

THE TAMIL NADU LEGISLATIVE COUNCIL ACT, 2010

ACT NO. 16 OF 2010

[18th May, 2010.]

An Act to provide for the creation of Legislative Council for the State of Tamil Nadu and for matters supplemental, incidental and consequential thereto.

BE it enacted by Parliament in the Sixty-first Year of the Republic of India as follows:—

1. Short title.—This Act may be called the Tamil Nadu Legislative Council Act, 2010.

2. Definition.—In this Act, unless the context otherwise requires, each of the words and expressions used herein and not defined but defined in the Representation of the People Act, 1950 (43 of 1950) shall have the same meaning as in that Act.

3. Creation of Legislative Council for Tamil Nadu.—(1) As from such date as the President may, by order appoint, there shall be a Legislative Council for the State of Tamil Nadu; and as from that date, in sub-clause (a) of clause (1) of article 168, after the word "Karnataka," the words "Tamil Nadu" shall be inserted.

(2) In the said Council, there shall be 78 seats of which—

(a) the numbers to be filled by persons elected by the electorates referred to in sub-clauses (a), (b) and (c) of clause (3) of article 171 shall be 26, 7 and 7 respectively;

(b) the number to be filled by persons elected by the members of the Legislative Assembly of Tamil Nadu in accordance with the provisions of sub-clause (d) of the said clause shall be 26; and

(c) the number to be filled by persons nominated by the Governor of Tamil Nadu in accordance with the provisions of sub-clause (e) of that clause shall be 12.

(3) As soon as may be after the commencement of this Act, the President, after consultation with the Election Commission, shall, by order, determine,—

(a) the constituencies into which the State of Tamil Nadu shall be divided for the purpose of elections to the said Council under each of the sub-clauses (a), (b) and (c) of clause (3) of article 171;

(b) the extent of each constituency; and

(c) the number of seats to be allotted to each constituency.

(4) As soon as may be after such determination, steps shall be taken to constitute the said Council in accordance with the provisions of this Act, the Representation of the People Act, 1950 (43 of 1950) and the Representation of the People Act, 1951 (43 of 1951).

4. Amendment of Third Schedule and Fourth Schedule to Act 43 of 1950.—In the Representation of the People Act, 1950,—

(a) in the Third Schedule, after entry No. 6 relating to Karnataka, the following entry shall be inserted, namely:—

“7. Tamil Nadu 78 26 7 7 26 12”;

(b) in the Fourth Schedule, after the heading "KARNATAKA" and the entries thereunder, the following heading and entries shall be inserted, namely:—

"TAMIL NADU

1. Municipalities, as referred to in article 243Q of the Constitution.

2. Panchayat Union Councils.

3. Cantonment Boards.

4. District Panchayats referred to in the Tamil Nadu Panchayat Act, 1994 (Tamil Nadu Act 21 of 1994).”.

5. Amendment of section 15A of Act 43 of 1951.—In section 15A of the Representation of the People Act, 1951, after the words and figures "under the Andhra Pradesh Legislative Council Act, 2005 (1 of 2006)", the words and figures "and constituting the Legislative Council of the State of Tamil Nadu under the Tamil Nadu Legislative Council Act, 2010" shall be inserted.