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Part IV—Section 2

Tamil Nadu Acts and Ordinances

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The following Act of the Tamil Nadu Legislative Assembly received the assent of the Governor on the 26th January 2018 and is hereby published for general information:—

ACT No. 11 OF 2018.

An Act further to amend the Tamil Nadu Transparency in Tenders Act, 1998.

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

Short title and
commence-
ment.

1. (1) This Act may be called the Tamil Nadu Transparency in Tenders (Amendment) Act, 2018.

(2) It shall be deemed to have come into force on the 17th day of October 2017.

Amendment of
section 16.

2. In section 16 of the Tamil Nadu Transparency in Tenders Act, 1998, after clause (i), the following clauses shall be added, namely:-

Tamil Nadu Act 43
of 1998.

“(j) of consultancy and financial services from the Tamil Nadu Water Investment Company Limited or the Tamil Nadu Infrastructure Fund Management Corporation Limited or the Tamil Nadu Urban Infrastructure Financial Services Limited, with the prior approval of the Government:

Provided that a committee, consisting of the Secretary to Government of the Department concerned, the Secretary to Government, Finance Department and the Managing Director or the Chief Executive Officer concerned, of the Tamil Nadu Water Investment Company Limited or the Tamil Nadu Infrastructure Fund Management Corporation Limited or the Tamil Nadu Urban Infrastructure Financial Services Limited, as the case may be, shall determine the fee for the services to be procured;

(k) of coal from the Coal India Limited or the Singareni Collieries Company Limited or any other similar Public Sector Undertakings;

(l) of services of chartering of vessels owned by the Shipping Corporation of India Limited.”.

Repeal and
saving.

3.(1) The Tamil Nadu Transparency in Tenders (Second Amendment) Ordinance, 2017 is hereby repealed.

Tamil Nadu
Ordinance
6 of 2017.

(2) Notwithstanding such repeal, anything done or any action taken under the Tamil Nadu Transparency in Tenders Act, 1998, as amended by the said Ordinance, shall be deemed to have been done or taken under the said Act, as amended by this Act.

Tamil Nadu Act 43
of 1998.

(By order of the Governor)

S.S. POOVALINGAM,
Secretary to Government,
Law Department.

The following Act of the Tamil Nadu Legislative Assembly received the assent of the Governor on the 26th January 2018 and is hereby published for general information:—

ACT No. 12 OF 2018.

An Act further to amend the laws relating to the Municipal Corporations, Municipalities and Panchayats in the State of Tamil Nadu.

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

PART-I.

PRELIMINARY.

1. (1) This Act may be called the Tamil Nadu Local Bodies Laws (Amendment) Act, 2018.

Short title and commencement.

(2) It shall be deemed to have come into force on the 3rd day of September 2017.

PART-II.

AMENDMENTS TO THE CHENNAI CITY MUNICIPAL CORPORATION ACT, 1919.

Tamil Nadu Act IV of 1919.

2. In the Chennai City Municipal Corporation Act, 1919 (hereinafter in this Part referred to as the 1919 Act), in section 5, in sub-section (3), the proviso shall be omitted.

Amendment of section 5.

3. In the 1919 Act, sections 46-AA, 46-AAA and 46-AAAA shall be omitted.

Omission of sections 46-AA, 46-AAA and 46-AAAA.

PART-III.

AMENDMENT TO THE TAMIL NADU DISTRICT MUNICIPALITIES ACT, 1920.

Tamil Nadu Act V of 1920.

4. In the Tamil Nadu District Municipalities Act, 1920, sections 43-AA, 43-AAA and 43-AAAA shall be omitted.

Omission of sections 43-AA, 43-AAA and 43-AAAA.

PART – IV.

AMENDMENTS TO THE MADURAI CITY MUNICIPAL CORPORATION ACT, 1971.

Tamil Nadu Act 15 of 1971.

5. In the Madurai City Municipal Corporation Act, 1971 (hereinafter in this Part referred to as the 1971 Act), in section 5, in sub-section (3), the proviso shall be omitted.

Amendment of section 5.

6. In the 1971 Act, sections 50-A, 50-AA and 50-AAA shall be omitted.

Omission of sections 50-A, 50-AA and 50-AAA.

PART –V.

AMENDMENTS TO THE COIMBATORE CITY MUNICIPAL CORPORATION

Act, 1981.

Tamil Nadu Act 25 of 1981.

7. In the Coimbatore City Municipal Corporation Act, 1981 (hereinafter in this Part referred to as the 1981 Act), in section 5, in sub-section (3), the proviso shall be omitted.

Amendment of section 5.

Omission of
sections 52-A,
52-AA and 52-
AAA.

8. In the 1981 Act, sections 52-A, 52-AA and 52-AAA shall be omitted.

PART –VI.

AMENDMENT TO THE TAMIL NADU PANCHAYATS ACT, 1994.

Omission of
sections 28-A,
28-AA and 28-
AAA.

9. In the Tamil Nadu Panchayats Act, 1994, sections 28-A, 28-AA and 28-AAA shall be omitted.

Tamil Nadu Act 21
of 1994.

Repeal and
saving.

10. (1) The Tamil Nadu Local Bodies (Amendment) Ordinance, 2017 is hereby repealed.

Tamil Nadu
Ordinance 4 of
2017.

(2) Notwithstanding such repeal, anything done or any action taken under the Chennai City Municipal Corporation Act, 1919, the Tamil Nadu District Municipalities Act, 1920, the Madurai City Municipal Corporation Act, 1971, the Coimbatore City Municipal Corporation Act, 1981 and the Tamil Nadu Panchayats Act, 1994, as amended by the said Ordinance, shall be deemed to have been done or taken under the respective Acts, as amended by this Act.

Tamil Nadu Act IV
of 1919.
Tamil Nadu Act V
of 1920.
Tamil Nadu Act 15
of 1971.
Tamil Nadu Act 25
of 1981.
Tamil Nadu Act 21
of 1994.

(By order of the Governor)

S.S. POOVALINGAM,
Secretary to Government,
Law Department.

The following Act of the Tamil Nadu Legislative Assembly received the assent of the Governor on the 26th January 2018 and is hereby published for general information:—

ACT No. 13 OF 2018.

An Act 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-eighth 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, 2018. Short title and commencement.

(2) It shall come into force at once.

Tamil Nadu Act 37
of 1987.

2. In section 10 of the Tamil Nadu Dr.M.G.R. Medical University, Chennai, Act, 1987, for sub-section (2) including the proviso thereto, the following sub-sections shall be substituted, namely :- Amendment of section 10.

“(2) For the purpose of sub-section (1), the Committee shall consist of—

(i) a nominee of the Government, who shall be a retired or serving officer of the State Government not below the rank of Principal Secretary to Government or an eminent educationist;

(ii) a nominee of the Senate who shall be an eminent educationist; and

(iii) a nominee of the Governing Council who shall be an eminent educationist.

Explanation.—For the purpose of this sub-section, “eminent educationist” means a person in the field of medical science,—

(i) who is or has been a Vice-Chancellor of any Medical University established by the State Government or Central Government; or

(ii) who is a distinguished academician, with a minimum of ten years of experience as Professor or Dean in any Medical College or in any Medical University established by any State Government or Central Government or in both taken together; or

(iii) who is or has been a Director or Head of any medical institution of national importance:

Provided that the person so nominated shall not be a member of any of the authorities of the University or shall not be connected with the University or any college or any recognized institution of the University.

(2-A) A person recommended by the Committee for appointment as Vice-Chancellor shall—

(i) be a distinguished academician with highest level of competence, integrity, morals and institutional commitment;

(ii) possess such educational qualifications and experience as may be specified by the State Government in consultation with the Chancellor by an order published in the *Tamil Nadu Government Gazette*.

(2-B) The process of nominating the members to the Committee by the Government, the Senate and the Governing Council shall begin six months before the probable date of occurrence of vacancy in the office of the Vice-Chancellor and shall be completed four months before the probable date of occurrence of vacancy in the office of the Vice-Chancellor.

(2-C) The process of preparing the panel of suitable persons for appointment as Vice-Chancellor shall begin at least four months before the probable date of occurrence of the vacancy in the office of the Vice-Chancellor.

(2-D) The Committee shall submit its recommendation to the Chancellor within four months from the date of its constitution. If the Committee does not submit its recommendation to the Chancellor within the said period, the Chancellor may grant further time to the Committee to submit its recommendation or take steps to constitute another Committee in accordance with sub-section (2).".

(By order of the Governor)

S.S. POOVALINGAM,
*Secretary to Government,
Law Department.*

The following Act of the Tamil Nadu Legislative Assembly received the assent of the Governor on the 26th January 2018 and is hereby published for general information:—

ACT No. 14 OF 2018.

An Act 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-eighth Year of the Republic of India as follows:—

1. (1) This Act may be called the Tamil Nadu Town and Country Planning (Amendment) Act, 2018.

Short title and commencement.

(2) It shall be deemed to have come into force on the 21st day of July 2017.

Tamil Nadu Act
35 of 1972.

2. For the Explanation under section 63-B of the Tamil Nadu Town and Country Planning Act, 1971 (hereinafter referred to as the principal Act), the following explanation shall be substituted, namely:—

Amendment of section 63-B.

“Explanation.- For the purpose of this section and section 63-D, “relevant laws” means in case of —

Tamil Nadu Act
35 of 1972.

(i) the Chennai Metropolitan Development Authority, the Tamil Nadu Town and Country Planning Act, 1971;

Tamil Nadu Act
IV of 1919.

(ii) the Chennai City Municipal Corporation, the Chennai City Municipal Corporation Act, 1919;

Tamil Nadu Act
15 of 1971.

(iii) the Madurai City Municipal Corporation, the Madurai City Municipal Corporation Act, 1971;

Tamil Nadu Act
25 of 1981.

(iv) the Coimbatore City Municipal Corporation, the Coimbatore City Municipal Corporation Act, 1981;

Tamil Nadu
Act 27 of
1994.

(v) the Tiruchirappalli City Municipal Corporation, the Tiruchirappalli City Municipal Corporation Act, 1994;

Tamil Nadu Act
28 of 1994.

(vi) the Tirunelveli City Municipal Corporation, the Tirunelveli City Municipal Corporation Act, 1994;

Tamil Nadu Act
29 of 1994.

(vii) the Salem City Municipal Corporation, the Salem City Municipal Corporation Act, 1994;

Tamil Nadu Act
7 of 2008.

(viii) the Tiruppur City Municipal Corporation, the Tiruppur City Municipal Corporation Act, 2008;

Tamil Nadu Act
8 of 2008.

(ix) the Erode City Municipal Corporation, the Erode City Municipal Corporation Act, 2008;

Tamil Nadu Act
26 of 2008.

(x) the Vellore City Municipal Corporation, the Vellore City Municipal Corporation Act, 2008;

Tamil Nadu Act
27 of 2008.

(xi) the Thoothukudi City Municipal Corporation, the Thoothukudi City Municipal Corporation Act, 2008;

Tamil Nadu Act
24 of 2013.

(xii) the Thanjavur City Municipal Corporation, the Thanjavur City Municipal Corporation Act, 2013;

Tamil Nadu Act
25 of 2013.

(xiii) the Dindigul City Municipal Corporation, the Dindigul City Municipal Corporation Act, 2013;

Tamil Nadu Act
V of 1920.

(xiv) the Municipalities and Town Panchayats, the Tamil Nadu District Municipalities Act, 1920; and

(xv) the Panchayat Unions and Village Panchayats, the Tamil Nadu Panchayats Act, 1994.”.

Tamil Nadu Act
21 of 1994.

Insertion of new
sections
63-D and
63-E.

3. After section 63-C of the principal Act, the following sections shall be inserted, namely:—

“63-D. *Levy of shelter charges.*—(1) Every local authority or the planning authority, as the case may be, while according permission under this Act or according building permit under the relevant laws, as the case may be, shall levy charges on the institution of use or change of use of land or building or development of any land or building in the whole area or any part of the planning area so as to contribute towards cost of providing affordable housing to the poor in urban areas, at the rates as determined in accordance with such procedure as may be prescribed which shall not be less than the minimum and not more than the maximum as may be prescribed, and different rates may be prescribed for different parts of the planning area and for different uses.

(2) The shelter charges shall be leviable on any person who undertakes or carries out any such development or institutes any use or changes any such use.

(3) The collection of the shelter charges shall be made in such manner as may be prescribed.

63-E. *Constitution of State Shelter Fund.*—(1) The Government may constitute a fund called “State Shelter Fund” to provide for affordable housing to the poor in urban areas.

(2) The shelter charges levied under section 63-D shall be credited to this fund.

(3) The proceeds from other sources as approved by the Government may also be credited to this fund.

(4) The fund shall be operated, utilized and maintained in such manner as may be prescribed.”.

Validation.

4. Notwithstanding anything contained in the principal Act, or any judgment, decree or order of any Court, no levy or collection of shelter charges at any time between 21st day of July 2017 and the date of publication of this Act in the *Tamil Nadu Government Gazette* shall be deemed to be invalid or ever to have been invalid and such charge levied or collected shall be deemed to be and to have always been validly levied or collected in accordance with law, as if the principal Act, as amended by this Act, had been in force at all material times when such levy or collection has been made and no suit or other legal proceeding shall be maintained or continued against any local authority, planning authority, the Director of Town and Country Planning, Government or any other authority whatsoever on the ground that such levy or collection was not made in accordance with law.

(By order of the Governor)

S.S. POOVALINGAM,
Secretary to Government,
Law Department.