

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 19th April, 2023 is published together with Statement of Objects and Reasons for general information:—

L.A Bill No. 14 of 2023

A Bill to amend the Tamil Nadu Town and Country Planning (Third Amendment) Act, 2018.

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

1. This Act may be called the Tamil Nadu Town and Country Planning (Third Amendment) Amendment Act, 2023. Short title.

Tamil Nadu Act
31 of 2018.

2. In section 2 of the Tamil Nadu Town and Country Planning (Third Amendment) Act, 2018 (hereinafter referred to as the Amendment Act), for clause (3), the following clause shall be substituted, namely:— Amendment of section 2.

“(3) after clause 22, the following clause shall be inserted, namely:—

(22-A)- “land pooling area development scheme” means the scheme in which land owned by individual or group of individuals are pooled together and developed by the appropriate planning authority and part of such developed land is transferred to the original owner and the remaining part of such land is used for establishing common facilities and amenities or for sale.”.

Substitution of
section 6.

3. For section 6 of the Amendment Act, the following section shall be substituted, namely:—

“6. After Chapter IV of the principal Act, the following Chapter shall be inserted, namely:—

CHAPTER-IV A

LAND POOLING AREA DEVELOPMENT SCHEME.

39-A. Declaration of intention to make a Land Pooling Area Development Scheme.— (1) The appropriate planning authority may, by notification, for the purpose of development of any area within its jurisdiction in an orderly holistic manner, declare its intention to make a land pooling area development Scheme (hereinafter in this Chapter referred to as the Scheme) for that area:

Provided that the appropriate planning authority shall obtain prior approval of the Government before notification of such declaration:

Provided further that any appropriate planning authority other than the Chennai Metropolitan Development Authority shall send such proposal to the Government through the Director:

Provided also that the appropriate planning authority may adopt, with or without any modification, the Scheme proposed by any Government department, public sector undertaking or statutory body owned or controlled by any State Government or the Central Government or by seventy per cent of the land owners in the Scheme area.

Explanation.— For the purpose of this section and sub-section (1) of section 39-C, “statutory body owned or controlled by any State Government or Central Government” means any body corporate established by or under a Central or State Act and includes a Government company as defined in clause (45) of section 2 of the Companies Act, 2013 (Central Act 18 of 2013), a society registered under the Tamil Nadu Societies Registration Act, 1975 (Tamil Nadu Act 27 of 1975), or under any corresponding law for the time being in force in a State being a society established or administered by any State Government and a Co-operative society within the meaning of any law relating to Co-operative societies for the time being in force in the State in which not less than fifty one per cent of the paid-up share capital is held by the Central Government or by any State Government or partly by the Central Government and partly by one or more State Governments.

(2) The declaration under sub-section (1) shall be published by the appropriate planning authority in such manner as may be prescribed, by notification in the District Gazette of that area and in two leading daily newspapers in that area of which one shall be in Tamil and such notification shall contain such particulars as may be prescribed and specify the time and place where a plan showing the boundaries of the proposed Scheme area may be inspected by the public.

39-B. Power of Government to require appropriate planning authority to make Scheme.— Notwithstanding anything contained in section 39-A, the Government may direct any appropriate planning authority to make a Scheme for any specific area and submit for their approval. In such cases, the appropriate planning authority shall proceed further for declaration of the intention of the Scheme under section 39-A and for preparation of the Scheme as provided in this Chapter.

39-C. Restrictions on land development work.— (1) On or after the date of publication of declaration of the intention to make a Scheme under section 39-A, no person shall within the area covered under the Scheme, carry out any development work without obtaining permission from the appropriate planning authority:

Provided that on or after the date of publication of the approved Draft Scheme, the appropriate planning authority may, in consultation with the designated officer, grant permission to any department of the Government, Public Sector Undertaking or a statutory body owned or controlled by any State Government or the Central Government to carry out any development work:

Provided further that any other person may also apply for permission in the form and in the manner as may be prescribed, to carry out any development work after publication of the approved Draft Scheme.

(2) On receipt of an application for permission to carry out any development work in the Scheme area, the appropriate planning authority shall send a written acknowledgement therefor.

(3) The appropriate planning authority, after consultation with the designated officer, may grant permission to carry out the development work within the Scheme area, having regard to the purpose for which the permission is required and the suitability of the place for such purpose and subject to such conditions as it may deem fit, or refuse to grant permission stating the reason therefor:

Provided that any such condition shall be in accordance with the approved Draft Scheme.

(4) If any person contravenes the provisions of sub-section (1) or of any condition imposed under sub-section (4), the appropriate planning authority may direct such person by notice in writing to stop the work in progress, and after making an inquiry in the prescribed manner, remove, pull down, or alter any building or other development and restore the land or building in respect of which such contravention is made, to its original condition.

(5) The restrictions imposed in this section shall cease to operate in the event of lapse of declaration of intention under sub-section (2) of section 39-I or on the publication of the Preliminary Scheme under sub-section (2) of section 39-O or on withdrawal of the Scheme under section 39-U.

(6) Notwithstanding anything contained in sub-section (1), after publication of the Draft Scheme under sub-section (1) of section 39-I, the appropriate planning authority may carry out any development work within the Scheme area for the purposes of the Scheme.

(7) The provisions of this section shall not apply to any operational construction undertaken by the Central Government or a State Government.

Explanation.— “operational construction” means any construction whether temporary or permanent, which is necessary for the operation, maintenance, development, or execution of any of the following services, namely: -

- (a) Railways;
- (b) National Highways;
- (c) National Waterways;
- (d) Major Ports;
- (e) Airways and Aerodromes;
- (f) Posts, Telephones, Wireless, Broadcasting and other like forms of communication;
- (g) Regional grid for electricity;
- (h) Defence;
- (i) Metro Rail;
- (j) Minor Ports; or
- (k) any other service which the State Government is of the opinion that the operation, maintenance, development or execution of such service is essential to the life of the community, by notification, declare to be a service for the purposes of this clause.

(8) For removal of doubts, it is hereby declared that,—

(i) new residential buildings (other than gate lodges, quarters for limited essential operational staff and the like), roads and drains in railway colonies, hotels, clubs, institutes and schools, in the case of railways; and

(ii) a new building, new structure or new installation or any extension thereof, in the case of any other service, shall not be deemed to be an operational construction.

39-D. Appointment of designated Officer.— Within one month from the date of publication of declaration of intention under sub-section (1) of section 39-A, the Director shall appoint an officer not lower in rank than that of the Assistant Director of Town Planning and the Chennai Metropolitan Development Authority or the Urban development authority concerned, as the case may be, shall appoint an officer not lower in rank than that of the Deputy Planner as the designated officer, for the purposes of the Scheme.

39-E. Duties of designated Officer.— The duties of the designated officer are,—

(a) to assist the appropriate planning authority, in the examination of objections and suggestions received on a Draft Scheme;

(b) to prepare Preliminary Scheme and Final Scheme;

(c) to demarcate final plots including public purpose plots and decide on the allottees of final plots;

(d) to estimate the amount to be collected from or to be paid to the land owners;

(e) to determine the compensation amount payable to the land owners; and

(f) such other matters as may be prescribed.

39-F. Certain decisions of designated Officer to be final.— Every decision of the designated officer in matters, other than estimation of costs, estimation of the amount payable to or by the owners, determination of the compensation payable to the owners and transfer of development rights shall be final and binding on all concerned.

39-G. Disputed ownership.— (1) Where there is a disputed claim to the ownership of any land or building included in an area in respect of which declaration of intention to prepare a Scheme has been made, and any entry in the revenue records or mutation relevant to such disputed claim is inaccurate or inconclusive, on the request of the appropriate planning authority or the designated officer, at any time before the Scheme is made, the Government may cause an inquiry to be made by such officer, within such time, as may be prescribed, for the purpose of deciding as to who shall be deemed to be the owner of the land or building and the decision of the Government thereon shall be final:

Provided that if any dispute regarding the ownership of land or building is pending before any civil court or any other authority, it is not a bar to include such land or building in the Scheme area, unless the civil court or the authority, otherwise directs and the order or decision of the civil court or authority thereon shall bind the appropriate planning authority or the designated Officer.

(2) Where any decree is passed by the civil court, after the Final Scheme has been approved by the Government under section 39-S, such Final Scheme shall be deemed to have been suitably varied to the extent of such decree.

39-H. Contents of Draft Scheme.— The Draft Scheme may provide for all or any of the following matters, namely:—

(a) laying out or re-laying out, of land, either vacant or already built upon, as building sites;

(b) construction, diversion, extension, alteration, improvement or closure of lanes, streets, roads and communications;

(c) construction, alteration, removal or demolition of buildings, bridges and other structures;

(d) redistribution of boundaries and reconstitution of plots belonging to owners of properties in the Scheme area;

(e) disposal by sale, exchange, lease or otherwise of land acquired or owned by the appropriate planning authority;

(f) transport facilities;

(g) water-supply;

(h) lighting;

(i) drainage, inclusive of sewerage and of surface drainage and sewage disposal;

(j) allotment or reservation of land for streets, roads, squares, houses, buildings for religious or charitable purpose, open spaces, gardens, recreation grounds, schools, markets, shops, factories, hospitals, dispensaries, public buildings and public purposes of all kinds and defining and demarcating of the reconstituted plots or the areas allotted to or reserved for the above mentioned purposes;

(k) demarcation of places or objects and buildings of archaeological or historical interest or natural scenic beauty or used for religious purposes or regarded by the public with veneration, or protection of canal, tank or river sides, coastal areas and other places of natural or landscape beauty;

(l) imposition of conditions and restrictions in regard to the character, density, architectural features and height of buildings, building or control lines for roads, railway lines and power supply lines and the purposes for which buildings or specified areas may or may not be appropriated and the provision and maintenance of sufficient open spaces;

(m) filling up or reclamation of low lying, swampy or unhealthy areas, or leveling up of land;

(n) layout of new streets or roads, construction, diversion, extension, alteration, improvement and closing up of streets and roads and discontinuance of utility connections, communication lines etc.;

(o) allotment of land to the extent of not more than forty per cent of the total area covered under the Scheme, in the aggregate, for any or all of the following purposes, namely:—

(i) for roads;

(ii) for parks, play grounds, gardens and open spaces;

(iii) for social infrastructure such as school, dispensary, fire and rescue service and public utilities;

(iv) for sale by appropriate planning authority for residential, commercial, institutional or industrial use, depending upon the nature of development;

(v) reservation of land up to the extent of ten per cent of the total area covered under the Scheme, in the aggregate, for the purpose of providing housing accommodation to the members of economically weaker section and for persons dispossessed of their properties in the Scheme area:

Provided that the proceeds from the sale of land referred to in sub-clause (iv) shall be used for the purpose of providing infrastructural facilities and payment of compensation as per the Final Scheme;

(p) returning reconstituted plots to the extent of not less than sixty per cent or for providing compensation in accordance with the Final Scheme ; and

(q) such other matters as may be prescribed.

Explanation.—For the purpose of this Chapter, ‘reconstituted plot’ means a plot which is in any way altered by the making of the Scheme and includes alteration of ownership of a plot.

39-I. Making and publication of Draft Scheme.— (1) Within nine months from the date of publication of declaration of the intention to make a Scheme under section 39-A, the appropriate planning authority shall, in consultation with the designated officer, make a Draft Scheme for the Scheme area and publish the same in the District Gazette, along with draft regulations, if any, for carrying out the provisions of the Scheme, in such manner as may be prescribed:

Provided that on a request by the appropriate planning authority, the Government may, by notification, extend the aforesaid period, for a further period of six months.

(2) If publication of a Draft Scheme is not made within the said total period of fifteen months, the declaration of intention to make a Scheme shall lapse:

Provided that, any such lapse of declaration shall not prevent the Government from making a fresh declaration at any time in respect of the same area.

39-J. Reconstitution of plots.— (1) In the Draft Scheme referred to in section 39-I, the size and shape of every plot shall be determined, so far as may be, to render it suitable for building purposes and where a plot is already built upon, suitable alterations shall be made to the buildings, so as to comply with the provisions of the Scheme as regards open spaces.

(2) For the purposes of sub-section (1), the Draft Scheme may contain the following proposals, namely:—

(a) to form a final plot by reconstitution of an original plot, by alteration of the boundaries of the original plot, if necessary;

(b) to form a final plot from an original plot by re-adjusting wholly or partly of the adjoining lands;

(c) to provide, with the consent of the owners, that two or more original plots each of which is held in ownership severally or in joint ownership shall hereafter, with or without alteration of boundaries, be held in ownership in common as a final plot;

(d) to allot a final plot to any owner dispossessed of land in furtherance of the Scheme; or

(e) to pass on the ownership of an original plot from one person to another.

Explanation.— For the purpose of this Chapter.—

(i) "final plot" means a plot reconstituted from an original plot and allotted in a Scheme as a final plot;

(ii) "original plot" means the corresponding plot held in single or joint ownership and numbered to be shown as one single plot by the appropriate planning authority for the purposes of a Scheme.

39-K. Public consultation to Draft Scheme.— Any person may, within sixty days from the date of publication of a Draft Scheme under section 39-I, submit his objection or suggestion in writing to the appropriate planning authority. The appropriate planning authority shall consider such objection or suggestion and may modify the Draft Scheme, as it deems fit and submit the same not later than thirty days to the Government for approval.

39-L. Approval of Draft Scheme by Government.— (1) The Government may, on receipt of the Draft Scheme under section 39-K, after making such inquiry as they may deem fit and after consulting the Director or the Chennai Metropolitan Development Authority or the Urban development authority concerned, as the case may be, not later than three months from the date of its receipt,—

(i) either approve the Draft Scheme, with or without modifications and subject to such conditions as they may deem fit; or

(ii) refuse to approve the Draft Scheme; or

(iii) return the Draft Scheme to the appropriate planning authority to carry out such modifications and within such period as may be directed, including a direction to include or exclude any land in the Draft Scheme. The appropriate planning authority, in consultation with the designated officer, shall comply with such directions of the Government and resubmit the Draft Scheme within one month from the date of receipt of such directions to the Government for approval.

(2) As soon as on receipt of the modified Draft Scheme from the appropriate planning authority, the Government may approve the Draft Scheme and the approved Draft Scheme shall be published in the *Tamil Nadu Government Gazette* and in two leading daily newspapers in that area, of which one shall be in Tamil. The approved Draft Scheme shall also be placed in the public domain for inspection during office hours in the office of the designated officer.

(3) Any person affected by the approved Draft Scheme, may submit his objection in the manner prescribed, to the designated officer within two months from the date of its publication in the *Tamil Nadu Government Gazette*.

(4) If persons owning more than fifty per cent of the lands in the Scheme area submit their objections to the Draft Scheme, the designated officer shall forward the objections to the Government through the appropriate planning authority and the Government in turn shall, by notification withdraw the Scheme.

39-M. Vesting of land with appropriate planning authority.— On expiry of a period of two months from the date of publication of the approved Draft Scheme under sub-section (2) of section 39-L, all lands required for the purposes specified in clauses (g), (h), (i) and (o) of section 39-H, shall vest with the appropriate planning authority free from all encumbrances. The appropriate planning authority may take appropriate measures as may be required including eviction, removal of structures or buildings in contravention of the Scheme, locking and sealing and recover the cost incurred therefor, in such manner as may be prescribed, in the said lands for enforcement of the said public purposes:

Provided that such vesting of lands with the appropriate planning authority shall not affect the ownership right of the owners of such lands.

39-N. Preparation of Preliminary Scheme.— (1) The designated officer shall, after taking into consideration the objections, if any, received on the approved Draft Scheme within a period of nine months from the date of its publication, prepare the Preliminary Scheme in the prescribed manner and in the prescribed form, after giving notice to the owners of the land in the Scheme area. The Preliminary Scheme shall,-

(a) define and demarcate the areas allotted to, or reserved for, any public purpose, or for the purpose of the appropriate planning authority and also demarcate the final plots;

(b) decide the person or persons to whom a final plot is to be allotted and when such plot is to be allotted to persons in common ownership, decide the shares of such persons;

(c) provide for the total or partial transfer of any right in an original plot to a final plot;

(d) record the rights of secured creditors, mortgagees, lessees or other persons who claim to have secured interest in the original plot; and

(e) specify the period within which the works provided in the Scheme may be completed by the appropriate planning authority.

(2) The designated officer shall submit the Preliminary Scheme so prepared, through the appropriate planning authority, to the Government for approval.

39-O. Approval of Preliminary Scheme by Government.— (1) On receipt of the Preliminary Scheme, the Government shall, within two months from the date of its receipt, either approve or approve with such modifications as may be considered necessary or may return the said Scheme to the designated officer to modify the Scheme or to prepare a fresh Scheme, in accordance with such directions and within such period as the Government may specify in this behalf.

(2) The Preliminary Scheme, as approved by the Government shall be published in the Tamil Nadu Government Gazette and in two leading daily newspapers in that area, of which one shall be in Tamil and such notification shall state the place and time at which the said Scheme shall be open to inspection by the public.

(3) A notification under sub-section (2) shall be the conclusive evidence that the Preliminary Scheme has been duly made and approved.

39-P. Effect of Preliminary Scheme.— (1) On and after the date on which the Preliminary Scheme is published in the Tamil Nadu Government Gazette,-

(a) all lands required by the appropriate planning authority shall, unless it is otherwise determined in such Scheme, vest absolutely in the appropriate planning authority free from all encumbrances; and

(b) all rights in the original plot which have been reconstituted into final plots shall be determined and the final plots shall be subject to the rights of the original land owners, as settled by the designated officer.

(2) The appropriate planning authority shall take such measures as may be required,—

(a) to enforce the Scheme, including eviction, removal of structures or buildings in contravention of the Scheme, locking and sealing and recover the cost incurred therefor, in such manner as may be prescribed; and

(b) to carry out mutation in the records of the Revenue, Survey and Settlement and Registration departments as per the allotment of the final plots including plots reserved for public purposes, made in the Preliminary Scheme.

39-Q. Preparation of Final Scheme.—(1) The designated officer shall, after publication of the Preliminary Scheme in the Tamil Nadu Government Gazette within a period of nine months therefrom, prepare the Final Scheme in the manner specified hereunder:—

(a) estimate the value of the original plots and fix the difference between the values of the original plots and the values of the final plots in the Scheme area, in the manner prescribed;

(b) determine whether the areas allotted or reserved for public purposes or for development by the appropriate planning authority are beneficial wholly or partly to the land owners or residents in the Scheme area;

(c) estimate in the manner prescribed, the sums payable as compensation on each plot used, allotted or reserved for a public purpose or for the purpose of the appropriate planning authority, which is beneficial partly to the owners or residents within the Scheme area and partly to the general public, and the compensation so payable shall be included in the cost of the Scheme;

(d) estimate the increment in value, in the manner prescribed, that may accrue in respect of each plot included in the Scheme area;

(e) calculate the betterment contribution, in the manner prescribed, to be levied on each plot in the Final Scheme, in proportion to the increment in value estimated to accrue in respect of such plot:

Provided that no betterment contribution shall be levied in respect of plots exclusively allotted for religious or charitable purpose:

(f) estimate in the manner prescribed with reference to the claims made before him for compensation to be paid to any land owner for his right prejudicially affected because of the Scheme;

(g) record the person to whom the final plot is allotted in accordance with the Preliminary Scheme in the form and in the manner as may be prescribed;

(h) do such other acts as may be prescribed.

(2) As soon as on preparation of the Final Scheme, the designated officer shall communicate the details including the quantum of amount arrived at with respect to clauses (a) to (f) of sub-section (1) to the persons concerned and to the appropriate planning authority before submission of the Final Scheme to the Government for approval.

39-R. Appeal.— (1) Any person aggrieved by the decision of the designated officer communicated under sub-section(2) of section 39-Q may, within one month from the date of its receipt, appeal to the Director or the Chennai Metropolitan Development authority or the Urban Development Authority concerned, as the case may be, in such manner, as may be prescribed.

(2) On receipt of an appeal under sub-section (1), the Director, the Chennai Metropolitan Development Authority or the Urban Development Authority concerned shall, within a period of two months, dispose of the appeal after giving the appellant an opportunity of being heard.

(3) Any person aggrieved by the decision of the Director or the Chennai Metropolitan Development Authority or the Urban Development Authority concerned, as the case may be, may within one month from the date of communication of such decision under sub-section (2), appeal to the Government in such form and in such manner as may be prescribed:

Provided that the Government may entertain an appeal made beyond the said period, if they are satisfied that the appellant was prevented by sufficient cause for not making the appeal in time.

(4) On receipt of an appeal under sub-section (3), the Government shall within two months, after giving the appellant an opportunity of being heard, pass such order as they think fit.

39-S. Approval of Final Scheme by Government.—

(1) On receipt of the Final Scheme from the designated officer, the Government shall, within two months from the date of its receipt either approve or approve with such modifications as may be considered necessary. The designated officer shall thereafter modify the Scheme, if so directed by the Government and submit it to the Government for approval.

Explanation.— For the purpose of calculating the time limit of two months, the period during which appeals, if any, were pending before the Director, the Chennai Metropolitan Development Authority or the Urban Development Authority concerned, as the case may be and the Government shall be excluded.

(2) The Final Scheme, as approved shall be published in the Tamil Nadu Government Gazette and in two leading daily newspapers in that area, of which one shall be in Tamil and such notification shall state the place and time at which the Scheme shall be open to inspection by the public.

(3) A notification under sub-section (2) shall be conclusive evidence that the Final Scheme has been duly made and approved.

39-T. Variation of Scheme.— (1) After publication of the Final Scheme, if the Chennai Metropolitan Development Authority, the Urban Development Authority concerned or the appropriate planning authority, either suo motu or on application by a owner of any land in the Scheme area, considers that the Scheme is defective on account of any error, irregularity or infirmity, it may request the Government for appropriate variation of the Scheme:

Provided that any request for further variation of the Scheme shall not be entertained by the Government.

(2) On receipt of such request from the appropriate planning authority, the Chennai Metropolitan Development Authority or the Urban Development Authority concerned, as the case may be, the Government may, if satisfied, vary the Scheme by publishing the variation in the *Tamil Nadu Government Gazette* and in two leading daily newspapers in that area, of which one shall be in Tamil:

Provided that the use of land allotted for the purposes of parks, playgrounds, gardens and open spaces shall not be changed for any other purpose.

(3) Notwithstanding anything contained in sub-sections (1) and (2), a Final Scheme may be varied or revoked by a subsequent Scheme prepared and approved in accordance with this Act.

39-U. Withdrawal of Scheme.— Notwithstanding anything contained in this Chapter, the Government may by order, for reasons to be recorded, withdraw any Scheme:

Provided that no such withdrawal shall be ordered after approval of the Preliminary Scheme:

Provided further that on such withdrawal of the Scheme, the lands shall be restored to the original condition, as it stood on the date of publication of declaration of the intention under section 39-A, at the cost of the Government.

39-V. Revision by High Court.—Any person aggrieved by an order of the Government under sub-section (4) of section 39-R may, within a period of sixty days from the date on which a copy of the order was communicated to him, file an application for revision of the order in the High Court:

Provided that the High Court may entertain an application for a further period of thirty days, if it is satisfied that the petitioner had sufficient cause for not filing the application within the said period of sixty days.

39-W. Recovery of arrears.—(1) Any sum due to the appropriate planning authority under this Act or any rule or regulation made thereunder, shall be the first charge on the final plot on which it is due, subject to payment of land revenue, if any, due to the Government thereon.

(2) Any sum due to the appropriate planning authority under this Act or any rule or regulation made thereunder, which is not paid on demand, shall be recovered as an arrear of land revenue.

39-X. Execution of works in Scheme area.— The appropriate planning authority shall complete all the works in the Scheme area within the period stipulated in the Final Scheme:

Provided that the Government may, on a request from the appropriate planning authority, grant further period of time not exceeding twice the stipulated period for completion of the works.

39-Y. Cessation of application of local body Act.— (1)

The Government may direct that any power or function exercisable by a local authority under a local body Act within a Scheme area shall stand transferred to, and be performed by, the appropriate planning authority under the said Act for such period and for such purposes as may be notified, in relation to such Scheme.

Explanation.— For the purpose of this section,-

(a) "local authority" means,-

(i) any Municipal Corporation or Municipality constituted under the Tamil Nadu Urban Local Bodies Act, 1998 (Tamil Nadu Act 9 of 1999);

(ii) a District Panchayat or a Panchayat Union Council or a Village Panchayat constituted under the Tamil Nadu Panchayats Act, 1994 (Tamil Nadu Act 21 of 1994); or

(iii) a Board constituted under the Tamil Nadu Water Supply and Drainage Board Act, 1970 (Tamil Nadu Act 4 of 1971) or the Chennai Metropolitan Water Supply and Sewerage Act, 1978 (Tamil Nadu Act 28 of 1978) ;

(b) "local body Act" means,-

(i) The Tamil Nadu Urban Local Bodies Act, 1998 (Tamil Nadu Act 9 of 1999);

(ii) The Tamil Nadu Panchayats Act, 1994 (Tamil Nadu Act 21 of 1994) ;

(iii) The Tamil Nadu Water Supply and Drainage Board Act, 1970 (Tamil Nadu Act 4 of 1971) and

(iv) The Chennai Metropolitan Water Supply and Sewerage Act, 1978 (Tamil Nadu Act 28 of 1978).

(2) After expiry of the period notified under sub-section (1), all assets and facilities such as public street, drinking water and sewerage system, street light and such other facilities created by the appropriate planning authority or the designated officer in the Scheme area shall stand vested with the local authority."

STATEMENT OF OBJECTS AND REASONS

The Tamil Nadu Town and Country Planning Act, 1971 (Tamil Nadu Act 35 of 1972) was amended by the Tamil Nadu Town and Country Planning (Third Amendment) Act, 2018 (Tamil Nadu Act 31 of 2018) to implement Land Pooling Area Development Schemes in the State. The said Act has not been brought into force so far. Land Pooling Area Development Scheme enables planned development of new areas, provides basic amenities and mobilizes land for trunk infrastructure proposals of the Government, which otherwise have to be acquired through land acquisition process. Land Pooling Area Development Schemes will be a game changer in urban development of the State when implemented in an acceptable format to the landowners and the promoting agencies of the Government. The existing provisions of the said Tamil Nadu Act 31 of 2018 are not effective to promote such Schemes in the State. Legislations of various States which are successfully implementing such Schemes were studied and the short comings in the said Tamil Nadu Act 31 of 2018 were identified. In order to encourage larger participation of land owners in such Schemes and for its effective implementation and development of infrastructure in the State, it is proposed to revamp the provisions of the said Scheme. To give effect to the above decision, the Government have decided to amend the said Tamil Nadu Town and Country Planning (Third Amendment) Act, 2018 (Tamil Nadu Act 31 of 2018) suitably.

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

S. MUTHUSAMY,
*Minister for Housing and
Urban Development.*

MEMORANDUM REGARDING DELEGATED LEGISLATION

Sections 39-A, 39-B, 39-C, 39-E, 39-G, 39-H, 39-I, 39-L, 39-M, 39-N, 39-P, 39-Q, 39-R, 39-U and 39-Y proposed to be inserted by Clause 3 of the Bill authorises the Government to make rules or issue notifications or orders or directions, as the case may be, for the purposes specified therein.

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

S. MUTHUSAMY,
*Minister for Housing and
Urban Development.*

Secretariat,
Chennai-600 009,
19th April 2023.

K. SRINIVASAN,
Secretary.