



The Tamil Nadu Local Boards (Amendment) Act, 1930

Act 11 of 1930

Keyword(s):

Tamil Nadu Local Boards Act, 1920, District Board, Taluk Board, Union Board, Local Government

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¹[TAMIL NADU] ACT No. XI OF 1930².

[THE ¹(TAMIL NADU) LOCAL BOARDS (AMENDMENT) ACT, 1930.]

(Received the assent of the Governor on the 2nd May 1930, and that of the Governor-General on the 17th June 1930 ; the assent of the Governor-General was first published in the Fort St. George Gazette of the 26th August 1930.)

An Act to amend the ¹[Tamil Nadu] Local Boards Act, 1920³.

Preamble.

WHEREAS it is expedient further to amend and consolidate the ¹[Tamil Nadu] Local Boards Act, 1920³, and the Madras Village Panchayat Act, 1920;

¹[Tamil Nadu] Act XIV of 1920.
Madras Act XV of 1920.

AND WHEREAS the previous sanction of the Governor-General has been obtained to the passing of this Act ; It is hereby enacted as follows :—

Short title.

1. This Act may be called the ¹(Tamil Nadu) Local Boards (Amendment) Act, 1930.

[2 to 245 * * * *]

246. In first giving effect to the provisions of the said Act as amended by this Act, the said provisions shall be read subject to the rules in the Schedule.

¹[Tamil Nadu] Act XIV of 1920, as amended by this Act to be read subject to the rules in the Schedule.

¹ These 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, which came into force on the 14th January 1969.

² For Statement of Objects and Reasons, see *Fort St. George Gazette Extraordinary*, dated the 12th September 1929, Part IV, pages 227-235.

³ Now the Tamil Nadu District Boards Act, 1920 (Tamil Nadu Act XIV of 1920).

⁴ Sections 2 to 245 were repealed by the First Schedule to the Madras Repealing and Amending Act, 1938 (Madras Act XIII of 1938).

SCHEDULE.

Transitional Provisions.

1. Every district board* constituted under the said Act shall be deemed to be a district board constituted under the said Act as amended by this Act.

2. Every taluk board constituted under the said Act shall be deemed to be a taluk board constituted under the said Act as amended by this Act.

3. (1) Every local area which at the commencement of this Act is a union under the said Act or a village under the Madras Village Panchayat Act, 1920, shall be deemed to be a village under the said Act as amended by this Act.

Madras
Act XV
of 1920.

(2) Every union board constituted under the said Act and every panchayat constituted under the Madras Village Panchayat Act, 1920, shall be deemed to be a panchayat constituted under the said Act as amended by this Act.

Madras
Act XV
of 1920.

4. The number of members constituting the strength of every local board or panchayat existing on the date of the commencement of this Act shall be deemed to be the number of members declared by notification under section 10 of the said Act as amended by this Act :

Provided that where the strength of a union board or panchayat has been fixed at seven, the ¹[State Government] shall appoint an eighth member thereto as soon as this Act comes into force.

¹ The words " Provincial Government " were substituted for the words " Local Government " by the Adaptation Order of 1937 and the word " State " was substituted for " Provincial " by the Adaptation Order of 1950.

*The District boards were abolished with effect on and from the date of formation of Panchayat Union Councils under the Tamil Nadu Panchayats Act, 1958 (Tamil Nadu Act XXXV of 1958). Please see section 13 (i) of the said Act.

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, any district, taluk or union board constituted under the said Act or any panchayat constituted under the Madras Village Panchayat Act, 1920, as well as all liabilities legally subsisting against such board or panchayat shall, on and from the date of the commencement of this Act and subject to such directions as the ¹[State Government] may, by general or special order, give in this behalf, pass to the district board, taluk board or panchayat concerned.

Madras
Act XV
of 1920.

(2) All proceedings taken by any such district, taluk, or union board under the said Act or by a panchayat under the Madras Village Panchayat Act, 1920, as the case may be, may in so far as they are not inconsistent with the provisions of the said Act as amended by this Act, be continued under the said Act as so amended, by the district board, taluk board or panchayat concerned.

Madras
Act XV
of 1920.

(3) Any remedy by way of application, suit or appeal which is provided by the said Act as amended by this Act shall be available in respect of proceedings under the said Act or under the Madras Village Panchayat Act, 1920, pending on the date of the commencement of this Act, as if the proceedings in respect of which the remedy is sought had been instituted after the commencement of this Act.

Madras
Act XV
of 1920.

(4) If any dispute arises as to the local board to which any property, right, interest or liability is to pass under sub-rule (1), or by which any proceeding is to be continued under sub-rule (2), or to or against which any remedy is to be available under sub-rule (3) the question shall be referred to the ¹[State Government] whose decision shall be final.

¹ The words "Provincial Government" were substituted for the words "Local Government" by the Adaptation Order of 1937 and the word "State" was substituted for "Provincial" by the Adaptation Order of 1950.

[6. * * *]

7. Any action taken by any authorities before the commencement of this Act for taking which action new authorities are substituted by, or under, the said Act as amended by this Act, shall unless inconsistent therewith, be deemed to have been taken by such new authorities, unless and until superseded by action taken by them.

8. Subject to the provisions of section 7 of the said Act as amended by this Act, the ²[State Government] may, by notification published in the prescribed manner, fix the strength of any district board, taluk board or panchayat constituted under the said Act as amended by this Act at such number as they may think fit, with effect from the date fixed under clause (a) or (b) of sub-rule (1) of rule 6.

³[9. * * *]

10. Any tax which was being levied by any panchayat on the date of the commencement of this Act under clause (a) or (b) of sub-section (1) of section 26 of the Madras Village Panchayat Act, 1920, shall continue to be levied for the year in which this Act is brought into force and for such further period, if any, as the ²[State Government] may, by general or special order, declare to be necessary and may be recovered in the manner provided for the recovery of taxes in the rules in Schedule IV to the said Act as amended by this Act.

11. (1) Notwithstanding anything contained in rule 3 of Schedule V to the said Act as amended by this

¹ Rule 6 was repealed by the First Schedule to the Madras Repealing and Amending Act, 1938 (Madras Act XIII of 1938).

² The words "Provincial Government" were substituted for the words "Local Government" by the Adaptation Order of 1937 and the word "State" was substituted for "Provincial" by the Adaptation Order of 1950.

³ Rule 9 was repealed by the First Schedule to the Madras Repealing and Amending Act, 1938 (Madras Act XIII of 1938).

Act, the ¹(State Government) may, as soon as may be after the passing of this Act, classify roads, choultries, hospitals and dispensaries, libraries, markets and fairs and festivals in the manner mentioned in the said rule 3 and such classification shall come into effect on the date of the commencement of this Act.

(2) Any classification made under this rule may, after the commencement of this Act, be altered under the said rule 3.

12. If any difficulty arises as to the first constitution or reconstitution of any local board after the commencement of this Act or otherwise in first giving effect to the provisions of this Act or of the said Act as amended by this Act, the ¹(State Government), as occasion may require, may by order do anything which appears to them necessary for the purpose of removing the difficulty.

¹ The words "Provincial Government" were substituted for the words "Local Government" by the Adaptation Order of 1937 and the word "State" was substituted for "Provincial" by the Adaptation Order of 1950.