



TAMIL NADU GOVERNMENT GAZETTE

EXTRAORDINARY PUBLISHED BY AUTHORITY

No. 245]

CHENNAI, MONDAY, JULY 9, 2018
Aani 25, Vilambi, Thiruvalluvar Aandu-2049

Part IV—Section 1

Tamil Nadu Bills

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Under Rule 130 of the Tamil Nadu Legislative Assembly Rules, the following Bill which was introduced in the Legislative Assembly of the State of Tamil Nadu on 9th July, 2018 is published together with Statement of Objects and Reasons for general information:—

L.A. Bill No. 43 of 2018

A Bill further to amend the laws relating to the Municipal Corporations and Municipalities in the State of Tamil Nadu.

BE it enacted by the Legislative Assembly of the State of Tamil Nadu in the Sixty-ninth Year of the Republic of India as follows:—

PART – I.

PRELIMINARY.

1. (1) This Act may be called the Tamil Nadu Municipal Laws (Fifth Amendment) Act, 2018. Short title and commencement.

(2) It shall come into force on such date as the State Government may, by notification, appoint.

PART – II.

AMENDMENT TO THE CHENNAI CITY MUNICIPAL CORPORATION ACT, 1919.

Tamil Nadu Act IV of 1919.

2. In section 326-A of the Chennai City Municipal Corporation Act, 1919 (hereinafter in this Part referred to as the 1919 Act), for clause (a), the following clause shall be substituted, namely:— Amendment of section 326-A.

“(a) “hoarding” means any screen of boards, other than digital banner and placard, at any place, used or intended to be used for exhibiting advertisement, including the frame work or other support, erected, wholly or in part upon or over any land, building, wall or structure, belonging to the Corporation, visible to public wholly or partly;”.

3. In section 326-C of the 1919 Act,—

Amendment of section 326-C

(1) in sub-section (1), for the expression “with such fee”, the expression “with such application fee” shall be substituted;

(2) for sub-section (2), the following sub-section shall be substituted, namely:—

“(2) The Commissioner may, after local inspection and on payment of such licence fee as may be prescribed, grant a licence with such conditions or directions as may be prescribed.”;

(3) in sub-section (5), for the expression “under sub-section (1)”, the expression “under sub-sections (1) and (2)” shall be substituted.”.

4. In section 326-I of the 1919 Act, for the expression “ten thousand rupees”, the expression “twenty-five thousand rupees” shall be substituted. Amendment of section 326-I

5. In Schedule VI to the 1919 Act, for the entry “Keeping a shaving or hair dressing saloon”, the following entries shall be substituted, namely :— Amendment of Schedule VI.

“Haircutting saloon or beauty parlour, without partition or room.

Beauty parlour, spa or massage parlour, with partition or room or sauna or bathing facilities:

Provided that no licence shall be granted unless the applicant produces no objection certificates from the Health department of the Corporation and from such police officer as may be specified by the Commissioner.”.

PART – III.

AMENDMENT TO THE TAMIL NADU DISTRICT MUNICIPALITIES ACT, 1920

Amendment of
section 285-A.

6. In section 285-A of the Tamil Nadu District Municipalities Act, 1920 (hereinafter in this Part referred to as the 1920 Act), for clause (a), the following clause shall be substituted, namely:—

Tamil Nadu
Act V of 1920.

“(a) “hoarding” means any screen of boards, other than digital banner and placard, at any place, used or intended to be used for exhibiting advertisement, including the frame work or other support, erected, wholly or in part upon or over any land, building, wall or structure, belonging to the Municipality, visible to public wholly or partly;”.

Amendment of
section 285-C.

7. In section 285-C of the 1920 Act,—

(1) in sub-section (1), for the expression “with such fee”, the expression “with such application fee” shall be substituted;

(2) for sub-section (2), the following sub-section shall be substituted, namely:—

“(2) The District Collector may, after local inspection and on payment of such licence fee as may be prescribed, grant a licence with such conditions or directions as may be prescribed.”;

(3) in sub-section (5), for the expression “under sub-section (1)”, the expression “under sub-sections (1) and (2)” shall be substituted.”.

Amendment of
section 285-I.

8. In section 285-I of the 1920 Act, for the expression “ten thousand rupees”, the expression “twenty-five thousand rupees” shall be substituted.

Amendment of
Schedule V.

9. In Schedule V to the 1920 Act, for clause (jj), the following clauses shall be substituted, namely:—

“(jj) Haircutting saloon or beauty parlour, without partition or room.

(jjj) Beauty parlour, spa or massage parlour, with partition or room or sauna or bathing facilities:

Provided that no licence shall be granted unless the applicant produces no objection certificates from such Health officer and police officer as may be specified by the Executive authority.”.

PART – IV.**AMENDMENT TO THE MADURAI CITY MUNICIPAL CORPORATION ACT, 1971.**

Tamil Nadu Act 15 of 1971.

10. In section 410-A of the Madurai City Municipal Corporation Act, 1971 (hereinafter in this Part referred to as the 1971 Act), for clause (a), the following clause shall be substituted, namely:—

Amendment of section 410-A.

“(a) “hoarding” means any screen of boards, other than digital banner and placard, at any place, used or intended to be used for exhibiting advertisement, including the frame work or other support, erected, wholly or in part upon or over any land, building, wall or structure, belonging to the Corporation, visible to public wholly or partly;”.

11. In section 410-C of the 1971 Act,—

Amendment of section 410-I

(1) in sub-section (1), for the expression “with such fee”, the expression “with such application fee” shall be substituted;

(2) for sub-section (2), the following sub-section shall be substituted, namely:—

“(2) The District Collector may, after local inspection and on payment of such licence fee as may be prescribed, grant a licence with such conditions or directions as may be prescribed.”;

(3) in sub-section (5), for the expression “under sub-section (1)”, the expression “under sub-sections (1) and (2)” shall be substituted.”.

12. In section 410-I of the 1971 Act, for the expression “ten thousand rupees”, the expression “twenty-five thousand rupees” shall be substituted.

Amendment of section 410-I.

13. In Schedule IV to the 1971 Act, for the entry “Keeping a shaving or hair dressing saloon”, the following entries shall be substituted, namely:—

Amendment of Schedule IV.

“Haircutting saloon or beauty parlour, without partition or room.

Beauty parlour, spa or massage parlour, with partition or room or sauna or bathing facilities:

Provided that no licence shall be granted unless the applicant produces no objection certificates from the Health department of the Corporation and from such police officer as may be specified by the Commissioner.”.

PART – V.**AMENDMENT TO THE COIMBATORE CITY MUNICIPAL CORPORATION ACT, 1981.**

Tamil Nadu Act 25 of 1981.

14. In section 410-A of the Coimbatore City Municipal Corporation Act, 1981 (hereinafter in this Part referred to as the 1981 Act), for clause (a), the following clause shall be substituted, namely:—

Amendment of section 410-A

“(a) “hoarding” means any screen of boards, other than digital banner and placard, at any place, used or intended to be used for exhibiting advertisement, including the frame work or other support, erected, wholly or in part upon or over any land, building, wall or structure, belonging to the Corporation, visible to public wholly or partly;”.

15. In section 410-C of the 1981 Act,—

Amendment of section 410-C.

(1) in sub-section (1), for the expression "with such fee", the expression "with such application fee" shall be substituted;

(2) for sub-section (2), the following sub-section shall be substituted, namely:—

"(2) The District Collector may, after local inspection and on payment of such licence fee as may be prescribed, grant a licence with such conditions or directions as may be prescribed.";

(3) in sub-section (5), for the expression "under sub-section (1)", the expression "under sub-sections (1) and (2)" shall be substituted."

Amendment of
section 410-I.

16. In section 410-I of the 1981 Act, for the expression "ten thousand rupees", the expression "twenty-five thousand rupees" shall be substituted.

Amendment of
Schedule IV.

17. In Schedule IV to the 1981 Act, for the entry "Keeping a shaving or hair dressing saloon", the following entries shall be substituted, namely:—

"Haircutting saloon or beauty parlour, without partition or room.

Beauty parlour, spa or massage parlour, with partition or room or sauna or bathing facilities:

Provided that no licence shall be granted unless the applicant produces no objection certificates from the Health department of the Corporation and from such police officer as may be specified by the Commissioner."

STATEMENT OF OBJECTS AND REASONS.

The Government have decided to grant licence for erection of hoardings in any place belonging to the urban local bodies. Further, the Government have also decided to enhance the fee for granting licence for erection of hoardings and also to enhance the penalty for contravention of the provisions relating to the erection of hoardings, digital banners and placards. The Government have also decided to regulate the beauty parlour, spa and massage parlour. Accordingly, the Government have decided to amend the Chennai City Municipal Corporation Act, 1919 (Tamil Nadu Act IV of 1919), the Tamil Nadu District Municipalities Act, 1920 (Tamil Nadu Act V of 1920), the Madurai City Municipal Corporation Act, 1971 (Tamil Nadu Act 15 of 1971) and the Coimbatore City Municipal Corporation Act, 1981 (Tamil Nadu Act 25 of 1981) for the said purposes.

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

S.P.VELUMANI,
*Minister for Municipal Administration and
Rural Development, Implementation of
Special Programme.*

MEMORANDUM REGARDING DELEGATED LEGISLATION

Sub-section (2) of section 326-C of the Chennai City Municipal Corporation Act, 1919 (Tamil Nadu Act IV of 1919), sub-section (2) of section 285-C of the Tamil Nadu District Municipalities Act, 1920 (Tamil Nadu Act V of 1920), sub-section (2) of section 410-C of the Madurai City Municipal Corporation Act, 1971 (Tamil Nadu Act 15 of 1971) and sub-section (2) of section 410-C of the Coimbatore City Municipal Corporation Act, 1981 (Tamil Nadu Act 25 of 1981) proposed to be substituted by sub-clause (2) of clause 3, sub-clause (2) of clause 7, sub-clause (2) of clause 11 and sub-clause (2) of clause 15 of the Bill, respectively, authorize the respective Corporation and Municipality, as the case may be, to make rules to carry out the purposes specified therein.

2. The powers delegated are normal and not of an exceptional character.

S.P.VELUMANI,
*Minister for Municipal Administration
and Rural Development, Implementation
of Special Programme.*

K. SRINIVASAN,
Secretary.