

Historical Background

THE STATE LEGISLATURE – ORIGIN AND EVOLUTION

1. BRIEF HISTORY BEFORE INDEPENDENCE

The present Tamil Nadu is the residuary part of the then erstwhile Madras Presidency. The said Presidency comprised of the present Tamil Nadu, some parts of the present State of Odisha, Kerala, Karnataka, Telangana and Andhra Pradesh excluding the former native State of Nizam. Besides Madras Presidency, there were two other Presidencies, Viz., Presidency of Bombay and Presidency of Calcutta. Each of the Presidency was in charge of a Governor. To start with, the Presidencies were Independent of each other, but the Regulating Act, 1773 termed the Governor of Bengal as Governor General of Bengal and made him the supreme head of all the Presidencies. At the same time, the legislative power in the Presidencies was also recognised. This state of thing, was however, discontinued by the Charter Act of 1833 which concentrated all the legislative powers in the Governor-General-in-Council and deprived the local Governments viz. Presidencies of their power of the independent Legislation. The Indian Councils Act of 1861 restored the Legislative Powers taken away by the Charter Act of 1833. The Legislature of the Madras Presidency was given the power to make the laws for the "peace and good Government". The Provincial Legislative Council was constituted by the addition to the Governor's Executive Council of 4 to 8 adhoc members of whom at least half were to be non-officials nominated by the Governor for a period of two years and the Advocate-General. The Provincial Legislative Council could not interfere with the laws passed by the Central Legislature. All Bills passed by the Provincial Councils required the assent of the Governor General and even after that, they could be disallowed by the queen to whom they had to be referred to.

The Indian Councils Act of 1909 enlarged the Legislative Council of the province from 20 to 50. The Legislative council for the first time, was elected by an indirect election resulting in non-official majority in the House for the first time.

The first conscious advance in the direction of Responsible Government was the reform of 1919 known as Montague-Chelmsford Reforms.

The Madras Legislative Council was set up in 1921 under the Government of India Act, 1919. The Term of the Council was for a period of three years. It consisted of 132 Members of which 34 were nominated by the Governor and the rest were elected. It met for the first time on the 9th January 1921 at Fort St. George, Madras. The Council was inaugurated by the Duke of Cannaught, a paternal uncle of the King of England, on the 12th January 1921 on the request made by the Governor Lord Wellington. The Governor addressed the Council on the 14th February 1921. The Second and Third Councils, under this Act were constituted after the general elections held in 1923 and 1926 respectively. The fourth Legislative Council met for the first time on the 6th November 1930 after the general elections held during the year and its life was extended from time to time and it lasted till the provincial autonomy under the Government of India Act, 1935 came into operation.

The Government of India Act, 1935 marked the next stride in the evolution of Legislatures. The Act provided for an All India Federation and the constituent units of the Federation were to be the Governor's Province and Indian States. The Act established a bi-cameral Legislature in the Province of Madras as it was then called with a Legislative Assembly consisting of 215 Members and Legislative Council having 56 Members.

The first Legislative Assembly under this Act was constituted in July 1937 after general elections. The Legislature consisted of the Governor and the two Chambers called the Provincial Legislative Council and the Provincial Legislative Assembly. The Legislative Council was a permanent body not subject to dissolution, but, as nearly as one-third of the Members thereon retired every three years. It consisted of not less than 54 and not more than 56 members composed of 35 General Seats, 7 Mohameddan Seats, 1 European Seat, 3 Indian Christian Seats and not less than 8 and not more than 10 nominated by the Governor. The Legislative Assembly consisted of 215 Members of which, 146 were elected from general seats of which 30 seats were reserved for Scheduled Castes. The number of seats to be filled by persons chosen to represent various electorates were 1 for Backward Areas and Tribes, 28 for Mohameddans, 2 for Anglo-Indians, 3 for Europeans, 8 for Indian Christians, 6 for Representatives of Commerce and Industry, etc., 6 for Landholders, 1 for University, 6 for representatives of Labour and 8 for Women of which 6 were general.

Although the Government of India Act was passed in 1935, only that part relating to the Provinces came into operation in 1937. The Congress Party in the Legislature formed the Government in July 1937. The Ministry, however, resigned in October 1939 due to the proclamation of emergency on account of World War II and the Legislature ceased to function. After the war was over, General elections were held in March 1946 under the Government of India Act, 1935. The First Session of the Second Legislative Assembly under the Government of India Act 1935 constituted in 1946, met on the 24th May 1946.

Then came the Indian Independence Act, 1947, under which two independent Dominions known respectively as India and Pakistan were created and Paramountcy of the British Crown lapsed and the power of British Parliament to legislate for India ceased. The Provincial Legislatures elected under the Government of India Act, 1935 were empowered to function as such subject to certain adaptations and modifications until the Constitution came into force. The Constitution of India came into force with effect from the 26th January 1950 and the existing Legislatures was allowed to function as Provincial Legislatures.

2. DEVELOPMENT AFTER INDEPENDENCE

The First Legislature of the erstwhile Madras State under the Constitution of India was constituted on 1st March 1952, after the first General Elections held in January 1952 on the basis of adult suffrage.

According to the Delimitation of Parliament and Assembly Constituencies (Madras) Order, 1951 made by the President under sections 6 and 9 of the Representation of the People Act, 1950, the then Composite Madras Assembly consisted of 375 seats to be filled by election distributed in 309 Constituencies – 243 single member Constituencies, 62 double member Constituencies in each of which a seat had been reserved for Scheduled Castes and four

two member Constituencies in each of which a seat had been reserved for Scheduled Tribes. Three seats were uncontested. The elections were contested only in respect of remaining 372 seats and one Member was nominated by the Governor under Article 333 of the Constitution to represent Anglo-Indians.

On the 1st October 1953, a separate Andhra State consisting of the Telugu speaking areas, of the Composite Madras State was formed and the Kannada Speaking area of Bellary District was also merged with the then Mysore State with effect from the above date and as a consequence, the strength of the Assembly was reduced to 231. The States Reorganisation Act, 1956 came into effect from the 1st November 1956 and consequently the constituencies in the erstwhile Malabar Districts were merged with the Kerala State and as a consequence the strength of the Assembly was further reduced to 190. The Tamil speaking area of Kerala (the present Kanniyakumari District) and Shencottah taluk were added to Madras State. Subsequently, according to the State Reorganisation Act, 1956, the strength of the Madras Legislative Assembly was raised to 205 distributed in 167 territorial constituencies, 37 two-member constituencies in each of which a seat had been reserved for Scheduled Castes and one two-member constituency in which a seat had been reserved for Scheduled Tribes.

The Second Legislative Assembly which was constituted on the 1st April 1957 after the General Elections, held in March 1957 consisted of 205 elected Members besides one nominated Member. During the term of the Assembly in 1959, as result of the adjustment of Boundaries between Andhra Pradesh and the Madras (Alteration of Boundaries) Act, 1959, one member from the Andhra Pradesh Legislative Assembly was allotted to Madras and consequently the strength of the Madras Assembly was increased to 206.

During 1961, by the Two-Member Constituencies (Abolition) Act, 1961, the 38 double-member Constituencies were abolished and an equal number of single member constituencies were reserved for Scheduled Castes and Scheduled Tribes. However, there was no change in the strength of territorial constituencies in Madras Assembly which had remained as 206.

The Third Assembly was constituted on the 3rd March 1962 after the General Elections held in February, 1962. The strength of the Assembly continued to be 206. By the Delimitation of Parliamentary and Assembly constituencies Order, 1965, the number of territorial constituencies in Madras was increased to 234, out of which forty-two seats were reserved for Scheduled Castes and two seats for Scheduled Tribes besides one member nominated by the Governor from the Anglo Indian Community under Article 333 of the Constitution of India.

3. CHANGE IN NOMENCLATURE

The Fourth Assembly was constituted on the 1st March 1967 after the General Elections held in February, 1967. It consisted of 234 territorial Constituencies of which 42 had been reserved for the Scheduled Castes and 2 for Scheduled Tribes besides one nominated Member. During the term of this Assembly on the 18th July 1967, the House by a resolution unanimously adopted and recommended that steps be taken by the State Government to secure necessary amendment to the Constitution of India to change the name of Madras State as "Tamil Nadu". Accordingly, the Madras State (Alteration of Name) Act, 1968(Central Act 53

of 1968) was passed by the Parliament and came into force on the 14th January 1969. Consequently, the nomenclature "Madras Legislative Assembly" was changed into "Tamil Nadu Legislative Assembly".

From 1967 onwards, the strength of the Assembly continued to remain as 234 besides a nominated member.

The Fifth Assembly was constituted on 15th March 1971 after the General Elections held in March 1971. It consisted of 234 elected members of which 42 seats were reserved for Scheduled Castes and 2 for Scheduled Tribes besides one nominated member. Before the expiry of the period of the Assembly, the President by a Proclamation issued on the 31st January 1976, under Article 356 of the Constitution, dissolved the Fifth Assembly and imposed President's Rule for the first time in Tamil Nadu.

The Sixth Assembly was constituted on the 30th June 1977, after the General Elections held in June 1977. It consisted of 234 territorial constituencies as delimited in the order of Delimitation Commission No. 31, dated 1st January 1975 with reference to 1971 Census population figures, of which 42 seats were reserved for the Scheduled Castes and 2 seats reserved for Scheduled Tribes. Before the expiry of the period of Assembly, the President by a Proclamation issued on the 17th February 1980 under the Article 356 of the Constitution, dissolved the Sixth Assembly and imposed President's Rule in Tamil Nadu.

During the year 1979, '157. Uppiliyapuram General Constituency' was converted into, '157. Uppiliyapuram (S.T.) Constituency' by way of an amendment to the Delimitation of Parliamentary and Assembly Constituencies Order, 1976 (Without altering the extent of any constituency given in such order).

The Seventh Assembly was constituted on the 9th June 1980 after the General Elections held in May 1980 for the constituencies delimited on the basis of the Census Population of 1971. It consisted of 234 Assembly constituencies out of which forty-two seats were reserved for Scheduled Castes and three seats for Scheduled Tribes.

The Eighth Assembly was constituted on the 16th January 1985 after the General Elections held on the 24th December 1984. Before the expiry of the period of Assembly, the President by a Proclamation issued on the 30th January 1988 under Article 356 of the Constitution, dissolved the Eighth Tamil Nadu Legislative Assembly and imposed President's Rule in Tamil Nadu.

During the term of Eighth Assembly, a Government resolution seeking to abolish the Legislative Council was moved and adopted by the House on the 14th May 1986. Thereafter, Tamil Nadu Legislative Council (Abolition) Bill, 1986 was passed by both the Houses of Parliament and received the assent of the President on the 30th August 1986. The Act came into force on the 1st November 1986. The Tamil Nadu Legislative Council was thus abolished with effect from the 1st November 1986.

The bi-cameral legislature established in 1937 under the Government of India Act, 1935 has become an unicameral Legislature in Tamil Nadu from the 1st November 1986 onwards.

The Ninth Tamil Nadu Legislative Assembly was constituted on the 27th January 1989 after the General Elections held on the 21st January 1989. Before the expiry of the term of the Assembly, the President by a Proclamation issued on the 30th January, 1991, under Article 356 of the Constitution of India dissolved the Ninth Tamil Nadu Legislative Assembly and imposed President's Rule in Tamil Nadu.

During the term of the Ninth Assembly, a Government Resolution seeking the revival of the Tamil Nadu Legislative Council was moved and adopted by the House on the 20th February, 1989. Thereafter, Legislative Council Bill, 1990, seeking the creation of Legislative Council of the Tamil Nadu and Andhra Pradesh was introduced in Rajya Sabha on the 10th May, 1990 and was considered and passed by the Rajya Sabha on the 28th May, 1990. But the Bill could not be passed by the Lok Sabha.

The Tenth Tamil Nadu Legislative Assembly was constituted on the 24th June, 1991 after the General Elections held on the 15th June, 1991. The first Meeting of the First Session of the Tenth Legislative Assembly commenced on the 1st July 1991 and therefore its term would have expired on the 30th June, 1996. However, as the General Elections to the Eleventh Tamil Nadu Assembly had been held on the 27th April, 1996 and 2nd May, 1996, the Tenth Assembly was dissolved on the Forenoon of 13th May 1996 by the Governor.

During the term of the Tenth Assembly, a Government Resolution was adopted in the Assembly on the 4th October, 1991 to rescind the Resolution passed on the 20th February, 1989 for the revival of the Legislative Council in the State of Tamil Nadu.

The Eleventh Tamil Nadu Legislative Assembly was constituted on the 13th May, 1996 after the General Elections held on the 27th April, 1996 and 2nd May, 1996. The First Meeting of the First Session of the Eleventh Tamil Nadu Legislative Assembly commenced on the 22nd May 1996 and the term would obviously expire on 21st May, 2001. However, as the General Elections to the Twelfth Tamil Nadu Assembly had been held on 10th May, 2001 the Eleventh Tamil Nadu Legislative Assembly was dissolved on 14th May, 2001 by the Governor.

During the term of the Eleventh Assembly, a Government Resolution was moved and adopted in the Assembly on 26th July, 1996 seeking creation of Legislative Council in the Tamil Nadu State.

The Twelfth Tamil Nadu Legislative Assembly was constituted on the 14th May, 2001 after the General Elections held on the 10th May, 2001. The First Meeting of the First Session of the Twelfth Tamil Nadu Legislative Assembly commenced on the 22nd May, 2001 and therefore the term would obviously expire on 21st May, 2006. However, as the General Elections to the Thirteenth Tamil Nadu Assembly was held on 8th May, 2006 the Twelfth Tamil Nadu Legislative Assembly was dissolved on 12th May, 2006 by the Governor.

During the term of the Twelfth Assembly, a Government Resolution was moved and adopted in the Assembly on 12th September, 2001 to rescind the Resolution passed on the 26th July, 1996 for the revival of the Legislative Council in the State of Tamil Nadu.

The Thirteenth Tamil Nadu Legislative Assembly was constituted on the 12th May, 2006 after the General Elections held on the 8th May, 2006. The First Meeting of the First Session of the Twelfth Tamil Nadu Legislative Assembly commenced on the 17th May, 2006 and

therefore the term would obviously expire on **16th May, 2011**. However, as the General Elections to the Fourteenth Tamil Nadu Assembly was held on **13th May, 2011**, the Thirteenth Tamil Nadu Legislative Assembly was dissolved on **14th May, 2011** by the Governor.

Beginning from **19th March, 2010**, the Tamil Nadu Legislative Assembly met during the Thirteenth, Fourteenth and Fifteenth sessions of the Thirteenth Tamil Nadu Legislative Assembly in the Legislative Assembly Chamber at the New Legislative Assembly–Secretariat Complex, Omandurar Government Estate, Chennai–2.

During the term of the Thirteenth Assembly, a Government Resolution seeking the revival of the Tamil Nadu Legislative Council was moved and adopted by the House on the **12th April, 2010**. Thereafter, the Tamil Nadu Legislative Council Bill, **2010**, seeking the creation of Legislative Council for the State of Tamil Nadu was introduced in the Rajya Sabha on the **5th May, 2010**. It was considered and passed by the Rajya Sabha on the **5th May, 2010** and passed by the Lok Sabha on the **6th May, 2010**. The Bill received the assent of the President on the **18th May, 2010** and was published in an Extraordinary issue of the Gazette of India on the **18th May, 2010** as Central Act No.16 of **2010**. It was republished in the Tamil Nadu Government Gazette Extraordinary dated the **20th May, 2010**. The Tamil Nadu Legislative Council was not constituted till the dissolution of the **13th Tamil Nadu Legislative Assembly**.

The Fourteenth Tamil Nadu Legislative Assembly was constituted on the **14th May, 2011** after the General Elections held on the **13th April, 2011**. It consists of **234** territorial constituencies as delimited in the Order of Delimitation Commission no.52 of **2007** with reference to **2001** census population figures of which **44** were reserved for Scheduled Castes and two seats reserved for Scheduled Tribes. The First Meeting of the First Session of the Fourteenth Tamil Nadu Legislative Assembly was held in the Legislative Assembly Chamber, Fort St. George, Chennai – **9** on the **23rd May, 2011** and therefore the term would obviously expire on **22nd May, 2016**. However, the General Elections to the Fifteenth Tamil Nadu Assembly was held on **16th May, 2016** and the Fourteenth Tamil Nadu Legislative Assembly was dissolved on **21st May, 2016** by the Governor.

A Government Resolution was moved and adopted in the Assembly on **7th June, 2011** resolving to withdraw the decision to create a Legislative Council in the State of Tamil Nadu.

During the term of the Fourteenth Assembly, Tamil Nadu Legislative Assembly celebrated its Diamond Jubilee on **30th November, 2012**. His Excellency Shri Pranab Mukherjee, the President of India participated in the celebrations. A Souvenir was released by the Chief Minister of Tamil Nadu to commemorate the memorable occasion.

The Fifteenth Tamil Nadu Legislative Assembly was constituted on the **21st May, 2016** after the General Elections held on the **16th May, 2016**. It consists of **234** territorial constituencies as delimited in the Order of Delimitation Commission no.52 of **2007** with reference to **2001** census population figures of which **44** were reserved for Scheduled Castes and two seats reserved for Scheduled Tribes. The First Meeting of the First Session of the Fifteenth Tamil Nadu Legislative Assembly was held in the Legislative Assembly Chamber, Fort St. George, Chennai – **9** on the **25th May, 2016**. The General Elections to the Sixteenth Tamil

Nadu Assembly was held on 6th April, 2021 and the Fifteenth Tamil Nadu Legislative Assembly was dissolved on 3rd May, 2021 by the Governor.

Portraits of eminent personalities, viz., Selvi J Jayalithaa, Dr. P. Subbarayan, Thiru O.P. Ramaswamy Reddiar, former Chief Ministers of Tamil Nadu, Thiru S.S. Ramaswamy Padaiyachiar, former Minister of Tamil Nadu and Kappalottiya Thamizhan Thiru V.O. Chidambaram, freedom fighter were unveiled in the Legislative Assembly Chamber during the term of the Fifteenth Assembly.

The Assembly passed a resolution ratifying the amendment to the Constitution, as passed by both Houses of Parliament, extending quota to SC/ST in Lok Sabha and state assembly by another 10 years. The Bill did not extend the reservation for Anglo-Indians by way of nomination, which expired on January 25, 2020.

Due to spread of COVID-19 pandemic, in order to maintain physical distancing between the Members, the ninth and tenth sessions of the Fifteenth Assembly were held at the multi-purpose hall at Kalaivanar Arangam, Chennai-2.

The Sixteenth Tamil Nadu Legislative Assembly was constituted on 3rd May, 2021 after the General Elections held on the 6th April, 2021. It consists of 234 territorial constituencies as delimited in the Order of Delimitation Commission no.52 of 2007 with reference to 2001 census population figures of which 44 were reserved for Scheduled Castes and two seats reserved for Scheduled Tribes. The First Meeting of the First Session of the Sixteenth Tamil Nadu Legislative Assembly was held in the Legislative Assembly Chamber, Fort St. George, Chennai -9 on the 11th May, 2021.

The centenary celebrations of the Tamil Nadu Legislature and portrait unveiling of Dr. Kalaingar M. Karunanidhi, former Chief Minister of Tamil Nadu was held on 2nd August, 2021 under the auspices of the President of India His Excellency Thiru Ram Nath Kovind. A Souvenir to commemorate the memorable occasion was released by the Chief Minister of Tamil Nadu on 10th May, 2022.

Although the first, second sessions and the first meeting of the third session of the Assembly were held at the multi-purpose hall at Kalaivanar Arangam, Chennai-2, in order to maintain physical distancing as part of COVID protocol, persistent actions taken by the Government lead to a fall in COVID cases and this paved the way for conducting of Assembly Session in the permanent venue at Assembly Chamber, Fort St. George, Chennai-9.

Live telecast of Assembly Proceedings were initiated during the third session of the Sixteenth Assembly.

**DETAILS OF TERMS OF SUCCESSIVE LEGISLATIVE ASSEMBLIES CONSTITUTED
UNDER THE CONSTITUTION OF INDIA**

After coming into force of the Constitution of India on the 26th January, 1950, the First elected Assembly was constituted on the 1st March 1952. The details such as the dates and months during which General Elections held, the dates of Constitution, the dates of First Meeting, dates of dissolution and duration of each Assembly since 1952 are given below :-

Sl. No.	Number of Assembly	Duration	Date of Polling	Date of Constitution	Date of Council of Ministers sworn in	Date of Commencement of First session	Date of Dissolution
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)
1	First Assembly	1952-1957	2nd, 5th, 8th, 9th, 11th, 12th, 16th, 21st and 25th January 1952. (9 days)	1-3-1952	10-4-1952	3-5-1952	31-3-1957
2	Second Assembly	1957-1962	1st, 4th, 6th, 8th and 11th March 1957. (5 days)	1-4-1957	13-4-1957	29-4-1957	1-3-1962
3	Third Assembly	1962-1967	17th, 19th, 21st and 24th February 1962. (4 days)	3-3-1962	15-3-1962	29-3-1962	28-2-1967
4	Fourth Assembly	1967-1971	5th, 18th and 21st February 1967. (3 days)	1-3-1967	6-3-1967	15-3-1967	5-1-1971
5	Fifth Assembly	1971-1976	1st, 4th, and 7th March 1971. (3 days)	15-3-1971	15-3-1971	22-3-1971	31-1-1976
6	Sixth Assembly	1977-1980	12th and 14th June 1977. (2 days)	30-6-1977	30-6-1977	4-7-1977	17-2-1980
7	Seventh Assembly	1980-1984	28th and 31st May 1980. (2 days)	9-6-1980	9-6-1980	19-6-1980	15-11-1984
8	Eighth Assembly	1985-1988	24th December 1984. (1 day)	16-1-1985	10-2-1985	25-2-1985	30-1-1988
9	Ninth Assembly	1989-1991	21st January 1989. (1 day)	27-1-1989	27-1-1989	6-2-1989	30-1-1991
10	Tenth Assembly	1991-1996	15th June 1991. (1 day)	24-6-1991	24-6-1991	1-7-1991	13-5-1996
11	Eleventh Assembly	1996-2001	27th April 1996 and 2nd May 1996. (2 days)	13-5-1996	13-5-1996	22-5-1996	14-5-2001
12	Twelfth Assembly	2001-2006	10th May 2001. (1 day)	14-5-2001	14-5-2001	22-5-2001	12-5-2006
13	Thirteenth Assembly	2006-2011	8th May 2006 (1 day)	12-5-2006	13-5-2006	17-5-2006	14-5-2011
14	Fourteenth Assembly	2011-2016	13th April 2011 (1 day)	14-5-2011	16-5-2011	23-5-2011	21-5-2016
15	Fifteenth Assembly	2016-2021	16th May 2016 (1 day)	21-5-2016	23-5-2016	25-5-2016	3-5-2021
16	Sixteenth Assembly	2021-	6th April 2021 (1 day)	3-5-2021	7-5-2021	11-5-2021	

TAMIL NADU STATE AND TAMIL NADU LEGISLATIVE ASSEMBLY

The State of Tamil Nadu is one of the **29** States of the Indian Republic bounded on the North by the State of Andhra Pradesh and Karnataka, on the East by the Bay of Bengal, on the South by Indian Ocean and on the West by the Kerala State. It has an area of **1,30,058** Sq. Kilometers with population of **7,21,38,958** according to **2011** census report. It presently comprises of **32** Revenue Districts.

The Tamil Nadu Legislative Assembly continues to be unicameral Legislature since 1st November, **1986**.

At present, the Tamil Nadu Legislature consists of the Governor and the Legislative Assembly. The Legislative Assembly is comprised of **234** elected Members and one nominated Member.