

The following Ordinance which was promulgated by the Governor on the 17th October 2016 is hereby published for general information:-

**TAMIL NADU ORDINANCE NO. 1 OF 2016.**

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

WHEREAS the 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 purpose 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:-

Short title and commencement.

1. (1) This Ordinance may be called the Tamil Nadu Panchayats (Third Amendment) Ordinance, 2016.

(2) It shall come into force at once.

Insertion of new section 261-A.

2. After section 261 of the Tamil Nadu Panchayats Act, 1994, the following section shall be inserted, namely:-

Tamil Nadu Act 21 of 1994.

**“261-A. Appointment of Special Officers.-** Notwithstanding anything contained in this Act, or in any other law for the time being in force, the Government may, by notification, appoint Special Officers to exercise the powers and discharge the functions of the village panchayats, the panchayat union councils or the district panchayats, as the case may be, until the day on which the first meetings of the village panchayats, panchayat union councils or the district panchayats, as the case may be, are held after ordinary elections to the said panchayats after the date of commencement of the Tamil Nadu Panchayats (Third Amendment) Ordinance, 2016 or upto the 31st day of December 2016, whichever is earlier.”.

17th October 2016.

**Ch. VIDYASAGAR RAO,**  
*Governor of Tamil Nadu.*

**EXPLANATORY STATEMENT.**

The Tamil Nadu State Election Commission has issued notification for the purpose of filling up of ordinary vacancies in the offices of ward members of village panchayats, panchayat union councils and district panchayats and also to the office of presidents of village panchayats. In the meantime, a Writ Petition was filed in the High Court of Madras challenging the said notification. The High Court of Madras in its order, dated 04.10.2016 in W.P.No.33984 of 2016 and W.M.P. Nos.29329 and 29330 of 2016, among others, has directed the Tamil Nadu State Election Commission to issue fresh notification to conduct election and complete such election process at the earliest, not later than the 31st December 2016 and has also directed the Government to administer the local bodies by appointment of Special Officers till the elections are held, as the present terms of the local bodies are to expire soon and the same cannot be extended beyond five years. Based on the above said orders of the High Court, Madras, the Government have decided to amend the Tamil Nadu Panchayats Act, 1994 (Tamil Nadu Act 21 of 1994), so as to enable the Government to appoint Special Officers to administer the said village panchayats, panchayat union councils and the district panchayats till elections to the said panchayats are held or upto the 31st December 2016, whichever is earlier.

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

(By order of the Governor)

**S.S. POOVALINGAM,**  
*Secretary to Government-in-charge,*  
*Law Department.*