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Tamil Nadu Bills

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**BILLS INTRODUCED IN THE LEGISLATIVE ASSEMBLY OF THE
STATE OF TAMIL NADU**

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 1st November 2012 is published together with Statement of Objects and Reasons for general information:—

L.A. Bill No. 42 of 2012

A Bill further to amend the Chennai City Police Act, 1888.

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

Short title and
commence-
ment.

1. (1) This Act may be called the Chennai City Police (Amendment) Act, 2012.

(2) It shall be deemed to have come into force on the 7th September 2012.

Amendment of
section 41-A.

2. In section 41-A of the Chennai City Police Act, 1888,-

Tamil Nadu
Act III of
1888.

(1) for the marginal heading, the following marginal heading shall be substituted, namely:—

“Power to prohibit drill, training or assembly.”,

(2) in sub-section (1), in clause (a), for the expression “prohibit the holding of, or taking part in, any drill with arms or training with arms by five or more persons in any place, whether public or private, or the carrying of arms in procession.”, the expression “prohibit the holding of, or taking part in, any drill, training or assembly, with arms or in uniform resembling that of Armed Forces of the Union or Police-force, whether in a public or private place.” shall be substituted;

(3) in sub-section (4), for clause (ii), the following clause shall be substituted, namely:—

“(ii) the doing of any physical exercise other than drill, training or assembly, with arms or in uniform resembling that of Armed Forces of the Union or Police-force.”;

(4) for the Explanation, the following Explanation shall be substituted, namely:—

“Explanation.— For the purpose of this section,-

(a) the word ‘assembly’ includes any assembly which is open to the public or to any class or portion of the public;

(b) the word ‘arms’ means any type of offensive weapon and includes lathi and stick.”

Repeal and
saving.

3. (1) The Chennai City Police (Amendment) Ordinance, 2012 is hereby repealed.

Tamil Nadu
Ordinance
16 of 2012.

(2) Notwithstanding such repeal, anything done or any action taken under the principal Act, as amended by the said Ordinance, shall be deemed to have been done or taken under the principal Act, as amended by this Act.

STATEMENT OF OBJECTS AND REASONS.

According to section 41-A of the Chennai City Police Act, 1888 (Tamil Nadu Act III of 1888), the Commissioner of Police may, for the preservation of the public peace or public safety or for the maintenance of public order, by order in writing, prohibit the holding of, or taking part in, any drill with arms by five or more persons in any place, whether public or private, or the carrying of arms in any procession.

2. It had been reported that there were moves to hold parades with volunteers, dressed in uniform resembling that of Armed Forces of the Union or Police-force and that such parades give the participants a militant outlook and such events will vitiate the atmosphere and affect harmony in the society. Hence, the Government decided to amend the said section 41-A of the Tamil Nadu Act III of 1888 suitably so as to empower the Commissioner of Police to prohibit drill or training or assembly with arms or in uniform resembling that of Armed Forces of the Union or the Police-force. Accordingly, the Chennai City Police (Amendment) Ordinance, 2012 (Tamil Nadu Ordinance 16 of 2012) was promulgated by the Governor on the 1st September 2012 and the same was published in the *Tamil Nadu Government Gazette* Extraordinary, dated the 7th September 2012.

3. The Bill seeks to replace the said Ordinance.

J JAYALALITHAA,
Chief Minister.

A.M.P. JAMALUDEEN,
Secretary.

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 1st November 2012 is published together with Statement of Objects and Reasons for general information:—

L.A. Bill No. 43 of 2012

A Bill to extend the provisions of the Chennai City Police Act, 1888 to the City of Tiruppur.

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

1. (1) This Act may be called the Chennai City Police (Extension to the City of Tiruppur) Act, 2012.

Short title and
commence-
ment.

(2) It shall be deemed to have come into force on the 8th day of October 2012.

2. In this Act, unless the context otherwise requires,-

Definitions.

(1) “appointed day” means the 8th day of October 2012;

Tamil Nadu
Act 7 of
2008.

(2) “City of Tiruppur” means the City of Tiruppur as defined in clause (a) of section 2 of the Tiruppur City Municipal Corporation Act, 2008;

Tamil Nadu
Act III of
1888.

(3) “City Police Act” means the Chennai City Police Act, 1888;

(4) “Government” means the State Government;

(5) “law in force” includes any enactment, Ordinance, regulation, order, by-law, rule, scheme or notification in force in the whole or in any part of the State of Tamil Nadu or any instrument having the force of law in the whole or in any part of the State of Tamil Nadu.

Extension of
Tamil Nadu
Act III of
1888.

3. (1) With effect on and from the appointed day, the City Police Act as in force immediately before the appointed day, shall stand extended to, and shall be in force, in the City of Tiruppur.

(2) In the City Police Act as extended to the City of Tiruppur,-

(a) any reference to the City of Chennai other than the reference in section 3 shall, by reason of this Act, be construed as a reference to the City of Tiruppur;

(b) any reference to the Presidency Magistrate shall, by reason of this Act, be construed as a reference to the Judicial Magistrate;

(c) any reference to the Commissioner shall, by reason of this Act, be construed as Commissioner of Police for Tiruppur with whom the administration of the Police of the City of Tiruppur shall be vested.

Power of Government to authorise Commissioner of Police for the City of Tiruppur and certain other.

4. (1) Without prejudice to the provisions contained in section 7 of the City Police Act, the Government may, by notification, and subject to such conditions and limitation as may be specified therein, empower,-

Police officers in the City of Tiruppur to exercise powers of District Magistrate and Executive Magistrate under the Code of Criminal Procedure 1973.

(a) The Commissioner of Police for Tiruppur to exercise and perform in relation to the City of Tiruppur, the powers and duties of an Executive Magistrate and of a District Magistrate under such of the provisions of the Code of Criminal Procedure, 1973 (hereinafter in this section referred to as the said Code) or of any other law in force relating to matters with respect to which the State Legislature has power to make laws for the State, as may be specified in the notification;

Central Act 2 of 1974.

(b) any officer subordinate to the Commissioner of Police in the City of Tiruppur (not being an officer below the rank of an Assistant Commissioner of Police) to exercise and perform in relation to the City of Tiruppur as may be specified in the notification, the powers and duties of an Executive Magistrate under such of the provisions of the said Code or of any other law in force relating to matters with respect to which the State Legislature has power to make laws for the State, as may be specified in the notification.

(2) Every officer subordinate to the Commissioner of Police in the City of Tiruppur shall, in the exercise and performance of any powers and duties, which he is empowered to exercise or perform under sub-section (1), be subject to the general control of the said Commissioner of Police in the same manner and to the same extent as an Executive Magistrate appointed under section 20 of the said Code would be subject to the general control of the District Magistrate appointed under that section.

(3) The Commissioner of Police in the City of Tiruppur or any officer subordinate to the Commissioner, shall not be subject, in the exercise and performance of any powers and duties which he is empowered to exercise and perform under sub-section (1), to the general control of the District Magistrate appointed under section 20 of the said Code.

5. (1) The police force functioning in the City of Tiruppur immediately before the appointed day (hereinafter in this section referred to as the existing police force) shall, on the appointed day, be deemed to be the police force constituted for the City of Tiruppur under the City Police Act as extended by this Act and every member of the existing police force holding the office mentioned in column (1) of the Schedule immediately before the appointed day shall be deemed to be appointed, on such appointed day, to the office mentioned in the corresponding entry in column (2) of that Schedule.

Police force functioning in the City of Tiruppur immediately before the appointed day to be deemed to be police force constituted under the City Police Act as extended.

(2) All proceedings (including proceedings by way of investigations) pending before any police officer of the existing police force immediately before the appointed day shall, on the appointed day, be deemed to be proceedings pending before him in his capacity as the holder of the office to which he is deemed to be appointed under sub-section (1) and shall be dealt with accordingly.

(3) Where any power or function which may be exercised or discharged under any law by a District Magistrate or an Executive Magistrate immediately before the appointed day has been conferred on the Commissioner of Police or any other police officer by or under the City Police Act as extended, all proceedings in relation to, or arising from, the exercise of such power or the discharge of such function pending immediately before such conferment before the District Magistrate, or Executive Magistrate, as the case may be, shall on the conferment of such power or function, on the Commissioner of Police or other police officer, stand transferred to the Commissioner of Police for the City of Tiruppur or other Police Officer, as the case may be, and the officer to whom such proceedings stand so transferred shall either proceed de novo or from the stage of such transfer.

6. (1) Notwithstanding anything contained in the City Police Act as extended, the Commissioner of Police for Tiruppur shall, in the exercise of his functions under the City Police Act as extended, be under the control and direction of the Director-General of Police for the State of Tamil Nadu, subject to any rules that may be made under sub-section (2).

Control of the Director-General of Police over the Commissioner of Police for Tiruppur.

(2) It shall be competent to the Government to make rules to limit and regulate the exercise of the powers of, control and direction conferred on, the Director-General of Police by sub-section (1) in respect of the Commissioner of Police for Tiruppur.

(3) Nothing in this section shall apply in relation to the powers and functions which may be exercised or discharged by the Commissioner of Police for Tiruppur under any law as a District Magistrate or an Executive Magistrate.

7. (1) Any reference in the City Police Act as extended by this Act to a law which is not in force in the City of Tiruppur on the appointed day shall, in relation to the said City, be construed as a reference to the corresponding law, if any, in force in the said City.

Construction of reference to laws not in force in the City of Tiruppur.

Central Act XXIV of 1859.

(2) Any reference to the Tamil Nadu District Police Act, 1859 in any law in force in the City of Tiruppur shall, in relation to the City, be construed, on and after the appointed day, as a reference to the City Police Act.

Central Act XXIV of 1859.

8. If, immediately before the appointed day, there is any law in force in the City of Tiruppur including the Tamil Nadu District Police Act, 1859 (hereinafter in this section referred to as the Central Act) and the provisions of the City Police Act specified in the Schedule to the Central Act and extended by way of notification under section 54-A of the Central Act corresponding to the City Police Act, such corresponding law shall, on the appointed day, stand repealed in relation to the City of Tiruppur, to the extent to which the corresponding law relates to matters with respect to which the State Legislature has power to make laws for the State.

Repeal of corresponding Law.

9. (1) The repeal by section 8 of any corresponding law shall not affect,-

Savings.

(a) the previous operation of any such law or anything done or duly suffered thereunder; or

(b) any right, privilege, obligation or liability acquired, accrued or incurred under any such law; or

(c) any penalty, forfeiture or punishment incurred in respect of any offence committed against any such law; or

(d) any investigation, legal proceeding or remedy in respect of any such right, privilege, obligation, liability, penalty, forfeiture or punishment as aforesaid;

and any such investigation, legal proceeding or remedy may be instituted, continued or enforced and any such penalty, forfeiture or punishment may be imposed as if the City Police Act had not been extended.

(2) Subject to the provisions of sub-section (1), anything done or any action taken, including any appointment or delegation made, notification, order, instruction or direction issued, rule, regulation, form, by law or scheme framed, certificate, permit or licence granted or registration effected under such corresponding law, in relation to the City of Tiruppur, shall be deemed to have been done or taken under the corresponding provisions of the City Police Act and shall continue in force accordingly, unless and until superseded by anything done or any action taken under the said City Police Act as extended.

Construction of reference to authorities where new authorities have been constituted.

10. Any reference by whatever form or words in any law in force to any authority competent on the date immediately preceding the appointed day, to exercise any powers or discharge any functions in the City of Tiruppur shall, where a corresponding new authority has been constituted by or under the City Police Act as extended or under this Act to the said City, have effect as if it were a reference to that new authority.

Powers of courts and other authorities for purpose of facilitating application of the City Police Act.

11. For the purpose of facilitating the application, in the City of Tiruppur, of the City Police Act as extended, any Court or other authority may construe the said Act with such alteration not affecting the substance as may be necessary or proper to adapt it to the matter before the Court or other authority.

Power to make rules.

12. (1) The Government may make rules for carrying out all or any of the purposes of this Act.

(2) All rules made under this Act shall be published in the *Tamil Nadu Government Gazette* and unless they are expressed to come into force on a particular day, shall come into force on the day on which they are so published.

(3) All notifications issued under this Act shall, unless they are expressed to come into force on a particular day, come into force on the day on which they are published.

(4) Every rule made or notification or order issued under this Act shall, as soon as possible after it is made or issued, be placed on the table of the Legislative Assembly, and if before the expiry of the session in which it is so placed or the next session, the Legislative Assembly agrees that the rule or notification or order should not be made or issued, the rule or notification or order shall thereafter have effect only in such modified form or be of no effect, as the case may be, so, however, that any such modification or annulment shall be without prejudice to the validity of anything previously done under that rule or notification or order.

Power to remove difficulties.

13. If any difficulty arises in giving effect to the provisions of the City Police Act as extended by this Act, to the City of Tiruppur, the Government may, as occasion may require, by order, do anything which appears to them to be necessary for the purpose of removing the difficulty:

Provided that no order shall be made under this section after the expiry of two years from the appointed day.

Tamil Nadu
Ordinance
18 of 2012.

14. (1) The Chennai City Police (Extension to the City of Tiruppur) Ordinance, 2012 is hereby repealed.

Repeal and
saving.

(2) Notwithstanding such repeal, anything done or any action taken under the said Ordinance, shall be deemed to have been done or taken under the provisions of this Act.

THE SCHEDULE.
(See section 5)

*Designation of officer as
immediately before the
appointed day.*
(1)

*Post to which the officer
shall be deemed to be
appointed.*
(2)

(1) Superintendent of Police.

Commissioner of Police:

Provided that after the appointed day,
the Government may appoint as
Commissioner of Police an officer
in the rank of Deputy Inspector-
General of Police:

Provided further that where a
Commissioner of Police is
appointed in the rank of Deputy
Inspector-General of Police, the
Government may appoint a Deputy
Commissioner of Police in the
rank of Superintendent of Police.

(2) Deputy Superintendent of Police.

Assistant Commissioner of Police.

STATEMENT OF OBJECTS AND REASONS

During the Police Officers conference held on 14-11-2011, the Hon'ble Chief Minister announced that as Tiruppur is growing in size and population and beset with problems of migrant labour and traffic congestion, the need for a Commissionerate is acutely felt and in order to improve the standard of Policing in Tiruppur, a new Police Commissionerate will be constituted at Tiruppur.

2. To give effect to the above announcement, the Government decided to bifurcate the existing Tiruppur Police District and to constitute a new Police Commissionerate for the City of Tiruppur by extending the provisions of the Chennai City Police Act, 1888 (Tamil Nadu Act III of 1888) to that City. Accordingly, the Chennai City Police (Extension to the City of Tiruppur) Ordinance, 2012 (Tamil Nadu Ordinance 18 of 2012) was promulgated by the Governor on the 24th September 2012 and the same was published in the *Tamil Nadu Government Gazette* Extraordinary, dated the 8th October 2012.

3. The Bill seeks to replace the said Ordinance.

J JAYALALITHAA,
Chief Minister.

FINANCIAL MEMORANDUM

The Chennai City Police (Extension to the City of Tiruppur) bill 2012, which when enacted and brought into operation would involve expenditure from the consolidated fund of state in the implementation of the Act. It is however not possible at this stage to estimate with any degree of accuracy the expenditure to be incurred as a result of the proposed legislation.

J JAYALALITHAA,
Chief Minister.

MEMORANDUM REGARDING DELEGATED LEGISLATION

Clause 4(1) of the Bill enables the Government to empower Commissioner of Police and certain other officers in the City of Tiruppur to exercise the powers and perform the duties of District Magistrate and Executive Magistrate under the Code of Criminal Procedure, 1973 (Central Act 2 of 1974), clauses 6(2) and 12 of the Bill empower the Government to make rules for carrying out all or any of the purposes of the proposed Act. Clause 13 of the Bill enables the Government to make any order for the purpose of removing any difficulty which may arise in giving effect to the provisions of the Bill, when enacted.

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

J JAYALALITHAA,
Chief Minister.

A.M.P. JAMALUDEEN,
Secretary.

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 1st November 2012 is published together with Statement of Objects and Reasons for general information:—

L.A. Bill No. 44 of 2012

A Bill further to amend the Tamil Nadu Panchayats Act, 1994.

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

- | | |
|---|--------------------------------------|
| <p>1. (1) This Act may be called the Tamil Nadu Panchayats (Second Amendment) Act, 2012.</p> | <p>Short title and commencement.</p> |
| <p>(2) It shall come into force on such date as the State Government may, by notification, appoint.</p> | |
| <p>2. In section 37 of the Tamil Nadu Panchayats Act, 1994 (hereinafter referred to as the principal Act), in sub-section (3), for clause (a), the following clause shall be substituted, namely:—</p> | <p>Amendment of section 37.</p> |
| <p>“(a) of unsound mind;”.</p> | |
| <p>3. In section 38 of the principal Act, in sub-section (3), for clause (a), the following clause shall be substituted, namely:—</p> | <p>Amendment of section 38.</p> |
| <p>“(a) becomes of unsound mind;”.</p> | |

Tamil Nadu
Act 21 of
1994.

STATEMENT OF OBJECTS AND REASONS.

In Tamil Nadu, 3% of the population are differently-abled. Among the differently-abled, there are many people with high educational qualification and capability of communication skills. However, deaf-mute category of people are disqualified to contest the elections under the Tamil Nadu Panchayats Act, 1994 (Tamil Nadu Act 21 of 1994), which is not justifiable. Therefore, the Government have decided to amend the said Tamil Nadu Act 21 of 1994 by omitting the expression "or a deaf-mute" in clause (a) of sub-section (3) of sections 37 and 38 of the said Act.

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

K.P. MUNUSAMY,

*Minister for Municipal Administration
and Rural Development.*

A.M.P. JAMALUDEEN,
Secretary.

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 1st November 2012 is published together with Statement of Objects and Reasons for general information:—

L.A. Bill No. 45 of 2012

A Bill further to amend the Tamil Nadu Panchayats Act, 1994.

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

1. (1) This Act may be called the Tamil Nadu Panchayats (Third Amendment) Act, 2012.

Short title and
commence-
ment.

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

Tamil Nadu
Act 21 of
1994.

2. After section 257-A of the Tamil Nadu Panchayats Act, 1994, the following section shall be inserted, namely:—

Insertion of
new section
257-AA.

“257-AA. Permission to construct swimming pool.—(1) No swimming pool shall be constructed in any place, after the appointed day, without obtaining a permission from the Inspector.

(2) Every application for permission to construct a swimming pool shall be made to the Inspector and shall be accompanied by such fee not exceeding rupees five thousand, as may be prescribed, and shall contain such particulars as may be prescribed.

(3) On receipt of an application under sub-section (2), the Inspector may, after making such enquiry as he deems necessary, either grant or refuse to grant the permission. Every permission granted shall be in such form and subject to such terms and conditions, as may be prescribed.

(4) Where the Inspector refuses to grant permission under sub-section (3), he shall give reasons in writing for such refusal.

(5) No owner or occupier of a building or land in which a swimming pool is located immediately before the appointed day, shall continue the use of such swimming pool unless he obtains a permission under this section in respect of such swimming pool within a period of three months from the appointed day.

(6) Every owner or occupier of a building or land in which a swimming pool is located, shall maintain the swimming pool in such manner and follow such safety norms, as may be prescribed.

(7) Any person authorized by the Inspector in this behalf, may enter into any building or land in which a swimming pool is located, in order to make any enquiry or inspection and may take any measures or do anything which may, in his opinion, be necessary for the purpose of maintenance of the swimming pool or for the safety of the persons using the swimming pool:

Provided that the Government shall authorize, for the purpose of this sub-section, any officer,-

(i) not below the rank of Joint Director in the office of the Director of School Education, in respect of swimming pools located in the premises of schools;

(ii) not below the rank of Joint Director in the office of the Director of Collegiate Education, in respect of swimming pools located in the premises of colleges and Universities.

(8) For the purpose of sub-section (7), the Government may authorize different persons for different classes of buildings or land in which swimming pools are located.

Explanation.— For the purpose of this section, “appointed day” means such date as the Government may, by notification, appoint under sub-section (2) of section 1 of the Tamil Nadu Panchayats (Third Amendment) Act, 2012.”.

STATEMENT OF OBJECTS AND REASONS

It has been brought to the notice of the Government that unfortunate death of a school student has occurred due to lack of safety measures in construction and maintenance of swimming pools. The Government therefore, consider that there is an imperative need to evolve meaningful and comprehensive measures to ensure the safety and security of the users of the swimming pools, particularly in educational institutions. Accordingly, to effectively regulate the construction, maintenance and monitoring of swimming pools, the Government have decided to suitably amend the Tamil Nadu Panchayats Act, 1994 (Tamil Nadu Act 21 of 1994).

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

K.P. MUNUSAMY,
*Minister for Municipal Administration
and Rural Development.*

MEMORANDUM REGARDING DELEGATED LEGISLATION

New section 257–AA proposed to be inserted in the Tamil Nadu Panchayats Act, 1994 (Tamil Nadu Act 21 of 1994) by clause 2 of the Bill empowers the Government to make rules, and empowers the Government and the Inspector to authorise an officer or a person to enter into any building or land, for the purpose specified therein.

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

K.P. MUNUSAMY,
*Minister for Municipal Administration
and Rural Development.*

A.M.P. JAMALUDEEN,
Secretary.

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 1st November 2012 is published together with Statement of Objects and Reasons for general information:—

L.A. Bill No. 46 of 2012

A Bill further to amend the Tamil Nadu Town and Country Planning Act, 1971.

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

1. (1) This Act may be called the Tamil Nadu Town and Country Planning (Amendment) Act, 2012.

Short title and commencement.

(2) It shall be deemed to have come into force on the 16th day of July 2012.

2. In section 57 of the Tamil Nadu Town and Country Planning Act, 1971 (hereinafter referred to as the principal Act), sub-section (6) shall be re-lettered as clause (a) of that sub-section and after clause (a) as so re-lettered, the following clauses shall be added, namely:—

Amendment of section 57.

“(b) No person shall continue the development after obtaining any order of stay or interim injunction from any court against the notice served by the appropriate planning authority under section 56 or under this section.

(c) Any development continued after obtaining the order of stay or interim injunction referred to in clause (b), shall be deemed to be unauthorised development and the appropriate planning authority may demolish such unauthorised development without any notice.”.

3. In section 83 of the principal Act,—

(1) in sub-section (1), for the expression “one thousand rupees”, the expression “one lakh rupees” shall be substituted;

Amendment of section 83.

(2) in sub-section (2), for the expression “shall not be less than twenty-five rupees and not more than fifty rupees”, the expression “shall not be less than two thousand and five hundred rupees and not more than five thousand rupees” shall be substituted;

(3) after the Explanation thereunder, the following sub-section and Explanation shall be added, namely:—

“(3) Without prejudice to the provisions of sub-sections (1) and (2), whoever,—

(a) having been convicted in the prosecution under sub-section (5) of section 56, carried out any development of land or building as specified in clause (a) or (b) or (c) or (d) of sub-section (1) of section 56; or

(b) continues to carry out development of land or building, whether for himself or on behalf of the owner or on behalf of any other person, subsequent to the notice served under sub-section (1) of section 57,

shall, on conviction, be punishable with imprisonment for a term which shall not be less than three months and not more than three years and also with fine which shall not be less than fifty thousand rupees and not more than one lakh rupees.

Tamil Nadu
Act 35 of
1972.

Explanation.—For the purpose of this section and sections 84, 85 and 86, the term “whoever” means and includes the land owner, power of attorney holder, builder, promoter, architect and licensed surveyor, jointly and severally.”.

Amendment of section 84.

4. In section 84 of the principal Act, for the expression “shall not be less than fifty rupees and not more than one thousand rupees”, the expression “shall not be less than five thousand rupees and not more than one lakh rupees” shall be substituted.

Amendment of section 85.

5. In section 85 of the principal Act, in sub-section (2), for clause (b), the following clause shall be substituted, namely:-

“(b) such person shall, without prejudice to the provisions of clause (a), be punishable-

(i) with fine which shall not be less than two thousand and five hundred rupees and not more than fifty thousand rupees; and

(ii) in case of continuing failure, with fine which shall not be less than five hundred rupees and not more than ten thousand rupees for every day during which such failure continues.”.

Amendment of section 86.

6. In section 86 of the principal Act, for clauses (a) and (b), the following clauses shall be substituted, namely:—

“(a) for the first offence, with fine which shall not be less than five hundred rupees and not more than five thousand rupees; and

(b) for a second or any subsequent offence, with fine which shall not be less than two thousand rupees and not more than twenty thousand rupees.”.

Amendment of section 88.

7. In section 88 of the principal Act, in sub-section (2),-

(1) in item (i), for the expression “five hundred rupees”, the expression “fifty thousand rupees” shall be substituted;

(2) in item (ii), for expression “twenty-five rupees”, the expression “two thousand and five hundred rupees” shall be substituted.

Amendment of section 89.

8. In section 89 of the principal Act, in sub-section (1), the expression “within three months from the date of the commission of the offence” shall be omitted.

Insertion of new section 113-C.

9. After section 113-B of the principal Act, the following section shall be inserted, namely:—

“113-C. Exemption in respect of development of certain buildings.- Notwithstanding anything contained in this Act or any other law for the time being in force, the Government may, taking into consideration the ecology and environment of the area and having regard to public interest and in order to improve the infrastructure, reduce public inconvenience and ensure public safety in the area, by order, exempt any building or class of buildings developed on or before the 1st day of July 2007, from all or any of the provisions of this Act or any rule or regulation made thereunder, subject to the guidelines made in this behalf, by collecting such amount, not exceeding three times of the guideline value of the land, as may be prescribed. Different rates may be prescribed for different planning parameters and for different parts of the planning area.”.

Substitution of Schedule I.

10. For Schedule I to the principal Act, the following Schedule shall be substituted, namely:—

"SCHEDULE I.

(See section 83)

<i>Section.</i>	<i>Sub-section or clause.</i>	<i>Subject.</i>	<i>Penalty.</i>
(1)	(2)	(3)	(4) Rs.
47	...	Failure to use and develop the land in conformity with the development plan.	7,500
48	...	Erection of building or change in use of land without permission.	10,000
49	...	Failure to apply for permission and get permission.	5,000
56	(5)	Power to require the removal of unauthorised development.	5,000
57	...	Power to stop the unauthorised development.	5,000
62	...	Failure to comply to pay development charges.	10,000
106	...	Obstruction to the exercise of the power of entry by the Government servants or the servants of the planning authorities.	10,000".

Tamil Nadu
Ordinance
6 of 2012.

11. (1) The Tamil Nadu Town and Country Planning (Amendment) Ordinance, 2012 is hereby repealed.

Repeal and
saving.

(2) Notwithstanding such repeal, anything done or any action taken under the principal Act, as amended by the said Ordinance, shall be deemed to have been done or taken under the principal Act, as amended by this Act.

STATEMENT OF OBJECTS AND REASONS

The need for controlling and regulating unauthorised developments throughout the State of Tamil Nadu has been keenly felt and was the concern of the Government for sometime. The Committee constituted under the Chairmanship of Justice Thiru S. Mohan, retired Judge of Supreme Court of India, to review the Tamil Nadu Town and Country Planning Act, 1971 (Tamil Nadu Act 35 of 1972) has suggested amendments for effective enforcement action and for providing limited solution to the unauthorised developments made prior to 1st day of July 2007. In this context the Committee has suggested certain amendments to sections 57, 83, 84, 85, 86, 88 and 89 of the Act, to insert a new section 113-C in that Act along with the guidelines proposed thereunder and to enhance the penalty amount specified in Schedule I to that Act. Accordingly, the Government decided to amend the said Act suitable for the above purpose and the Tamil Nadu Town and Country Planning (Amendment) Ordinance, 2012 (Tamil Nadu Ordinance 6 of 2012) was promulgated by the Governor on the 16th July 2012, and the same was published in the *Tamil Nadu Government Gazette* Extraordinary, dated the 16th July 2012.

2. The Bill seeks to replace the said Ordinance.

R. VAITHILINGAM,

Minster for Housing and Urban Development.

MEMORANDUM REGARDING DELEGATED LEGISLATION

The new section 113-C of the Town and Country Planning Act, 1971 (Tamil Nadu Act 35 of 1972), proposed to be inserted by clause 9 of the Bill authorises the Government to make guidelines and to make rules prescribing the amount to be collected for the purposes specified therein.

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

A.M.P. JAMALUDEEN,
Secretary.

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 1st November 2012 is published together with Statement of Objects and Reasons for general information:—

L.A. Bill No. 47 of 2012

A Bill further to amend the Annamalai University Act, 1928.

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

1. (1) This Act may be called the Annamalai University (Amendment) Act, 2012.

2. In section 3 of the Annamalai University Act, 1928 (hereinafter referred to as the principal Act), after clause (a), the following clauses shall be inserted, namely:—

“(aa) to offer courses of study through distance education system in accordance with the standing orders and directions of the Distance Education Council established under the statutes made under the Indira Gandhi National Open University Act, 1985 (Central Act 50 of 1985);

(aaa) to establish and maintain study centres in any part of India or outside India in accordance with the regulations made under the University Grants Commission Act, 1956 (Central Act 3 of 1956).”.

3. In section 4 of the principal Act, after sub-section (2), the following sub-section shall be added, namely:—

“(3) Notwithstanding anything contained in sub-section (1), the University may establish and maintain study centres in any part of India or outside India in accordance with the regulations made under the University Grants Commission Act, 1956 (Central Act 3 of 1956).”.

Tamil Nadu
Act I of
1929.

Short title.

Amendment of
section 3.

Amendment of
section 4.

STATEMENT OF OBJECTS AND REASONS

As per the Guidelines issued by the Distance Education Council the Parent institution which intends to start or which has already started Distance Education Institutions should have a provision in its Act or Memorandum of Agreement for running Distance Education Programme and the Universities which have already started Distance Education Institutions in absence of such provision in their Act, shall amend their Act to that extent.

2. As per paragraph 3.3 of the University Grants Commission (Establishment of and Maintenance of Standards in Private Universities) Regulations 2003, a private university established under a State Act shall operate ordinarily within the boundary of the State concerned and after the development of main campus, in exceptional circumstances, the University may be permitted to open off-campus centre off-share Campuses and study centres after five years of its coming into existence, subject to the conditions that the off-campus centre or the study centre shall be set up with the prior approval of the University Grants Commission and that of the State Government where the study centre is proposed to be opened.

3. The Annamalai University Act, 1928 (Tamil Nadu Act I of 1929) does not contain any provision enabling the Annamalai University to offer courses of study through Distance Education mode and to establish and maintain study centre in any part of India or outside India. In view of the above said Regulations made by the University Grants Commission and the guidelines issued by the Distance Education Council, the Government have decided to amend the said Act so as to enable the Annamalai University to offer course of study through distance education system and to establish study centre in any part of India or outside India.

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

P. PALANIAPPAN,

Minister for Higher Education.

A.M.P. JAMALUDEEN,
Secretary.

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 1st November 2012 is published together with Statement of Objects and Reasons for general information:—

L.A. Bill No. 48 of 2012

A Bill further to amend the Tamil Nadu Co-operative Societies Act, 1983.

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

1. (1) This Act may be called the Tamil Nadu Co-operative Societies (Third Amendment) Act, 2012.

Short title and Commencement.

(2) It shall be deemed to have come into force on the 3rd day of August 2012.

Tamil Nadu
Act 30 of
1983.

2. In section 21 of the Tamil Nadu Co-operative Societies Act, 1983, (hereinafter referred to as the principal Act), in sub-section (2), in clause (i),-

Amendment of section 21.

(a) after the expression “by the board”, the expression “or by the general body, where there is no board” shall be inserted;

(b) in the first proviso, after the expression “the board” in two places where it occurs, the expression “or the general body, as the case may be,” shall be inserted;

(c) in the second proviso, after the expression “the board”, the expression “or the general body, as the case may be,” shall be inserted.

Tamil Nadu
Ordinance
14 of 2012.

3. (1) The Tamil Nadu Co-operative Societies (Third Amendment) Ordinance, 2012 is hereby repealed.

Repeal and saving.

(2) Notwithstanding such repeal, anything done or any action taken under the principal Act, as amended by the said Ordinance, shall be deemed to have been done or taken under the principal Act, as amended by this Act.

STATEMENT OF OBJECTS AND REASONS.

Under the Tamil Nadu Co-operative Societies Act, 1983 (Tamil Nadu Act 30 of 1983) the Board of Directors of a registered society is vested with the power to admit any individual eligible for admission, as a member of the society. At present Special Officers are managing the affairs of the registered society. When the Special Officers were empowered, by making specific provision in the said Tamil Nadu Act 30 of 1983, to admit any individual eligible for admission, as member of the Co-operative Society, the Full Bench of the High Court of Madras in K. Nithyanandam Vs. State of Tamil Nadu And Others (2006-1-L.W. 363) declared the said provision as arbitrary, unreasonable, ultravires and unconstitutional, by observing as follows:—

“In view of the above discussion, this Court is of the view that the Co-operative Societies are constituted to function through the democratic management by the General Body through its elected board which alone is empowered to enroll the new Members.”

In view of the above, new members could not be admitted in the Co-operative Societies for the past 11 years.

2. Article 43-B and Part IX-B of the Constitution envisages that the State shall endeavour and promote voluntary formation, autonomous functioning, democratic control and professional management of Co-operative Societies. In order to pave the way for democratic functioning of the Co-operative Societies in tune with the provisions of the Constitution, the Government have considered to admit new members in the Co-operative Societies by empowering the General Body of the Co-operative Societies to admit, any individual eligible for admission, as a member of the Society and have decided to amend the said Tamil Nadu Act 30 of 1983 suitably for the said purpose. Accordingly, the Tamil Nadu Co-operative Societies (Third Amendment) Ordinance, 2012 (Tamil Nadu Ordinance 14 of 2012) was promulgated by the Governor on the 3rd August 2012 and the same was published in the *Tamil Nadu Government Gazette* Extraordinary, dated the 3rd August 2012.

3. The Bill seeks to replace the said Ordinance.

SELLUR K. RAJU,
Minister for Co-operation.

A.M.P. JAMALUDEEN,
Secretary.

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 1st November 2012 is published together with Statement of Objects and Reasons for general information:—

L.A. Bill No. 49 of 2012

A Bill further to amend the Tamil Nadu Co-operative Societies Act, 1983.

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

1. (1) This Act may be called the Tamil Nadu Co-operative Societies (Fourth Amendment) Act, 2012.

Short title and commencement.

(2) It shall be deemed to have come into force on the 6th day of October 2012.

Tamil Nadu
Act 30 of
1983.

2. After section 33 of the Tamil Nadu Co-operative Societies Act, 1983 (hereinafter referred to as the principal Act), the following section shall be inserted, namely:—

Insertion of
New section
33-A.

“33-A. Tamil Nadu State Co-operative Societies Election Commission.—

(1) The superintendence, direction and control of the preparation of electoral rolls for, and the conduct of, all elections to a co-operative society shall vest in the Tamil Nadu State Co-operative Societies Election Commission consisting of a Tamil Nadu State Co-operative Societies Election Commissioner.

(2) The Tamil Nadu State Co-operative Societies Election Commissioner shall be appointed by the Government.

(3) No person shall be qualified for appointment as Tamil Nadu State Co-operative Societies Election Commissioner unless he is or has been an officer of the Government not below the rank of Secretary to the Government.

(4) The Tamil Nadu State Co-operative Societies Election Commissioner shall hold office for a term of five years from the date on which he enters upon his office:

Provided that a person appointed as Tamil Nadu State Co-operative Societies Election Commissioner shall retire from office if he completes the age of sixty-five years during the term of his office.

(5) Subject to the provision of sub-section (3), the conditions of service of the Tamil Nadu State Co-operative Societies Election Commissioner shall be such as may be prescribed.

(6) The Government may make available to the Tamil Nadu State Co-operative Societies Election Commission such staff as may be necessary for the discharge of the functions conferred on the Tamil Nadu State Co-operative Societies Election Commission by sub-section (1).”.

Tamil Nadu
Ordinance
17 of 2012.

3. (1) The Tamil Nadu Co-operative Societies (Fourth Amendment) Ordinance, 2012 is hereby repealed.

Repeal and saving.

(2) Notwithstanding such repeal, anything done or any action taken under the principal Act, as amended by the said Ordinance, shall be deemed to have been done or taken under the principal Act, as amendment by this Act.

STATEMENT OF OBJECTS AND REASONS.

As per clause (2) of Article 243 ZK in Part IXB of the Constitution of India, as inserted by the Constitution (Ninety-seventh Amendment) Act, 2011, the superintendence, direction and control of the preparation of electoral rolls for, and the conduct of, all elections to a co-operative society, shall vest in such authority or body, as may be provided by the Legislature of a State, by Law.

2. The Government decided to constitute a separate Co-operative Societies Election Commission to conduct free and fair elections to all co-operative societies in this State, by amending the Tamil Nadu Co-operative Societies Act, 1983 (Tamil Nadu Act 30 of 1983) suitably for this purpose. Accordingly, the Tamil Nadu Co-operative Societies (Fourth Amendment) Ordinance, 2012 (Tamil Nadu Ordinance 17 of 2012) was promulgated by the Governor on the 6th October 2012 and the same was published in the *Tamil Nadu Government Gazette* Extraordinary, dated the 6th October 2012.

3. The Bill seeks to replace the said Ordinance.

SELLUR K. RAJU,
Minister for Co-operation.

FINANCIAL MEMORANDUM

The Bill when enacted would involve expenditure from the Consolidated Fund of the State.

2. It is not, however, possible to estimate at this stage with any degree of accuracy the expenditure to be incurred in giving effect to the provisions of the Bill.

SELLUR K. RAJU,
Minister for Co-operation.

MEMORANDUM REGARDING DELEGATED LEGISLATION

Section 33-A of the Tamil Nadu Co-operative Societies Act, 1983 (Tamil Nadu Act 30 of 1983) proposed to be inserted by clause 2 of the Bill authorises the Government to make rules prescribing the conditions of service of the Tamil Nadu State Co-operative Societies Election Commissioner.

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

SELLUR K. RAJU,
Minister for Co-operation.

A.M.P. JAMALUDEEN,
Secretary.

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 1st November 2012 is published together with Statement of Objects and Reasons for general information:—

L.A. Bill No. 50 of 2012

A Bill further to amend the Tamil Nadu Co-operative Societies Act, 1983.

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

1. (1) This Act may be called the Tamil Nadu Co-operative Societies (Fifth Amendment) Act, 2012.

Short title and commencement.

(2) It shall come into force at once.

Tamil Nadu
Act 30 of
1983.

2. In section 89 of the Tamil Nadu Co-operative Societies Act, 1983, in the proviso to sub-section (1), for the expression “eleven years and six months”, the expression “eleven years, eight months and twenty days” shall be substituted.

Amendment of section 89.

STATEMENT OF OBJECTS AND REASONS.

Special Officers were appointed under sub-section (1) of section 89 of the Tamil Nadu Co-operative Societies Act, 1983 (Tamil Nadu Act 30 of 1983) for a period of one year from the 25th May 2001 in respect of primary co-operative societies and from the 26th May 2001 in respect of central and apex co-operative societies. Since elections to the said co-operative societies could not be conducted within the above said period, the term of the Special Officers appointed under the said section was last extended beyond the 24th May 2012 for a period of six months, by amending the said Act. The period of their appointment is due to expire on the 24th November 2012 in respect of primary co-operative societies and on the 25th November 2012 in respect of central and apex co-operative societies.

2. As per the schedule for conducting elections to the co-operative societies approved by the Government, elections for the first two stages in the first phase have been conducted on the 7th July 2007 and on the 11th July 2007 respectively. During these polls, occurrences of certain incidents have been brought to the notice of the Government. The Government are of the opinion that these incidents have undermined the very purpose of conducting the elections to the co-operative societies in the State. The Government have, therefore, decided to cancel the elections to the co-operative societies wherever they have been conducted and to hold fresh elections to all the co-operative societies and have ordered accordingly. A new election schedule will be announced by the Government for fresh elections in due course.

3. In view of the above fact, elections to the primary co-operative societies could not be conducted on or before the 24th November 2012. Elections to the central and apex co-operative societies can be conducted only after the elected boards are constituted in all the primary co-operative societies. The Government have, therefore, decided to extend the term of office of the Special Officers of the aforesaid co-operative societies for a further period of two months and twenty days beyond the 24th November 2012 in respect of primary co-operative societies and the 25th November 2012 in respect of central and apex co-operative societies, by amending the said Act suitably for the purpose.

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

SELLUR K. RAJU,
Minister for Co-operation.

A.M.P. JAMALUDEEN,
Secretary.

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 1st November 2012 is published together with Statement of Objects and Reasons for general information:—

L.A. Bill No. 51 of 2012

A Bill further to amend the Tamil Nadu Veterinary and Animal Sciences University Act, 1989.

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

1. (1) This Act may be called Tamil Nadu Veterinary and Animal Sciences University (Second Amendment) Act, 2012.

Short title and commencement.

(2) It shall be deemed to have come into force on the 31st day of July 2012.

Tamil Nadu
Act 42 of
1989.

2. In section 11 of the Tamil Nadu Veterinary and Animal Sciences University Act, 1989 (hereinafter referred to as the principal Act), in the third proviso to sub-section (3), for the expression “sixty-five years”, the expression “seventy years” shall be substituted.

Amendment of section 11.

Tamil Nadu
Ordinance
9 of 2012.

3. (1) The Tamil Nadu Veterinary and Animal Sciences University (Second Amendment) Ordinance 2012 is hereby repealed.

Repeal and saving.

(2) Notwithstanding such repeal, anything done or any action taken under the principal Act, as amended by the said Ordinance, shall be deemed to have been done or taken under the principal act, as amended by this Act.

STATEMENT OF OBJECTS AND REASONS

The Vice-Chancellor of the Tamil Nadu Veterinary and Animal Sciences University shall hold office upto the age of sixty-five years under the Tamil Nadu Veterinary and Animal Sciences University Act, 1989 (Tamil Nadu Act 42 of 1989). The Government have decided to amend the said Tamil Nadu Act 42 of 1989 so as to raise the retirement age of the Vice-Chancellor from sixty-five years to seventy years on par with the Central Universities Act, 2009 (Central Act 25 of 2009) so as to utilise the knowledge gained by academicians for the enrichment of education in Veterinary and Animal Sciences.

2. Accordingly, the Tamil Nadu Veterinary and Animal Sciences University (Second Amendment) Ordinance, 2012 (Tamil Nadu Ordinance 9 of 2012) was promulgated by the Governor on the 30th July, 2012 and the same was published in the *Tamil Nadu Government Gazette* Extraordinary, dated the 31st July 2012.

3. The Bill seeks to replace the said Ordinance.

T.K.M. CHINNAYYA,
Minister for Animal Husbandry.

A.M.P. JAMALUDEEN,
Secretary.

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 1st November 2012 is published together with Statement of Objects and Reasons for general information:—

L.A. Bill No. 52 of 2012

A Bill to amend the Tamil Nadu Fisheries University Act, 2012.

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

1. (1) This Act may be called the Tamil Nadu Fisheries University (Amendment) Act, 2012.

Short title and commencement.

(2) It shall be deemed to have come into force on the 31st day of July 2012.

2. In section 11 of the Tamil Nadu Fisheries University Act, 2012 (hereinafter referred to as the principal Act), in sub-section (3), after the proviso, the following proviso shall be added, namely:—

Amendment of section 11.

“Provided further that, a person appointed as Vice-Chancellor shall retire from office if, during the term of his office, he completes the age of seventy years.”.

3. In the proviso to section 49 of the principal Act, for the expression “sixty-five years”, the expression “seventy years” shall be substituted.

Amendment of section 49.

4. (1) The Tamil Nadu Fisheries University (Amendment) Ordinance, 2012 is hereby repealed.

Repeal and saving.

(2) Notwithstanding such repeal, anything done or any action taken under the principal Act, as amended by the said Ordinance, shall be deemed to have been done or taken under the principal Act, as amended by this Act.

Tamil Nadu
Act 21 of
2012.

Tamil Nadu
Ordinance
10 of 2012.

STATEMENT OF OBJECTS AND REASONS

In the Tamil Nadu Fisheries University Act, 2012 (Tamil Nadu Act 21 of 2012), there is no provision specifying the maximum age limit to hold the office of the Vice-Chancellor. It is considered to specify the retirement age of the Vice-Chancellor as seventy years on par with the retirement age of the Vice-Chancellor under the Central Universities Act, 2009 (Central Act 25 of 2009) so as to utilise the knowledge and experience gained by the academicians for the advancement of learning and prosecution of research in Fisheries Sciences in the State. Accordingly, the Government decided to amend the said Tamil Nadu Act 21 of 2012 to specify the retirement age of the Vice-Chancellor including the First Vice-Chancellor as seventy years. Accordingly, the Tamil Nadu Fisheries University (Amendment), Ordinance, 2012 (Tamil Nadu Ordinance 10 of 2012) was promulgated by the Governor on the 31st July 2012 and the same was published in the *Tamil Nadu Government Gazette* Extraordinary, dated the 31st July 2012.

2. The Bill seeks to replace said Ordinance.

K.A. JAYAPAL,
Minister for Fisheries.

A.M.P. JAMALUDEEN,
Secretary.

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 1st November 2012 is published together with Statement of Objects and Reasons for general information:—

L.A. Bill No. 53 of 2012

A Bill further to amend the Tamil University Act, 1982.

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

1. (1) This Act may be called the Tamil University (Amendment) Act, 2012.

Short title and
commence-
ment.

(2) It shall be deemed to have come into force on the 2nd day of August 2012.

Tamil Nadu
Act 9 of
1982.

2. In section 12 of the Tamil University Act, 1982 (hereinafter referred to as the principal Act), in the third proviso to sub-section (3), for the expression “sixty-five years”, the expression “seventy years” shall be substituted.

Amendment of
section 12.

Tamil Nadu
Ordinance
12 of 2012.

3. (1) The Tamil University (Amendment) Ordinance, 2012 is hereby repealed.

Repeal and
saving.

(2) Notwithstanding such repeal, anything done or any action taken under the principal Act, as amended by the said Ordinance, shall be deemed to have been done or taken under the principal Act, as amended by this Act.

STATEMENT OF OBJECTS AND REASONS.

At present the maximum age limit to hold the office of the Vice-Chancellor of the Tamil University is sixty-five years. It was considered to raise the retirement age of the Vice-Chancellor so as to utilize the knowledge and experience gained by the academicians for the enrichment of Tamil language and literature.

2. The Government, therefore, decided to amend the Tamil University Act, 1982 (Tamil Nadu Act 9 of 1982) to raise the retirement age of the Vice-Chancellor from sixty five years to **seventy years** on par with the retirement age of the Vice-Chancellor under the Central Universities Act, 2009 (Central Act 25 of 2009). Accordingly, the Tamil University (Amendment) Ordinance, 2012 (Tamil Nadu Ordinance 12 of 2012) was promulgated by the Governor on the 30th July 2012 and the same was published in the *Tamil Nadu Government Gazette* Extraordinary, dated the 2nd August 2012.

3. The Bill seeks to replace the said Ordinance.

N.R. SIVAPATHY,
*Minister for School Education,
Sports & Youth Welfare, Law,
Courts and Prisons.*

A.M.P. JAMALUDEEN,
Secretary.

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 1st November 2012 is published together with Statement of Objects and Reasons for general information:—

L.A. Bill No. 54 of 2012

A Bill further to amend the Tamil Nadu Dr. M.G.R. Medical University, Chennai, Act, 1987

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

1. (1) This Act may be called the Tamil Nadu Dr. M.G.R. Medical University, Chennai (Amendment) Act, 2012.

Short title and commencement.

(2) It shall be deemed to have come into force on the 6th day of August 2012.

Tamil Nadu
Act 37 of
1987.

2. In section 10 of the Tamil Nadu Dr. M.G.R. Medical University, Chennai, Act, 1987 (hereinafter referred to as the principal Act), in the proviso to sub-section (3), for the expression “sixty-five years”, the expression “seventy years” shall be substituted.

Amendment of section 10.

Tamil Nadu
Ordinance
15 of 2012.

3. (1) The Tamil Nadu Dr. M.G.R. Medical University, Chennai (Amendment) Ordinance, 2012 is hereby repealed.

Repeal and saving.

(2) Notwithstanding such repeal, anything done or any action taken under the principal Act, as amended by the said Ordinance, shall be deemed to have been done or taken under the principal Act, as amended by this Act.

STATEMENT OF OBJECTS AND REASONS.

The maximum age limit to hold the office of the Vice-Chancellor of the Tamil Nadu Dr. M.G.R. Medical University, Chennai, was sixty-five years. It was considered to raise the maximum age limit to hold the office of the Vice-Chancellor of the Tamil Nadu Dr. M.G.R. Medical University, Chennai so as to utilise the knowledge and experience gained by the medical professionals for the enrichment of medical education in the State. The Government decided to amend Section 10(3) of the Tamil Nadu Dr. M.G.R. Medical University, Chennai, Act, 1987 (Tamil Nadu Act 37 of 1987) to raise the maximum age limit to hold the office of the Vice-Chancellor of the Tamil Nadu Dr. M.G.R. Medical University, Chennai from sixty-five years to seventy years on par with the retirement age of the Vice-Chancellor under the Central Universities Act, 2009 (Central Act 25 of 2009). Accordingly, the Tamil Nadu Dr. M.G.R. Medical University, Chennai (Amendment) Ordinance, 2012 (Tamil Nadu Ordinance 15 of 2012) was promulgated by the Governor on the 30th July 2012 and the same was published in the *Tamil Nadu Government Gazette* Extraordinary, dated the 6th August 2012.

2. The Bill seeks to replace the said Ordinance.

Dr. V.S. VIJAY,
Minister for Health.

A.M.P. JAMALUDEEN,
Secretary.