



The Bhavanisagar Township Act, 1954

Act 25 of 1954

Keyword(s):

Township, Administration, Governance

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[TAMIL NADU] ACT No. XXV OF 1954.

[THE BHAVANISAGAR TOWNSHIP ACT, 1954.]

(Received the assent of the Governor on the 29th August 1954; first published in the Fort St. George Gazette on the 8th September 1954.)

An Act to constitute a township for Bhavanisagar in the Coimbatore district and to provide for its administration and governance.

WHEREAS it is expedient to constitute a township for Bhavanisagar in the Coimbatore district and to provide for its administration and governance;

BE it enacted in the Fifth Year of Our Republic as follows:—

1. (1) This Act may be called the Bhavanisagar Township Act, 1954.

Short title
and com-
mencement.

*(2) This section shall come into force at once, and the rest of this Act shall come into force on such date as the State Government may, by ³[notification], appoint (hereinafter referred to as the appointed date).

2. (1) With effect on and from the appointed date, the area specified in the Schedule (being the area comprised within the jurisdiction of Kuduvay and Thoppampalayam panchayats immediately before the appointed date) shall be a township called the Bhavanisagar Township, and the State Government may, from time to time, by ³[notification], alter the limits of the area specified in the Schedule and any such alteration shall have effect as if it had been made by this Act.

Bhavanisagar
to be a
township.

¹These words were substituted for the word "Madras" by the Tamil Nadu Adaptation of Laws Order, 1969, as amended by the Tamil Nadu Adaptation of Laws (Second Amendment) Order, 1969.

²For Statement of Objects and Reasons, see *Fort St. George Gazette*, Part IV-A, dated 21st July 1954, page 220.

³This word was substituted for the words and letters "notification in the *Fort St. George Gazette*" by section 2 of the Mettur Township, Courtallam Township and Bhavanisagar Township (Amendment) Act, 1972 (Tamil Nadu Act 6 of 1973).

*Section 1 came into force on the 8th September 1954, the other sections came into force on the 1st April 1955.

(2) Where the limits of the area specified in the Schedule are altered by notification under sub-section (1), the notification may also contain such provisions regarding the application or cesser of application of any enactment and the local authority which is to exercise, or cease to exercise jurisdiction, in relation to the area included in or excluded from the Bhavanisagar township, the apportionment and adjustment of assets and liabilities as between the local authorities concerned and other incidental or consequential matters, as the State Government may deem necessary or proper.

(3) The ¹[Tamil Nadu] Village Panchayats Act, 1950 (¹[Tamil Nadu] Act X of 1950), shall, with effect on and from the appointed date, cease to apply to the Bhavanisagar township.

Constitution and composition of committee for administration of Bhavanisagar township. 3. ²[(1) For the purpose of administering the municipal affairs of the Bhavanisagar township, the State Government shall, by notification, constitute a committee to be called the Bhavanisagar Township Committee (hereinafter referred to as the Township Committee) consisting of the following members, namely :—

(a) Members of the House of the People and Members of the Legislative Assembly, chosen to represent a constituency which consists of, or comprises, or which relates to, the township or any portion thereof, and Members of the Legislative Council who ordinarily reside in the township ; and

(b) such non-officials, not less than two in number, and such officers of the State Government, as they may appoint.

(1-A) Where a person ceases to be a Member of the House of the People or a Member of the State Legislature, he shall cease to be a member of the Township Committee from the date on which he ceases to be such Member.]

¹These words were substituted for the word "Madras" by the Tamil Nadu Adaptation of Laws Order, 1969, as amended by the Tamil Nadu Adaptation of Laws (Second Amendment) Order, 1969.

²These sub-sections were substituted for sub-section (1) by section 7(i) of the Mettur Township, Courtallam Township and Bhavanisagar Township (Amendment) Act, 1972 (Tamil Nadu Act 6 of 1973).

(2) The State Government shall appoint—

(a) one of the members of the Township Committee to be its Chairman ; and

(b) another person (not being a member of the Township Committee) to be its Executive Officer.

¹[(2-A) Notwithstanding anything contained in sub-section (2), no member of the Township Committee, who is a Member of the House of the People or a Member of the State Legislature shall be appointed by the State Government to be its Chairman.]

(3) The Township Committee shall be a body corporate, having perpetual succession and a common seal, and subject to any restrictions or qualifications imposed by or under this or any other enactment, shall be vested with the capacity of suing and being sued in its corporate name, of acquiring, holding and transferring property, movable or immovable, of entering into contracts, and of doing all things necessary, proper or expedient for the purposes for which it is constituted.

4. (1) The State Government may, by ³[notification], direct that any of the provisions of the ²[Tamil Nadu] District Municipalities Act, 1920 (Tamil Nadu Act V of 1920), or of any rules made thereunder or any other enactment for the time being in force elsewhere in the ⁴[State of Tamil Nadu], but not in the Bhavanisagar township, shall apply to the township to such extent and subject to such modifications, additions and restrictions as may be specified in the notification.

¹This sub-section was inserted by section 7 (ii) of the Mettur Township, Courtallam Township and Bhavanisagar Township (Amendment) Act, 1972 (Tamil Nadu Act 6 of 1973.)

²These words were substituted for the word "Madras" by the Tamil Nadu Adaptation of Laws Order, 1969, as amended by the Tamil Nadu Adaptation of Laws (Second Amendment) Order, 1969.

³This word was substituted for the words and letters "notification in the Fort St. George Gazette" by section 2 of the Mettur Township, Courtallam Township and Bhavanisagar Township (Amendment) Act, 1972 (Tamil Nadu Act 6 of 1973).

⁴This expression was substituted for the expression "State of Madras" by the Tamil Nadu Adaptation of Laws Order, 1969, as amended by the Tamil Nadu Adaptation of Laws (Second Amendment) Order, 1969.

Application of
[Tamil Nadu]
Act V of
1920 and
other enact-
ments to
Bhavanisagar
township
subject to
specified
modifi-
cations,
additions
and
restrictions.

(2) In particular and without prejudice to the generality of the foregoing provision, such notification may authorize—

(a) the Township Committee to levy all or any of the taxes and fees which may be levied by virtue of the provisions applicable to the township under this section ; and

(b) the Executive Officer of the Township Committee to exercise and perform in regard to the township, the powers and duties assigned to the executive authority of a municipality under the provisions applied as aforesaid, subject to such restrictions, limitations, and conditions and to such control, if any, as may be specified in the notification.

Transfer of property, rights and liabilities of the Kuduvay and Thoppampalayam panchayats. 5. (1) All property, all rights of whatever kind used, enjoyed or possessed by, and all interests of whatever kind owned by or vested in or held in trust by, or for the Kuduvay or Thoppampalayam Panchayat as well as all liabilities legally subsisting against any of these panchayats, shall, in so far as such property, rights, interests or liabilities relate to the whole or any part of the Bhavanisagar township, stand transferred, on and from the appointed date to the Township Committee.

(2) All arrears of taxes or other payments by way of composition for a tax or due for expenses or compensation or otherwise, due to either of the aforesaid panchayats, immediately before the appointed date may, in so far as such arrears or other payments relate to the whole or any part of the Bhavanisagar township, be recovered by the Township Committee.

(3) All proceedings taken by or against either of the aforesaid panchayats may, in so far as they relate to any of the matters provided for in sub-sections (1) and (2), be continued by or against the Township Committee.

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¹This section was omitted by section 8 of the Mettur Township, Courtallam Township and Bhavanisagar Township (Amendment) Act, 1972 (Tamil Nadu Act of 6 of 1973.)

THE SCHEDULE.

(See section 2 (1).)

The limits of the area of the Bhavanisagar township shall be the area comprised in the

(i) entire Mudukkanthorai revenue village excepting the following survey numbers :—

7, 25 to 37 and 60 to 70 and

(ii) part of Thoppampalayam revenue village consisting of the following survey numbers:—

55 to 64, 66 to 76, northern portion of S.Nos. 77, 399 to 416

bounded on north by the Bhavani river ;

west by the Bhavani river ;

east by S. Nos. 7, 25, 37, 35, 60 and 70 of Mudukkanthorai village and 54 of Thoppampalayam village ;

south by S. Nos. 65, southern portion of S. Nos. 77 and 417 of Thoppampalayam village and the dam line and water-spread area.