

**L. A. Bill No. 39 of 1957**

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**THE MALABAR DISTRICT BOARD  
(TEMPORARY PROVISIONS) BILL, 1957**

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**THE MALABAR DISTRICT BOARD (TEMPORARY PROVISIONS) BILL, 1957.**

A

BILL

*to provide for the appointment of a Special Officer to perform the functions of the Malabar District Board.*

**Preamble.**—WHEREAS it is necessary to provide for the appointment of a Special Officer to perform the functions of the Malabar District Board;

BE it enacted in the Eighth Year of the Republic of India as follows:—

1. **Short title, extent and commencement.**—(1) This Act may be called the Malabar District Board (Temporary Provisions) Act, 1957.

(2) It extends to the whole of the Malabar District referred to in sub-section (2) of section 5 of the States Reorganisation Act, 1956.

(3) It shall come into force at once.

2. **Appointment of a Special Officer to perform the functions of the Malabar District Board.**—(1) Notwithstanding anything contained in any provision of the Madras District Boards Act, 1920 (hereinafter referred to as the principal Act), it shall be lawful for the Government to appoint, by notification in the Gazette, a Special Officer to exercise the powers, discharge the duties and perform the functions of the Malabar District Board, constituted under the principal Act, and of its president including his powers and duties as Executive Authority.

(2) Where a Special Officer has been appointed under sub-section (1), he shall exercise the powers, discharge the duties and perform the functions of the Malabar District Board constituted under the principal Act and of its president, including his powers and duties as Executive Authority and he shall be entitled to the same protection under the principal Act as the District Board or its president, as the case may be, whose powers he is exercising.

3. **Salary, etc., of Special Officer.**—The Government may direct that such portion of the salary and allowances of the Special Officer appointed under sub-section (1) of section 2, as may be prescribed by rules made by the Government, may be paid from the district fund constituted under section 114 of the principal Act.

4. **Power to remove difficulties.**—If any difficulty arises in giving effect to the provisions of this Act, or of the principal Act, the Government may, as occasion may arise, by order, do anything which appears to them necessary for the purpose of removing the difficulty.

5. **Repeal and Saving.**—(1) The Malabar District Board (Temporary Provisions) Ordinance, 1957 (Ordinance No. 5 of 1957), is hereby repealed.

(2) Notwithstanding such repeal, anything done or any action taken in the exercise of any power conferred by or under the said Ordinance shall be deemed to have been done or taken in the exercise of the powers conferred by or under this Act, as if this Act were in force on the day on which such thing was done or action was taken.

### Statement of Objects and Reasons

The term of the members of the Malabar District Board was to expire on 27-10-1957. The question whether the Malabar District Board is to be continued or not was under the consideration of the Government. Pending a decision on the question, it was necessary to appoint a Special Officer to exercise the powers, discharge the duties and perform the functions of the District Board on the expiry of the term of the Board. For this purpose, the Governor promulgated the Malabar District Board (Temporary Provisions) Ordinance, 1957 (No. 5 of 1957). The Bill seeks to replace this Ordinance.

P. K. CHATHAN.

**EXTRACTS FROM THE MADRAS DISTRICT BOARDS ACT, 1920**  
**(MADRAS ACT XIV OF 1920)**

**114. Constitution of district and village funds.—There shall be constituted for each district a district fund.**

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