



The Coimbatore Municipal Council (Appointment of Special Officers) Act,
1975

Act 39 of 1975

Keyword(s):

Special Officer, Coimbatore, Municipal Corporation

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TAMIL NADU ACT NO. 39 OF 1975.*

**THE COIMBATORE MUNICIPAL COUNCIL
(APPOINTMENT OF SPECIAL OFFICER) ACT,
1975.**

[Received the assent of the Governor on the 22nd November 1975, first published in the Tamil Nadu Government Gazette Extraordinary on the 26th November 1975, (Karthigai 10, Iratchasa (2006—Tiruvalluvar Andu)).]

An Act to provide for appointment of a Special Officer to the Coimbatore Municipal Council.

BE it enacted by the Legislature of the State of Tamil Nadu in the Twenty-sixth Year of the Republic of India as follows :—

Short title and commencement.

1. (1) This Act may be called the Coimbatore Municipal Council (Appointment of Special Officer) Act, 1975.

(2) It shall be deemed to have come into force on the 30th day of June 1975.

Term of office of the councillors of the Coimbatore Municipal Council to expire on the 30th day of June 1975.

2. It is hereby declared that the term of office of the councillors of the Coimbatore Municipal Council shall be deemed to have expired on the 30th day of June 1975 and accordingly, all councillors of the Coimbatore Municipal Council including its Chairman, Vice-Chairman and Members of the Committees established or constituted by or under the Tamil Nadu District Municipalities Act, 1920 (Tamil Nadu Act V of 1920) (hereinafter referred to as the 1920 Act), shall be deemed to have vacated their office on the 30th day of June 1975.

Appointment of Special Officer to exercise the powers and perform the functions of the Coimbatore Municipal Council.

3. (1) Notwithstanding anything contained in the 1920 Act, on the expiry of the term of office of the councillors of the Coimbatore Municipal Council on the 30th day of June 1975, the State Government shall appoint a Special Officer to exercise the powers and perform the functions of the Coimbatore Municipal Council, its Chairman and of the Committees established or constituted by or under the 1920 Act.

* For Statement of Objects and Reasons, see Tamil Nadu Government Gazette Extraordinary, dated the 18th October 1975, Part IV—Section 1, Pages 186–187.

(2) The Special Officer referred to in sub-section (1) may also exercise all or any of the powers and perform all or any of the functions of the executive authority or any other officer or authority under the 1920 Act, which the State Government may, by notification, specify.

(3) (a) The Special Officer shall hold office ¹[for a period of six years] from the date of his appointment.

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(b) The Special Officer shall receive payment for his services from the municipal fund.

(c) The State Government may determine the relations of the Special Officer with themselves.

(4) The executive authority shall, in the exercise of its powers and performance of the functions under the 1920 Act, be subject to the control and superintendence of the Special Officer.

4. (1) The Coimbatore Municipal Council (Appointment of Special Officer) Ordinance, 1975 (Tamil Nadu Ordinance No. 4 of 1975), is hereby repealed.

(2) Notwithstanding such repeal anything done or any action taken under the said Ordinance shall be deemed to have been done or taken under this Act as if this Act had come into force on the 30th day of June 1975.

¹ The term of Special Officer was extended from time to time by President's Act 29 of 1976, Tamil Nadu Acts 3 of 1977, 12 of 1978, 7 of 1979 and 31 of 1980. The last term was extended by section 2 (i) of the Coimbatore Municipal Council (Appointment of Special Officer) Amendment Act, 1981 (Tamil Nadu Act 16 of 1981).

² The following proviso which was inserted by section 2 (ii) of the Coimbatore Municipal Council (Appointment of Special Officer) Amendment Act, 1977 (Tamil Nadu Act 3 of 1977) was omitted by section 2 (ii) of the Coimbatore Municipal Council (Appointment of Special Officer) Amendment Act, 1981 (Tamil Nadu Act 16 of 1981) :—

“ Provided that the State Government may, by notification, for sufficient cause direct that the term of the Special Officer shall be reduced by such period, not exceeding three months, as may be specified in such notification. ”

[In the said proviso, for the words “ three months ”, the words “ six months ” were earlier substituted by section 2 (ii) of the Coimbatore Municipal Council (Appointment of Special Officer) Second Amendment Act, 1979 (Tamil Nadu Act 59 of 1979). Again for the words “ six months ”, the words “ three months ” were substituted by section 2 (ii) of the Coimbatore Municipal Council (Appointment of Special Officer) Amendment Act, 1980 (Tamil Nadu Act 31 of 1980).]