

1.8 Classification of Village Panchayats as Special Village Panchayats

GOVERNMENT OF TAMILNADU (Regd.No.TN/PMG (CCR)-217/2003-05 2004
(Price Rs.6.40 paise.)

**TAMIL NADU GOVERNMENT GAZETTE
EXTRAORDINARY PUBLISHED BY AUTHORITY**

NO.251 CHENNAI, FRIDAY, OCTOBER 1, 2004

Purattasi 15 Tarana, Thiruvalluvar Aandu-2035

Part IV – Section 2

Tamil Nadu Acts and Ordinance.

CONTENTS

Pages

ORDINANCES:

No.9 of 2004	- The Tamil Nadu Panchayats (Third Amendment)	98-100
No.10 of 2004	The Tamil Nadu Prevention of Dangerous Activities of Bootleggers, Drug-offenders, Forest-offenders, Goondas, Immoral Traffic Offenders and Slum-grabbers (Amendment)	101 – 103.
No.11 of 2004	The Tamil Nadu Exhibition of Films on Television Screen through Video Cassette Recorders and Cable television Network (Regulation)- Amendment	105-106
No.12 of 2004	The Tamil Nadu Entertainments Tax (Amendment)	107 – 109
no.13 of 2004	The Tamil Nadu Transparency in Tenders (Amendment)	111-112

TAMIL NADU GOVERNMENT GAZETTE EXTRAORDINARY

The following Ordinance which was promulgated by the Governor on the 30th September 2004 is hereby published for general information :—

TAMIL NADU ORDINANCE No. 9 OF 2004.

An Ordinance further to amend the Tamil Nadu Panchayats Act, 1994.

WHEREAS (he Legislative Assembly of the State is not in session and the Governor of Tamil Nadu is satisfied that circumstances exist which render it necessary for him to take immediate action for the purposes hereinafter appearing:

Now, THEREFORE, in exercise of the powers conferred by clause (1) of Article 213 of the Constitution, the Governor hereby promulgates the following Ordinance:—

1. (1) This Ordinance may be called the 'Tamil Nadu Panchayats (Third - Amendment) Ordinance, 2004.

(2) It shall be deemed to have come into force on the 14th day of June 2004. Amendment

2. In section 2 of the Tamil Nadu Panchayats Act, 1994 hereinafter referred to as the principal Act.

(i) alter 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. In section 6 of the principal Act, for sub-section (4), the following sub-sections shall be substituted, namely:

(4) The village panchayats constituted as such under section 4 on the 14th day of June 2004 consequent on the cancellation of the notification declaring them as town panchayats 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. In section 8 of the principal Act, in sub-section (3), for the word “fifteen”, the words “twenty one” shall be substituted. ,

5. 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. Alter 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 1020) and the rules made there under 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.

30th September 2004.

P.S. RAMAMOHAN RAO,
Governor of Tamil Nadu

EXPLANATORY STATEMENT

Consequent on the cancellation of the notification issued under section 3-B of the Tamil Nadu District Municipalities Act, 1920 (Tamil Nadu Act V of 1920) in respect of 562 town panchayats on the 14th June 2004, they were constituted as village panchayats under the Tamil Nadu Panchayats Act, 1994 (Tamil Nadu Act 21 of 1994). In order to have a separate identity for the said village panchayats, the Government have decided to amend the said Tamil Nadu Act 21 of 1994 to classify such village panchayats as special Village panchayats and to make provisions for a smooth transition, administrative accountability, financial stability and maintenance of existing level of civic services to the citizens in such special village panchayats.

2. The Ordinance seeks to give effect to the above decision.

(By order of the Governor)

L. JAYASANKARAN,
Secretary to Government-in-charge,
Law Department.