Nadu State Election Commissioner otherwise directs, no casual vacancy in the office of the Mayor shall be filled within six months before the date on which the ordinary election of the Mayor under sub-section (1) is due.

(6) The Mayor shall be an ex-officio member of the council and shall have all the rights and privileges of an elected councillor of the council.

30. Election of Deputy Mayor.—(1) The Deputy Mayor shall be elected by the councillors from among themselves in accordance with such procedure as may be prescribed.

(2) If at an election held under sub-section (1), no Deputy Mayor is elected, a fresh election shall be held for electing a Deputy Mayor.

(3) The Deputy Mayor shall hold office for a period of five years from the date of his election and he shall continue as such Deputy Mayor, provided that in the meantime he does not cease to be a councillor.

(4) Any casual vacancy in the office of the Deputy Mayor shall be filled by a fresh election held in accordance with such procedure as may be prescribed and a person elected as Deputy Mayor on any such vacancy shall enter upon office forthwith and hold office only so long as the person in whose place he is elected would have been entitled to hold office, if the vacancy had not occurred.".
8. In section 48-AA of the 1971 Act,—
   (1) in the marginal heading, the words “Mayor or” shall be omitted;
   (2) in sub-section (1), the words “a Mayor or” shall be omitted;
   (3) in sub-section (2), the words “Mayor or” shall be omitted;
   (4) in sub-section (3), the words “Mayor or” shall be omitted.

9. In section 48-AB of the 1971 Act,—
   (1) in the marginal heading, the words “Mayor or” shall be omitted;
   (2) in sub-section (1), the words “Mayor or” shall be omitted;
   (3) in sub-section (12), for the expression “Mayor or the Deputy Mayor, as the case may be”, the words “Deputy Mayor” shall be substituted;
   (4) in sub-section (13), the words “Mayor or the” shall be omitted;
   (5) in sub-section (14), the words “a Mayor or” shall be omitted.

10. After section 48-AB of the 1971 Act, the following section shall be inserted, namely:

   “48-AC. Removal of Mayor.—(1) The councillors constituting three-fifth of the sanctioned strength of the council may, by written notice, presented by any two of them, to the Commissioner, with a copy to the Mayor, express their intention to make a motion against the Mayor that the Mayor wilfully omits or refuses to carry out or disobeys any provision of this Act, or any rule, by-law, regulation, or lawful order made or issued under this Act or abuses any power vested in him. The Commissioner shall, on receipt of such notice, convene a special meeting for the consideration of the motion and record the views of the council, at the office of the municipal corporation at a date appointed by the Commissioner. The motion shall be deemed to have been passed by the council if four-fifth of sanctioned strength of the council present and voting, is in favour of it; and if it is not passed by four-fifth of the sanctioned strength of the council present and voting, it shall be treated as dropped.

   (2) A copy of the notice of the meeting shall be caused to be delivered to the Mayor and to all the councillors by the Commissioner at least fifteen days before the date of the meeting.

   (3) The Commissioner shall preside at the meeting convened under this section and no other person shall preside thereat. If, within half an hour, appointed for the meeting, the Commissioner is not present to preside at the meeting, the meeting shall stand adjourned to a date to be appointed and notified to the Mayor and councillors by the Commissioner under sub-section (4).

   (4) If the Commissioner is unable to preside at the meeting, he may after recording his reasons in writing, adjourn the meeting to such other date, as he may appoint. The date so appointed shall not be later than thirty days from the date appointed for the meeting under sub-section (1). Notice of not less than fifteen days shall be given to the Mayor and the councillors, of the date appointed for the adjourned meeting.

   (5) Save as provided in sub-sections (3) and (4), a meeting convened for the purpose of considering the notice for the removal of the Mayor under this section shall not for any reason, be adjourned.
(6) As soon as the meeting convened under this section is commenced, the Commissioner shall read to the council the notice for the consideration of which it has been convened.

(7) The Commissioner shall not speak on the merits of the notice, nor shall he be entitled to vote at the meeting.

(8) The views of the council shall be duly recorded in the minutes of the meeting and copy of the minutes shall, forthwith on the termination of the meeting, be forwarded by the Commissioner to the State Government.

(9) The State Government shall, after considering the views of the council in this regard, by notice in writing require the Mayor to offer, within a specified date, his explanation with respect to his acts of commission or omission mentioned in the notice. If the explanation is received within the specified date and the State Government consider that the explanation is satisfactory, they may drop further action with respect to the notice. If no explanation is received within the specified date, or if the explanation received within such date is not satisfactory, the State Government may pass orders removing the Mayor. The orders of the State Government removing the Mayor from office shall be final. The orders of the State Government removing the Mayor from office shall be published in the Tamil Nadu Government Gazette.

(10) Any person in respect of whom orders have been published under sub-section (9) removing him from the office of Mayor shall be ineligible for election as a Mayor until the date on which notice of the next ordinary elections to the municipal corporation is published in the manner prescribed, or the expiry of one year from the date specified in the order published under sub-section (9)."

11. In section 66 of the 1971 Act, in sub-section (2), in clause (b), for the word "councillor", the words "councillor or Mayor" shall be substituted.

PART - IV.
AMENDMENTS TO THE COIMBATORE CITY MUNICIPAL CORPORATION ACT, 1981.

12. For sections 29 and 30 of the Coimbatore City Municipal Corporation Act, 1981 (hereinafter in this Part referred to as the 1981 Act), the following sections shall be substituted, namely:

"29. Election of Mayor.— (1) (a) The Mayor shall be elected by the persons whose names appear in the voters list for the divisions from among themselves in accordance with such procedure as may be prescribed;

(b) If at an ordinary or casual election, no Mayor is elected, a fresh election shall be held:

Provided that a person who stands for election as Mayor shall not be eligible to stand for election as a councillor:

Provided further that a person who stands for election as a councillor shall not be eligible to stand for election as a Mayor:

Provided also that no councillor shall be eligible to stand for election as a Mayor.

(2) The election of the Mayor may be held ordinarily at the same time and in the same places as the ordinary elections of the councillors of the divisions are held.
(3) The term of office of the Mayor who is elected at an ordinary election shall, save as otherwise expressly provided in, be five years beginning at noon on the day on which the ordinary vacancy occurs.

(4) Any casual vacancy in the office of the Mayor shall be filled by a fresh election and a person elected as Mayor in any such vacancy shall enter upon office forthwith and hold office only so long as the person in whose place he is elected would have been entitled to hold office, if the vacancy had not occurred.

(5) Unless the Tamil Nadu State Election Commissioner otherwise directs, no casual vacancy in the office of the Mayor shall be filled within six months before the date on which the ordinary election of the Mayor under sub-section (1) is due.

(6) The Mayor shall be an ex-officio member of the council and shall have all the rights and privileges of an elected councillor of the council.

30. Election of Deputy Mayor. — (1) The Deputy Mayor shall be elected by the councillors from among themselves in accordance with such procedure as may be prescribed.

(2) If at an election held under sub-section (1), no Deputy Mayor is elected, a fresh election shall be held for electing a Deputy Mayor.

(3) The Deputy Mayor shall hold office for a period of five years from the date of his election and he shall continue as such Deputy Mayor, provided that in the meantime he does not cease to be a councillor.

(4) Any casual vacancy in the office of the Deputy Mayor shall be filled by a fresh election held in accordance with such procedure as may be prescribed and a person elected as Deputy Mayor on any such vacancy shall enter upon office forthwith and hold office only so long as the person in whose place he is elected would have been entitled to hold office, if the vacancy had not occurred."

13. In section 50-B of the 1981 Act,—

(1) in the marginal heading, the words "Mayor or" shall be omitted;

(2) in sub-section (1), the words "a Mayor or" shall be omitted;

(3) in sub-section (2), the words "Mayor or" shall be omitted;

(4) in sub-section (3), the words "Mayor or" shall be omitted.


(1) in the marginal heading, the words "Mayor or" shall be omitted;

(2) in sub-section (1), the words "Mayor or" shall be omitted;

(3) in sub-section (12), for the expression "Mayor or the Deputy Mayor, as the case may be", the words "Deputy Mayor" shall be substituted;

(4) in sub-section (13), the words "Mayor or the" shall be omitted;

(5) in sub-section (14), the words "a Mayor or" shall be omitted.

15. After section 50-C of the 1981 Act, the following section shall be inserted, namely:—

"50-D. Removal of Mayor.— (1) The councillors constituting three-fifth of the sanctioned strength of the council may, by written notice, presented by any two of them, to the Commissioner, with a copy to the Mayor, express
their intention to make a motion against the Mayor that the Mayor wilfully omits
or refuses to carry out or disobeys any provision of this Act, or any rule,
by-law, regulation, or lawful order made or issued under this Act or abuses
any power vested in him. The Commissioner shall, on receipt of such notice,
convene a special meeting for the consideration of the motion and record
the views of the council, at the office of the municipal corporation at a date
appointed by the Commissioner. The motion shall be deemed to have been
passed by the council if four-fifth of sanctioned strength of the council present
and voting, is in favour of it; and if it is not passed by four-fifth of the
sanctioned strength of the council present and voting, it shall be treated as
dropped.

(2) A copy of the notice of the meeting shall be caused to be
delivered to the Mayor and to all the councillors by the Commissioner at least
fifteen days before the date of the meeting.

(3) The Commissioner shall preside at the meeting convened under
this section and no other person shall preside thereat. If, within half an hour,
appointed for the meeting, the Commissioner is not present to preside at the
meeting, the meeting shall stand adjourned to a date to be appointed and
notified to the Mayor and councillors by the Commissioner under sub-section (4).

(4) If the Commissioner is unable to preside at the meeting, he
may after recording his reasons in writing, adjourn the meeting to such other
date as he may appoint. The date so appointed shall not be later than thirty
days from the date appointed for the meeting under sub-section (1). Notice
of not less than fifteen days shall be given to the Mayor and the councillors,
of the date appointed for the adjourned meeting.

(5) Save as provided in sub-sections (3) and (4), a meeting convened
for the purpose of considering the notice for the removal of the Mayor under
this section shall not for any reason, be adjourned.

(6) As soon as the meeting convened under this section is commenced,
the Commissioner shall read to the council the notice for the consideration
of which it has been convened.

(7) The Commissioner shall not speak on the merits of the notice, nor
shall he be entitled to vote at the meeting.

(8) The views of the council shall be duly recorded in the minutes of
the meeting and a copy of the minutes shall, forthwith on the termination of
the meeting be forwarded by the Commissioner to the State Government.

(9) The State Government shall, after considering the views of the
council in this regard, by notice in writing require the Mayor to offer, within
a specified date, his explanation with respect to his acts of commission or
omission mentioned in the notice. If the explanation is received within the
specified date and the State Government consider that the explanation is
satisfactory, they may drop further action with respect to the notice. If no
explanation is received within the specified date, or if the explanation received
within such date is not satisfactory, the State Government may pass orders
removing the Mayor. The orders of the State Government removing the Mayor
from office shall be final. The orders of the State Government removing the
Mayor from office shall be published in the Tamil Nadu Government Gazette.

(10) Any person in respect of whom orders have been published under
sub-section (9) removing him from the office of Mayor shall be ineligible for
election as Mayor until the date on which notice of the next ordinary elections
to the municipal corporation is published in the manner prescribed, or the expiry of one year from the date specified in the order published under sub-section (9)."

16. In section 68 of the 1981 Act, in sub-section (2), in clause (b), for the word "councillor", the words "councillor or Mayor" shall be substituted.

PART V.

AMENDMENTS TO THE TAMIL NADU DISTRICT MUNICIPALITIES ACT, 1920.

17. In the Tamil Nadu District Municipalities Act, 1920 (hereinafter in this Part referred to as the 1920 Act), in section 3-F, in sub-section (1), after the expression "members of a Third Grade Municipality", the expression "(exclusive of its chairman)" shall be inserted.

18. In section 3-T of the 1920 Act, in sub-section (1), after the expression, "members of a town panchayat", the expression "(exclusive of its chairman)" shall be inserted.

19. In section 7 of the 1920 Act, in sub-section (1), after the expression "such number of councillors", the expression "(exclusive of its chairman)" shall be inserted.

20. After section 7 of the 1920 Act, the following section shall be inserted, namely:—

"7-A. Election of chairman.— The chairman shall be elected by the persons whose names appear in the electoral rolls relating to the municipality from among themselves in accordance with such procedure as may be prescribed:

Provided that a person who stands for election as chairman shall not be eligible to stand for election as a councillor:

Provided further that a person who stands for election as a councillor shall not be eligible to stand for election as chairman:

Provided also that no councillor shall be eligible to stand for election as chairman.".

21. In section 8 of the 1920 Act,-

(1) in the marginal heading, for the word "councillors", the words "chairman or councillors" shall be substituted;

(2) in sub-section (1), for the word "councillors", the words "chairman and councillors" shall be substituted;

(3) in sub-section (2), for the word "councillors", the words "chairman and councillors" shall be substituted;

(4) after sub-section (2), the following sub-section shall be inserted, namely:—

"(2-A) The election of the chairman may be held ordinarily at the same time and in the same places as the ordinary elections of the councillors of the municipalities.";

(5) in sub-section (3), for the words "A councillor elected", the words "The chairman or a councillor elected" shall be substituted;
(6) in sub-section (4), for the expression “A causal vacancy in the
office of a councillor”, the expression “A causal vacancy in the office of the
chairman or a councillor” shall be substituted;

(7) in sub-section (5), for the words “A councillor” and “the councillor”,
the words “The chairman or a councillor” and “the chairman or the councillor”
shall, respectively, be substituted.

22. In section 9 of the 1920 Act,—

(1) in the marginal heading, for the word “councillor”, the words
“chairman or councillor” shall be substituted;

(2) in sub-section (1), for the word “councillor”, the words “chairman
or councillor” shall be substituted;

(3) in sub-section (3), for the expression “a councillor elected under
this section”, the expression “a chairman or a councillor elected under
sub-section (1)” shall be substituted.

23. In section 12 of the 1920 Act,—

(1) sub-section (2) shall be omitted;

(2) for sub-section (4), the following sub-section shall be substituted,

namely:

“(4) A chairman shall be deemed to have vacated his office on his
becoming disqualified for holding the office or on his removal from office or
on the expiry of his term of office or on his otherwise ceasing to be the
chairman.”.

24. In section 12-A of the 1920 Act, including the marginal heading, the
words “chairman or”, occurring in two places, shall be omitted.

25. For section 14 of the 1920 Act, the following section shall be substituted,

namely:

“14. The chairman to be member of council and of every committee
of the council.— The chairman shall by virtue of his office be a member
of council and of every committee of the council.”.

26. In section 30 of the 1920 Act,—

(1) in the marginal heading, for the word “councillor”, the words
“Chairman and councillor” shall be substituted;

(2) in sub-section (1), for the word “councillor”, the words “chairman
or councillor” shall be substituted.

27. In section 40 of the 1920 Act, including the marginal heading, for the
expression “chairman or vice-chairman”, wherever it occurs, the word
“vice-chairman” shall be substituted.

28. In section 40-A of the 1920 Act,—

(1) in the marginal heading, for the words “chairman or vice-chairman”,
the word “vice-chairman” shall be substituted;

(2) in sub-section (1), for the words “chairman or vice-chairman”, the
word “vice-chairman” shall be substituted;

(3) in sub-section (12), for the expression “chairman or vice-chairman,
as the case may be”, the word “vice-chairman” shall be substituted;
29. After section 40-A of the 1920 Act, the following section shall be inserted, namely:—

"40-B. Removal of chairman.— (1) The councillors constituting three-fifth of the sanctioned strength of the council may, by written notice, presented by any two of them, to the Regional Director of Municipal Administration, (hereinafter in this section referred to as Regional Director) with a copy to the chairman, express their intention to make a motion against the chairman that the chairman willfully omits or refuses to carry out or disobeys any provision of this Act, or any rule, by-law, regulation, or lawful order made or issued under this Act or abuses any power vested in him. The Regional Director shall on receipt of such notice, convene a special meeting for the consideration of the motion and record the views of the council, at the office of the municipality at a date appointed by the Regional Director. The motion shall be deemed to have been passed by the council if four-fifth of sanctioned strength of the council present and voting, is in favour of it; and if it is not passed by four-fifth of the sanctioned strength of the council present and voting, it shall be treated as dropped.

(2) A copy of the notice of the meeting shall be caused to be delivered to the chairman and to all the councillors by the Regional Director at least fifteen days before the date of the meeting.

(3) The Regional Director shall preside at the meeting convened under this section and no other person shall preside thereat. If, within half an hour, appointed for the meeting, the Regional Director is not present to preside at the meeting, the meeting shall stand adjourned to a date to be appointed and notified to the chairman and councillors by the Regional Director under sub-section (4).

(4) If the Regional Director is unable to preside at the meeting, he may after recording his reasons in writing, adjourn the meeting to such other date as he may appoint. The date so appointed shall not be later than thirty days from the date appointed for the meeting under sub-section (1). Notice of not less than fifteen days shall be given to the chairman and the councillors, of the date appointed for the adjourned meeting.

(5) Save as provided in sub-sections (3) and (4), a meeting convened for the purpose of considering the notice for the removal of the chairman under this section shall not for any reason, be adjourned.

(6) As soon as the meeting convened under this section is commenced, the Regional Director shall read to the council the notice for the consideration of which it has been convened.

(7) The Regional Director shall not speak on the merits of the notice, nor shall he be entitled to vote at the meeting.

(8) The views of the council shall be duly recorded in the minutes of the meeting and copy of the minutes shall, forthwith on the termination of the meeting, be forwarded by the Regional Director to the State Government through the Commissioner of Municipal Administration.

(9) The State Government shall, after considering the views of the council in this regard, by notice in writing require the chairman to offer, within a specified date, his explanation with respect to his acts of commission or
omission mentioned in the notice. If the explanation is received within the
specified date and the State Government consider that the explanation is
satisfactory, they may drop further action with respect to the notice. If no
explanation is received within the specified date, or if the explanation received
within such date is not satisfactory, the State Government may pass orders
removing the chairman. The orders of the State Government removing the
chairman from office shall be final. The orders of the State Government
removing the chairman from office shall be published in the
Tamil Nadu Government Gazette.

(10) Any person in respect of whom orders have been published under
sub-section (9) removing him from the office of chairman shall be ineligible
for election as chairman until the date on which notice of the next ordinary
elections to the municipal council is published in the manner prescribed, or
the expiry of one year from the date specified in the order published under
sub-section (9)."

30. In section 43-C of the 1920 Act, in sub-section (2),—
(1) for the word "councillors", the words "chairman or councillors" shall
be substituted;
(2) for the word "councillor", the words "chairman or councillor" shall
be substituted.

31. In section 48 of the 1920 Act,—
(1) in sub-section (1), for the word "councillor", the expression "chairman
or as a councillor" shall be substituted;
(2) in sub-section (2), for the word "councillor", the words "chairman
or as a councillor" shall be substituted.

32. In section 49 of the 1920 Act,—
(1) in sub-section (1), for the word "councillor", the words "chairman
or councillor" shall be substituted;
(2) in sub-section (2),—
(a) in the opening part, for the expression "as a councillor", the
expression "as a chairman or election as a councillor" shall be substituted;
(b) in clause (e), for the words "a councillor", occurring in two places,
the words "the chairman or a councillor" shall be substitute.

33. In section 50 of the 1920 Act,—
(1) in the marginal heading, for the word "councillors", the words
"chairman or councillors" shall be substituted;
(2) in sub-section (1),—
(a) in the opening part, for the words "a councillor", the words
"the chairman or a councillor" shall be substituted;
(b) in clause (f), for the expression "of any other councillor", the
expression "of the chairman or any other councillor" shall be substituted;
(c) in clause (i),—
(i) for the word "councillor", the words "the chairman or
councillor" shall be substituted;
(ii) in the proviso, for the words “a councillor”, the words “the chairman or a councillor” shall be substituted;

(3) in sub-section (4), for the words “a councillor” and “councillor”, wherever they occur, the words “the chairman or a councillor” and “the chairman or councillor” shall, respectively, be substituted.

34. In section 51 of the 1920 Act,—

(1) in the marginal heading, for the word “councillor”, the words “chairman or councillor” shall be substituted;

(2) in sub-section (1), for the words “a councillor”, “any councillor” and “such councillor”, the words “the chairman or a councillor”, “the chairman or any councillor” and “such chairman or councillor” shall, respectively, be substituted;

(3) in sub-section (3), for the word “councillor”, the words “chairman or the councillor” shall be substituted.

35. In section 368 of the 1920 Act,—

(1) in sub-section (2), for the word “councillors”, the words “chairman and councillors” shall be substituted;

(2) in sub-section (5), for the word “councillors”, the words “chairman and councillors” shall be substituted;

(3) in sub-section (6), for the word “councillors”, the words “chairman or councillors” shall be substituted.

(By order of the Governor)

G. JAYACHANDRAN,
Secretary to Government,
Law Department.
The following Act of the Tamil Nadu Legislative Assembly received the assent of the Governor on the 6th September 2011 and is hereby published for general information:—

**ACT No. 16 OF 2011.**

*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-second Year of the Republic of India as follows:—

**PART-I.**

**PRELIMINARY.**

1. (1) This Act may be called the Tamil Nadu Municipal Laws (Third Amendment) Act, 2011.

(2) It shall come into force at once.

**PART-II.**

AMENDMENT TO THE TIRUNELVELI CITY MUNICIPAL CORPORATION ACT, 1994.

2. After section 6 of the Tirunelveli City Municipal Corporation Act, 1994, the following section shall be inserted, namely:—

“6-A. Special provision relating to election. Notwithstanding anything contained in this Act or in the 1981 Act or the rules made or orders issued thereunder, for the first election to the council, to be held immediately after the commencement of the Tamil Nadu Municipal Laws (Third Amendment) Act, 2011, the territorial area of the divisions of the city, the total number of divisions and the total number of councillors to be returned from such divisions shall be the same as they exist on the date of commencement of the Tamil Nadu Municipal Laws (Third Amendment) Act, 2011.”.

**PART-III.**

AMENDMENT TO THE SALEM CITY MUNICIPAL CORPORATION ACT, 1994.

3. After section 6 of the Salem City Municipal Corporation Act, 1994, the following section shall be inserted, namely:—

“6-A. Special provision relating to election. Notwithstanding anything contained in this Act or in the 1981 Act or the rules made or orders issued thereunder, for the first election to the council, to be held immediately after the commencement of the Tamil Nadu Municipal Laws (Third Amendment) Act, 2011, the territorial area of the divisions of the city, the total number of divisions and the total number of councillors to be returned from such divisions shall be the same as they exist on the date of commencement of the Tamil Nadu Municipal Laws (Third Amendment) Act, 2011.”.
PART-IV.

AMENDMENT TO THE TAMIL NADU DISTRICT MUNICIPALITIES ACT, 1920.

4. After section 43-AA of the Tamil Nadu District Municipalities Act, 1920, the following section shall be inserted, namely:—

"43-AAA. Special provision relating to election.— Notwithstanding anything contained in this Act or the rules made or orders issued under this Act, for the first election to the municipal councils except the municipal councils of Pudukottai, Karur, Kancheepuram, Hosur, Namakkal, Villupuram, Tirupathur and Nagercoil municipalities, to be held immediately after the date of commencement of the Tamil Nadu Municipal Laws (Third Amendment) Act, 2011, the territorial area of the wards of the municipal councils, the total number of wards and the total number of councillors or members, as the case may be, to be returned from such wards shall be the same as they exist on the date of commencement of the Tamil Nadu Municipal Laws (Third Amendment) Act, 2011."

(By order of the Governor)

G. JAYACHANDRAN,
Secretary to Government,
Law Department.
The following Act of the Tamil Nadu Legislative Assembly received the assent
of the Governor on the 6th September 2011 and is hereby published
for general information:—

ACT No. 17 OF 2011.

An Act further to amend the Tamil Nadu District
Municipalities Act, 1920.

Be it enacted by the Legislative Assembly of the State of Tamil Nadu
in the Sixty-second Year of the Republic of India as follows:—

1. (1) This Act may be called the Tamil Nadu District Municipalities
(Amendment) Act, 2011.

(2) It shall come into force at once.

2. In section 7 of the Tamil Nadu District Municipalities Act, 1920, in
the first proviso to sub-section (1), for the word “twenty”, the word “fifteen”
shall be substituted.

(By order of the Governor)

G. JAYACHANDRAN,
Secretary to Government,
Law Department.