



# TAMIL NADU GOVERNMENT GAZETTE

**EXTRAORDINARY** PUBLISHED BY AUTHORITY

No. 364]

CHENNAI, TUESDAY, DECEMBER 2, 2008  
Karthigai 17, Thiruvalluvar Aandu-2039

## 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 28th November 2008 and is hereby published for general information:—

**ACT No. 47 OF 2008.**

***An Act further to amend the Tamil Nadu Payment of Salaries Act, 1951.***

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

Short title and commencement.

1. (1) This Act may be called the Tamil Nadu Payment of Salaries (Second Amendment) Act, 2008.

(2) It shall be deemed to have come into force on the 1<sup>st</sup> day of April 2008.

Amendment of section 3.

2. In section 3 of the Tamil Nadu Payment of Salaries Act, 1951 (hereinafter referred to as the principal Act),—

Tamil Nadu Act XX of 1951.

(1) in sub-section (1), for the expression “seven thousand rupees per mensem”, the expression “eight thousand rupees per mensem” shall be substituted;

(2) in sub-section (2), for the expression “eight thousand rupees per mensem”, the expression “ten thousand rupees per mensem” shall be substituted;

(3) in sub-section (3),—

(a) in clause (a), for the expression “three thousand rupees per mensem”, the expression “four thousand rupees per mensem” shall be substituted;

(b) in clause (b), for the expression “four thousand rupees per mensem”, the expression “five thousand rupees per mensem” shall be substituted.

Amendment of section 4.

3. In section 4 of the principal Act,—

(1) in sub-section (1), for the expression “seven thousand rupees per mensem”, the expression “eight thousand rupees per mensem” shall be substituted;

(2) in sub-section (2), for the expression “seven thousand rupees per mensem”, the expression “eight thousand rupees per mensem” shall be substituted;

(3) in sub-section (3), for the expression “eight thousand rupees per mensem”, the expression “ten thousand rupees per mensem” shall be substituted;

(4) in sub-section (4),—

(1) in clause (a),—

(a) in sub-clause (i), for the expression “three thousand rupees per mensem”, the expression “four thousand rupees per mensem” shall be substituted;

(b) in sub-clause (ii), for the expression “four thousand rupees per mensem”, the expression “five thousand rupees per mensem” shall be substituted;

(2) in clause (b),—

(a) in sub-clause (i), for the expression “two thousand and five hundred rupees per mensem”, the expression “three thousand and five hundred rupees per mensem” shall be substituted;

(b) in sub-clause (ii), for the expression “four thousand rupees per mensem”, the expression “five thousand rupees per mensem” shall be substituted.

Amendment of section 6-A.

4. In section 6-A of the principal Act,—

(1) in sub-section (1), for the expression “seven thousand rupees per mensem”, the expression “eight thousand rupees per mensem” shall be substituted;

(2) in sub-section (2), for the expression “seven thousand rupees per mensem”, the expression “eight thousand rupees per mensem” shall be substituted;

(3) in sub-section (3), for the expression "eight thousand rupees per mensem", the expression "ten thousand rupees per mensem" shall be substituted;

(4) in sub-section (4),—

(a) in clause (i), for the expression "two thousand and five hundred rupees per mensem", the expression "three thousand and five hundred rupees per mensem" shall be substituted;

(b) in clause (ii), for the expression "four thousand rupees per mensem", the expression "five thousand rupees per mensem" shall be substituted.

5. In section 12 of the principal Act,—

Amendment of  
section 12.

(1) in sub-section (1), in clause (a), for the expression "two thousand rupees per mensem", the expression "three thousand rupees per mensem" shall be substituted;

(2) in sub-section (1-A), for the expression "six thousand rupees per mensem", the expression "seven thousand rupees per mensem" shall be substituted;

(3) in sub-section (1-AA), for the expression "a constituency allowance of four thousand rupees per mensem and a postal allowance of one thousand and five hundred rupees per mensem", the expression "a constituency allowance of five thousand rupees per mensem and a postal allowance of two thousand and five hundred rupees per mensem" shall be substituted;

(4) in sub-section (4-B), for the expression "four thousand rupees per mensem", the expression "five thousand rupees per mensem" shall be substituted.

6. In section 12-B of the principal Act,—

Amendment of  
section 12-B.

(1) in sub-section (1), for the expression "seven thousand rupees per mensem", the expression "eight thousand rupees per mensem" shall be substituted;

(2) in sub-section (2-C), for the expression "three thousand and five hundred rupees per mensem", the expression "four thousand rupees per mensem" shall be substituted;

(3) in sub-section (2-CC), for the expression "three thousand and five hundred rupees per mensem", the expression "four thousand rupees per mensem" shall be substituted.

(By order of the Governor)

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



The following Act of the Tamil Nadu Legislative Assembly received the assent of the Governor on the 28th November 2008 and is hereby published for general information:—

**ACT No. 48 OF 2008.**

***An Act to prohibit violence against medicare service persons and damage or loss to property of medicare service institutions and for matters connected therewith and incidental thereto.***

WHEREAS, acts of violence causing injury or danger to life of medicare service persons and damage or loss to the property of medicare service institutions are on the increase in the State creating unrest among medicare service persons resulting in total hindrance of such services in the State;

AND WHEREAS, it has become necessary to punish the persons committing violence by making the offence as cognizable and non-bailable and to provide for compensation, for damage or loss caused to the property of medicare service institutions, to be determined by court;

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

1. (1) This Act may be called the Tamil Nadu Medicare Service Persons and Medicare Service Institutions (Prevention of Violence and Damage or Loss to Property) Act, 2008.

Short title and commencement.

(2) It shall be deemed to have come into force on the 18th day of July 2008.

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

Definitions.

(1) “medicare service institution” means any institution providing medicare to people which is under the control of the State or the Central Government or local bodies including any private hospital having facilities for treatment of the sick and used for their reception or stay; any private maternity home where women are usually received and accommodated for the purpose of confinement and ante-natal and post-natal care in connection with child birth or anything connected therewith; and any private nursing home used or intended to be used for the reception and accommodation of persons suffering any sickness, injury or infirmity whether of body or mind, and providing of treatment for nursing or both of them and includes a maternity home or convalescent home;

(2) “medicare service person” in relation to a medicare service institution shall include,—

- (a) registered medical practitioners (including a person having provisional registration);
- (b) registered nurses;
- (c) medical students;
- (d) nursing students;
- (e) para medical workers;

employed and working in such medicare service institutions;

(3) “property” means any property, movable or immovable or medical equipment or medical machinery owned by or in possession of, or under the control of, any medicare service person or medicare service institution;

(4) “ violence” means activities of causing, any harm, injury or endangering the life or intimidation, obstruction or hindrance to any medicare service person while discharging his duty in the medicare service institution or causing damage or loss to the property.

3. Any person either by himself or as a member or as a leader of a group of persons or organization, commits or attempts to commit or abets or incites the commission of any act of violence shall be punished with imprisonment for a term which shall not be less than three years but which may extend to ten years and with fine.

Punishment for committing violence.

Cognizance of offence.	4. Any offence committed under section 3, shall be cognizable and non bailable.	
Liability to pay compensation for the damage or loss caused to the property.	5. (1) In addition to the punishment specified in section 3, the person shall be liable to pay compensation for the damage or loss caused to the property, as determined by the court.  (2) If the person has not paid the compensation under sub-section (1), the said sum shall be recovered under the provisions of the Tamil Nadu Revenue Recovery Act, 1864 as if it were an arrear of land revenue.	Tamil Nadu Act II of 1864.
Bar of certain proceedings.	6. No claim for compensation for the damage or loss caused to the property shall be made by the medicare service person or medicare service institution, before any authority, under the Tamil Nadu Property (Prevention of Damage and Loss) Act, 1992.	Tamil Nadu Act 59 of 1992.
Operation of other laws not affected.	7. Save as otherwise provided in this Act, the provisions of this Act shall be in addition to and not in derogation of, any other law for the time being in force.	
Repeal and saving.	8. (1) The Tamil Nadu Medicare Service Persons and Medicare Service Institutions (Prevention of Violence and Damage or Loss to Property) Ordinance, 2008 is hereby repealed.  (2) Notwithstanding such repeal, anything done or any action taken under the said Ordinance shall be deemed to have been done or taken under this Act.	Tamil Nadu Ordinance 3 of 2008.

(By order of the Governor)

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

The following Act of the Tamil Nadu Legislative Assembly received the assent of the Governor on the 28th November 2008 and is hereby published for general information:—

**ACT No. 49 OF 2008.**

***An Act further to amend the Tamil Nadu Value Added Tax Act, 2006.***

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

1. (1) This Act may be called the Tamil Nadu Value Added Tax (Second Amendment) Act, 2008.

Short title and commencement.

(2) It shall be deemed to have come into force on the 18th day of June 2008.

2. In section 3 of the Tamil Nadu Value Added Tax Act, 2006 (hereinafter referred to as the principal Act), for sub-section (4), the following sub-section shall be substituted, namely:—

Amendment of section 3.

“(4)(a) Notwithstanding anything contained in sub-section (2), but subject to the provisions of sub-section (1), every dealer, who effects second and subsequent sales of goods purchased within the State, whose turnover relating to taxable goods, for a year, is less than rupees fifty lakhs may, at his option, instead of paying tax under sub-section (2), pay a tax, for each year, on his turnover relating to taxable goods at such rate not exceeding one per cent, as may be notified by the Government. Such option shall be exercised by a dealer,—

(i) Who commences business, within thirty days from the date of commencement of the business;

(ii) Whose turnover relating to taxable goods is below rupees fifty lakhs during the previous year, on or before the 30th day of April of the year for which he exercises such option;

(iii) for the year 2008-2009, within thirty days from the date of commencement of the Tamil Nadu Value Added Tax (Second Amendment) Act, 2008:

Provided that such dealer shall not collect any amount by way of tax or purporting to be by way of tax:

Provided further that such dealer shall not be entitled to input tax credit on the goods purchased by him:

Provided also that the dealer who purchased goods from such dealer shall not be entitled to input tax credit on the goods purchased by him.

(b) If the turnover relating to taxable goods of a dealer paying tax under clause (a), in a year, reaches rupees fifty lakhs at any time during that year, he shall inform the assessing authority in writing within seven days from the date on which such turnover has so reached. Such dealer is liable to pay tax under sub-section (2) on all his sales of rupees fifty lakhs and above and he is entitled to the input tax credit on the purchases made from the date, and on the stock available with him, the purchases of which has been made within ninety days before the date, on which such turnover has reached rupees fifty lakhs:

Provided that such dealer whose turnover relating to taxable goods has reached rupees fifty lakhs during the previous year shall not be entitled to exercise such option for subsequent years.

3. In section 21 of the principal Act, for the expression “Every dealer, liable to pay tax under this Act”, the expression “Every dealer, registered under this Act” shall be substituted.

Amendment of section 21.

Insertion of  
new section  
87-A.

4. After Section 87 of the principal Act, the following section shall be inserted, namely:—

“87-A. *Assessment of sales in certain cases.*—Notwithstanding anything contained in this Act, the assessment of a dealer under the Tamil Nadu General Sales Tax Act, 1959 (Tamil Nadu Act 1 of 1959) or under the Tamil Nadu Additional Sales Tax Act, 1970 (Tamil Nadu Act 14 of 1970), in respect of the assessment for the period from the 1st day of April 2006 to the 31st day of December 2006, shall be on the basis of the return filed by him and such return shall be accepted in accordance with the rules as may be prescribed.”.

Repeal and  
Saving.

5. (1) The Tamil Nadu Value Added Tax (Second Amendment) Ordinance, 2008 is hereby repealed.

Tamil Nadu  
Ordinance  
1 of 2008.

(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.

(By order of the Governor)

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



The following Act of the Tamil Nadu Legislative Assembly received the assent of the Governor on the 28th November 2008 and is hereby published for general information:—

**ACT No. 50 OF 2008.**

***An Act further to amend the Tamil Nadu Value Added Tax Act, 2006.***

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

1. (1) This Act may be called the Tamil Nadu Value Added Tax (Third Amendment) Act, 2008.

Short title and commencement.

(2) It shall be deemed to have come into force on the 1st day of July 2008.

Tamil Nadu  
Act 32 of  
2006.

2. In the Second Schedule to the Tamil Nadu Value Added Tax Act, 2006, in the entries in column (2) against item 3 in column (1) thereof, for the expression “the Indian Tariff Act, 1934 (Central Act 32 of 1934),” the expression “the Customs Tariff Act, 1975 (Central Act 51 of 1975)” shall be substituted.

Amendment of  
Second  
Schedule.

(By order of the Governor)

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



The following Act of the Tamil Nadu Legislative Assembly received the assent of the Governor on the 28th November 2008 and is hereby published for general information:—

**ACT No. 51 OF 2008.**

***An Act to amend the Tamil Nadu Backward Class Christians and Backward Class Muslims (Reservation of Seats in Educational Institutions including Private Educational Institutions and of appointments or posts in the services under the State) Act, 2007.***

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

1. (1) This Act may be called the Tamil Nadu Backward Class Christians and Backward Class Muslims (Reservation of Seats in Educational Institutions including Private Educational Institutions and of appointments or posts in the services under the State) Amendment Act, 2008.

Short title and commencement.

(2) It shall be deemed to have come into force on the 22nd day of October 2008.

Tamil Nadu  
Act  
33 of 2007.

2. In the long title to the Tamil Nadu Backward Class Christians and Backward Class Muslims (Reservation of Seats in Educational Institutions including Private Educational Institutions and of appointments or posts in the services under the State) Act, 2007 (hereinafter referred to as the principal Act), the expression "Backward Class Christians and" shall be omitted.

Amendment of long title.

3. In section 1 of the principal Act, in sub-section (1), the expression "Backward Class Christians and" shall be omitted.

Amendment of section 1.

4. In section 2 of the principal Act, clause (a) shall be omitted.

Amendment of section 2.

5. In section 3 of the principal Act,—

Amendment of section 3.

(1) in the marginal heading, the expression "Backward Class Christians and" shall be omitted;

(2) the expression "Backward Class Christians and" in two places where it occurs, shall be omitted;

(3) the expression "three and one half per cent and" shall be omitted;

(4) the expression "respectively," shall be omitted.

6. In section 4 of the principal Act,—

Amendment of section 4.

(1) the expression "Backward Class Christians and" in two places where it occurs, shall be omitted;

(2) the expression " three and one half per cent and" shall be omitted;

(3) the expression "respectively," shall be omitted.

7. In section 5 of the principal Act,—

Amendment of section 5.

(1) the expression "Backward Class Christians and" shall be omitted;

(2) the expression "Backward Class Christians or" in two places where it occurs, shall be omitted;

(3) the expression ", as the case may be," shall be omitted.

Repeal and  
saving.

8. (1) The Tamil Nadu Backward Class Christians and Backward Class Muslims (Reservation of Seats in Educational Institutions including Private Educational Institutions and of appointments or posts in the services under the State) Amendment Ordinance, 2008 is hereby repealed.

(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  
Ordinance  
9 of 2008.

(By order of the Governor)

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

The following Act of the Tamil Nadu Legislative Assembly received the assent of the Governor on the 28th November 2008 and is hereby published for general information:—

**ACT No. 52 OF 2008.**

***An Act further to amend the Tamil Nadu Co-operative Societies (Appointment of Special Officers) Act, 1976.***

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

1. (1) This Act may be called the Tamil Nadu Co-operative Societies (Appointment of Special Officers) Second Amendment Act, 2008.

Short title and commencement.

(2) It shall be deemed to have come into force on the 6th day of August 2008.

President's Act 25 of 1976.

2. In section 4 of the Tamil Nadu Co-operative Societies (Appointment of Special Officers) Act, 1976 (hereinafter referred to as the principal Act), in sub-section (1), for the expression "thirty two years and two months", the expression "thirty two years and eight months" shall be substituted.

Amendment of section 4.

Tamil Nadu Ordinance 5 of 2008.

3. (1) The Tamil Nadu Co-operative Societies (Appointment of Special Officers) Second Amendment Ordinance, 2008 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.

(By order of the Governor)

S. DHEENADHAYALAN,  
Secretary to Government,  
Law Department.



The following Act of the Tamil Nadu Legislative Assembly received the assent of the Governor on the 28th November 2008 and is hereby published for general information:—

**ACT No. 53 OF 2008.**

***An Act to provide for the appropriation of certain further moneys out of the consolidated Fund of the State for the services and purposes of the financial year which commenced on the 1st day of April 2008.***

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

1. This Act may be called the Tamil Nadu Appropriation (No. 3) Act, 2008.

Short title.

2. The State Government may appropriate out of the Consolidated Fund of the State for the services and purposes of the financial year which commenced on the 1st day of April 2008, a further sum not exceeding three thousand fifty-five crore, thirty-seven lakh and twenty-five thousand rupees, being moneys required to meet—

Supplementary appropriation out of the Consolidated Fund of the State for the services and purposes of the financial year which commenced on the 1st day of April 2008.

(a) the supplementary grants made by the Tamil Nadu Legislative Assembly for that year, as set forth in column (3) of the Schedule; and

(b) the supplementary expenditure *charged* on the Consolidated Fund of the State for that year, as set forth in column (4) of the Schedule.

## THE SCHEDULE.

(See section 2.)

Demand Number	Services and purposes	Sums not exceeding			
		Voted by the Legislative Assembly	Charged on the Consolidated Fund of the State	Total	
(1)	(2)	(3) Rs.	(4) Rs.	(5) Rs.	
2	Governor and Council of Ministers	Revenue Capital Loan	86,48,000 ... ...	... ... ...	86,48,000 ... ...
3	Administration of Justice	Revenue Capital Loan	4,000 ... ...	... ... ...	4,000 ... ...
4	Adi-Dravidar and Tribal Welfare Department	Revenue Capital Loan	6,36,52,000 3,23,01,000 ...	... ... ...	6,36,52,000 3,23,01,000 ...
5	Agriculture Department	Revenue Capital Loan	45,39,50,000 11,58,94,000 ...	... ... ...	45,39,50,000 11,58,94,000 ...
6	Animal Husbandry (Animal Husbandry, Dairying and Fisheries Department)	Revenue Capital Loan	12,64,48,000 ... ...	... ... ...	12,64,48,000 ... ...
7	Fisheries (Animal Husbandry, Dairying and Fisheries Department)	Revenue Capital Loan	10,68,00,000 ... ...	... ... ...	10,68,00,000 ... ...
9	Backward Classes , Most Backward Classes and Minorities Welfare Department	Revenue Capital Loan	3,88,49,000 ... ...	... ... ...	3,88,49,000 ... ...
10	Commercial Taxes (Commercial Taxes and Registration Department)	Revenue Capital Loan	1,20,47,000 ... ...	... ... ...	1,20,47,000 ... ...
12	Co-operation (Co-operation, Food and Consumer Protection Department)	Revenue Capital Loan	143,13,90,000 11,40,34,000 9,94,34,000	... ... ...	143,13,90,000 11,40,34,000 9,94,34,000
13	Food and Consumer Protection (Co- operation, Food and Consumer Protection Department)	Revenue Capital Loan	194,84,64,000 1,58,00,000 ...	... ... ...	194,84,64,000 1,58,00,000 ...



Demand Number	Services and purposes	Sums not exceeding			
		Voted by the Legislative Assembly	Charged on the Consolidated Fund of the State	Total	
(1)	(2)	(3) Rs.	(4) Rs.	(5) Rs.	
14	Energy Department	Revenue	...	...	...
		Capital	570,50,00,000	...	570,50,00,000
		Loan	...	...	...
15	Environment and Forests Department	Revenue	24,25,000	...	24,25,000
		Capital	...	...	...
		Loan	...	...	...
16	Finance Department	Revenue	1,26,38,000	...	1,26,38,000
		Capital	...	...	...
		Loan	...	...	...
17	Handlooms and Textiles (Handlooms, Handicrafts, Textiles and Khadi Department)	Revenue	3,32,38,000	...	3,32,38,000
		Capital	...	...	...
		Loan	75,54,000	...	75,54,000
18	Khadi, Village Industries and Handicrafts (Handlooms, Handicrafts, Textiles and Khadi Department)	Revenue	32,11,000	...	32,11,000
		Capital	...	...	...
		Loan	...	...	...
19	Health and Family Welfare Department	Revenue	87,32,43,000	...	87,32,43,000
		Capital	...	...	...
		Loan	...	...	...
20	Higher Education Department	Revenue	8,32,05,000	...	8,32,05,000
		Capital	2,84,00,000	...	2,84,00,000
		Loan	...	...	...
21	Highways Department	Revenue	1,00,00,000	...	1,00,00,000
		Capital	2,34,24,000	...	2,34,24,000
		Loan	...	...	...
22	Police (Home, Prohibition and Excise Department)	Revenue	21,95,63,000	...	21,95,63,000
		Capital	4,000	...	4,000
		Loan	...	...	...
23	Fire and Rescue Services (Home, Prohibition and Excise Department)	Revenue	4,92,19,000	...	4,92,19,000
		Capital	...	...	...
		Loan	...	...	...

Demand Number	Services and purposes		Sums not exceeding		Total
			Voted by the Legislative Assembly	Charged on the Consolidated Fund of the State	
(1)	(2)		(3) Rs.	(4) Rs.	(5) Rs.
24	Prisons (Home, Prohibition and Excise Department)	Revenue	25,60,000	...	25,60,000
		Capital	...	...	...
		Loan	...	...	...
25	Motor Vehicles Acts-Administration (Home, Prohibition and Excise Department)	Revenue	6,80,13,000	...	6,80,13,000
		Capital	...	...	...
		Loan	...	...	...
26	Housing and Urban Development Department	Revenue	593,99,63,000	...	593,99,63,000
		Capital	...	...	...
		Loan	...	...	...
27	Industries Department	Revenue	44,02,32,000	...	44,02,32,000
		Capital	2,63,38,000	...	2,63,38,000
		Loan	5,29,38,000	...	5,29,38,000
28	Information and Publicity (Tamil Development, Religious Endowments and Information Department)	Revenue	1,07,80,000	...	1,07,80,000
		Capital	...	...	...
		Loan	5,43,42,000	...	5,43,42,000
29	Tourism - Art and Culture (Tourism and Culture Department)	Revenue	93,49,000	...	93,49,000
		Capital	1,03,50,000	...	1,03,50,000
		Loan	...	...	...
31	Information Technology Department	Revenue	67,38,000	...	67,38,000
		Capital	15,00,00,000	...	15,00,00,000
		Loan	36,35,00,000	...	36,35,00,000
32	Labour and Employment Department	Revenue	65,85,000	...	65,85,000
		Capital	2,29,78,000	...	2,29,78,000
		Loan	...	...	...
33	Law Department	Revenue	11,28,000	...	11,28,000
		Capital	...	...	...
		Loan	...	...	...
34	Municipal Administration and Water Supply Department	Revenue	184,20,50,000	...	184,20,50,000
		Capital	19,95,38,000	...	19,95,38,000
		Loan	...	...	...

Demand Number	Services and purposes	Sums not exceeding			
		Voted by the Legislative Assembly	Charged on the Consolidated Fund of the State	Total	
(1)	(2)	(3) Rs.	(4) Rs.	(5) Rs.	
35	Personnel and Administrative Reforms Department	Revenue	27,02,000	...	27,02,000
		Capital	...	...	...
		Loan	...	...	...
36	Planning, Development and Special Initiatives Department	Revenue	14,00,000	...	14,00,000
		Capital	4,59,27,000	...	4,59,27,000
		Loan	...	...	...
38	Public Department	Revenue	2,38,35,000	...	2,38,35,000
		Capital	...	...	...
		Loan	...	...	...
39	Buildings (Public Works Department)	Revenue	51,55,000	...	51,55,000
		Capital	1,31,50,000	...	1,31,50,000
		Loan	...	...	...
40	Irrigation (Public Works Department)	Revenue	95,92,000	...	95,92,000
		Capital	111,51,85,000	1,000	111,51,86,000
		Loan	...	...	...
41	Revenue Department	Revenue	6,36,97,000	...	6,36,97,000
		Capital	21,25,00,000	...	21,25,00,000
		Loan	...	...	...
42	Rural Development and Panchayat Raj Department	Revenue	280,82,85,000	...	280,82,85,000
		Capital	237,13,00,000	...	237,13,00,000
		Loan	...	...	...
43	School Education Department	Revenue	82,83,22,000	...	82,83,22,000
		Capital	164,00,00,000	...	164,00,00,000
		Loan	...	...	...
44	Micro, Small and Medium Enterprises Department	Revenue	10,00,00,000	...	10,00,00,000
		Capital	...	...	...
		Loan	...	...	...
45	Social Welfare and Nutritious Meal Programme Department	Revenue	16,31,35,000	...	16,31,35,000
		Capital	...	...	...
		Loan	...	...	...

Demand Number	Services and purposes	Sums not exceeding			
		Voted by the Legislative Assembly	Charged on the Consolidated Fund of the State	Total	
(1)	(2)	(3) Rs.	(4) Rs.	(5) Rs.	
46	Tamil Development (Tamil Development, Religious Endowments and Information Department)	Revenue Capital Loan	32,05,000 ... ...	... ... ...	32,05,000 ... ...
48	Transport Department	Revenue Capital Loan	2,78,00,000 ... ...	... ... ...	2,78,00,000 ... ...
49	Youth Welfare and Sports Development Department	Revenue Capital Loan	3,83,75,000 ... ...	... ... ...	3,83,75,000 ... ...
	<i>Debt Charges</i>	Revenue Capital Loan	... ... ...	25,39,38,000 ... ...	25,39,38,000 ... ...
	<b>Total</b>	Revenue Capital Loan	<b>1,787,98,95,000</b> <b>1,184,21,23,000</b> <b>57,77,68,000</b>	<b>25,39,38,000</b> <b>1,000</b> <b>...</b>	<b>1,813,38,33,000</b> <b>1,184,21,24,000</b> <b>57,77,68,000</b>
	<b>Grand Total</b>		<b>3,029,97,86,000</b>	<b>25,39,39,000</b>	<b>3,055,37,25,000</b>

(By order of the Governor)

S. DHEENADHAYALAN,  
Secretary to Government,  
Law Department.

The following Act of the Tamil Nadu Legislative Assembly received the assent of the Governor on the 29th November 2008 and is hereby published for general information:—

**ACT No. 54 OF 2008.**

***An Act to extend the provisions of the Chennai City Police Act, 1888 to the Chennai City Suburban Area.***

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

1. (1) This Act may be called the Chennai City Police (Extension to the Chennai City Suburban Area) Act, 2008.

Short title and commencement.

(2) It shall be deemed to have come into force on 18th day of July 2008.

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

Definitions.

(1) "Chennai City Suburban Area" means the local area comprising the limits of the police stations specified in the Schedule;

(2) "City Police Act" means the Chennai City Police Act, 1888;

(3) "Government" means the State Government;

(4) "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.

3. (1) With effect on and from the 18th day of July 2008, the City Police Act as in force immediately before the 18th day of July 2008, shall stand extended to, and shall be in force, in the Chennai City Suburban Area.

Extension of Tamil Nadu Act III of 1888.

(2) In the City Police Act as extended to the Chennai City Suburban Area—

(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 Chennai City Suburban Area;

(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 Chennai City Suburban Area with whom the administration of the Police of the Chennai City Suburban Area shall be vested.

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,—

Power of Government to authorize Commissioner of Police for Chennai City Suburban Area and certain other Police Officers in Chennai City Suburban Area to exercise powers of District Magistrate and Executive Magistrate under the Code of Criminal Procedure, 1973.

(a) the Commissioner of Police for Chennai City Suburban Area to exercise and perform in relation to the Chennai City Suburban Area, 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;

(b) any officer subordinate to the Commissioner of Police for Chennai City Suburban Area (not being an Officer below the rank of an Assistant Commissioner of Police) to exercise and perform in relation to Chennai City Suburban Area as may be specified in the notification, the powers and duties of 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.

Tamil Nadu Act III of 1888.

Central Act 2 of 1974.

(2) Every officer subordinate to the Commissioner of Police for Chennai City Suburban Area 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 for Chennai City Suburban Area or any Officer subordinate to such 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.

Police force functioning in Chennai City Suburban Area immediately before the 18th day of July 2008 to be deemed to be police force constituted under the City Police Act as extended.

5. (1) The police force functioning in the Chennai City Suburban Area immediately before the 18th day of July 2008 (hereinafter in this Section referred to as the existing police force) shall, on the 18th day of July 2008, be deemed to be the police force constituted for the Chennai City Suburban Area under the City Police Act as extended, by this Act and every member of the existing police force holding the office immediately before the 18th day of July 2008 shall be deemed to be appointed on the 18th day of July 2008 as members of the police force for the Chennai City Suburban Area.

(2) All proceedings (including proceedings by way of investigations) pending before any police officer of the existing police force immediately before the 18th day of July 2008, shall on the 18th day of July 2008 be deemed to be proceedings pending before him in his capacity as the holder of the office to which he is 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 18th day of July 2008 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 Chennai City Suburban Area 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.

Control of the Director General of Police over the Commissioner of Police for Chennai City Suburban Area.

6. (1) Notwithstanding anything contained in the City Police Act as extended, the Commissioner of Police for Chennai City Suburban Area 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).

(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 Chennai City Suburban Area.

(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 Chennai City Suburban Area under any law as a District Magistrate or an Executive Magistrate.

Construction of reference to laws not in force in Chennai City Suburban Area.

7. Any reference in the City Police Act as extended by this Act to a law which is not in force in the Chennai City Suburban Area on the 18th day of July 2008 shall, in relation to the said area, be construed as a reference to the corresponding law, if any, in force in the said area.

- 8.** Any reference by whatever form or words in any law in force to any authority competent on the date immediately preceding the 18th day of July 2008 to exercise any powers or discharge any functions in the Chennai City Suburban Area 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 area have effect as if it were a reference to that new authority.
- Construction of reference to authorities where new authorities have been constituted.
- 9.** For the purpose of facilitating the application, in the Chennai City Suburban Area, 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.
- Powers of courts and other authorities for purposes of facilitating application of the City Police Act.
- 10.** (1) The Government may make rules for carrying out all or any of the purposes of this Act.
- Power to make rules.
- (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.
- 11.** If any difficulty arises in giving effect to the provisions of the City Police Act as extended by this Act, to the Chennai City Suburban Area, 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:
- Power to remove difficulties.
- Provided that no order shall be made under this section after the expiry of two years from the 18th day of July 2008.
- 12.** On the 18th day of July 2008, the local area comprising the limits of police stations specified in the Schedule shall stand excluded from the City of Chennai for the purpose of section 3 of the City Police Act.
- Exclusion of area from Chennai City.
- 13.** (1) The Chennai City Police (Extension to the Chennai City Suburban Area) Ordinance, 2008 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 this Act.

## THE SCHEDULE

*[See section 2 (1)]***POLICE STATIONS**

- 1 St. Thomas Mount Police Station
- 2 Meenambakkam Police Station
- 3 Pallavaram Police Station
- 4 Chrompet Police Station
- 5 Shankar Nagar Police Station
- 6 Tambaram Police Station
- 7 Madipakkam Police Station
- 8 Palavanthangal Police Station
- 9 Adambakkam Police Station
- 10 Pallikaranai Police Station
- 11 Chitlapakkam Police Station
- 12 Peerkankaranai Police Station
- 13 Selaiyur Police Station
- 14 Airport Police Station
- 15 Nandambakkam Police Station
- 16 Poonamallee Police Station
- 17 Sri Ramachandra Medical College Hospital Police Station
- 18 Kunrathur Police Station
- 19 Mangadu Police Station
- 20 Ambathur Police Station
- 21 Ambathur Estate Police Station
- 22 Korattur Police Station
- 23 Maduravoyal Police Station
- 24 Avadi Police Station
- 25 Avadi Tank Factory Police Station
- 26 Pattabiram Police Station
- 27 Muthapudupet Police Station
- 28 Tiruninravur Police Station
- 29 Nazarethpet Police Station
- 30 Thirumullaivoyal Police Station
- 31 Thiruverkadu Police Station
- 32 Madhavaram Police Station
- 33 Madhavaram Milk Colony Police Station
- 34 Redhills Police Station



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- 35 Ennore Police Station
  - 36 Manali Police Station
  - 37 Manali New Town Police Station
  - 38 Sathangadu Police Station
  - 39 Puzhal Police Station

(By order of the Governor)

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



The following Act of the Tamil Nadu Legislative Assembly received the assent of the Governor on the 29th November 2008 and is hereby published for general information:—

**ACT No. 55 OF 2008.**

***An Act further to amend the laws relating to the Municipal Corporations in the State of Tamil Nadu.***

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

**PART- I.**

**PRELIMINARY.**

1. (1) This Act may be called the Tamil Nadu Municipal Corporations Laws (Amendment) Act, 2008.

Short title and commencement.

(2) It shall be deemed to have come into force on the 26th day of August 2008.

**PART - II.**

**AMENDMENTS TO THE CHENNAI CITY MUNICIPAL CORPORATION ACT, 1919.**

Tamil Nadu Act IV of 1919.

2. For sections 78 and 79 of the Chennai City Municipal Corporation Act, 1919 (hereafter in this Part referred to as the 1919 Act), the following sections shall be substituted, namely:—

Substitution of sections 78 and 79.

“78. *Powers of municipal authorities to sanction estimates.*— The powers of the different municipal authorities to sanction estimates shall be as follows:—

(a) when the amount of estimate does not exceed ten lakhs of rupees, the sanction of the concerned wards committee shall be required;

(b) when the amount of estimate exceeds ten lakhs of rupees but does not exceed fifty lakhs of rupees, the sanction of the commissioner shall be required;

(c) when the amount of estimate exceeds fifty lakhs of rupees but does not exceed sixty lakhs of rupees, the sanction of the Mayor shall be required;

(d) when the amount of estimate exceeds sixty lakhs of rupees but does not exceed seventy-five lakhs of rupees, the sanction of the concerned standing committee (other than the standing committee on taxation and finance) shall be required;

(e) when the amount of estimate exceeds seventy-five lakhs of rupees but does not exceed one crore of rupees, the sanction of the standing committee on taxation and finance shall be required;

(f) when the amount of estimate exceeds one crore of rupees but does not exceed ten crores of rupees, the sanction of the council shall be required;

(g) when the amount of estimate exceeds ten crores of rupees, the sanction of the State Government shall be required.

79. *Works costing more than sixty lakhs of rupees.*— (1) Where a project is framed for the execution of any work or series of works, the entire estimated cost of which exceeds sixty lakhs of rupees,—

(a) the commissioner shall cause a detailed report to be prepared including such estimates and drawings as may be requisite and shall lay the same,—

(i) before the concerned standing committee (other than the standing committee on taxation and finance), if the entire estimated cost exceeds sixty lakhs of rupees but does not exceed seventy-five lakhs of rupees;

(ii) before the standing committee on taxation and finance, if the entire estimated cost exceeds seventy-five lakhs of rupees but does not exceed one crore of rupees;

(iii) before the council, if the entire estimated cost exceeds one crore of rupees;

(b) the concerned standing committee or the standing committee on taxation and finance or the council, as the case may be, shall consider the report and may approve it either in its entirety or subject to modifications or may reject the same.

(2) (a) Where the council approves the project, subject to any modifications or otherwise, the entire estimated cost of which exceeds ten crores of rupees, the same shall be submitted to the State Government.

(b) The State Government may sanction the project either in its entirety or subject to modifications or may reject the same and the work shall not be commenced without such sanction of the State Government.

(c) No material change in the project sanctioned as aforesaid shall be carried into effect without the sanction of the State Government.”.

Amendment of section 80.

3. In section 80 of the 1919 Act, for sub-section (2), the following sub-section shall be substituted, namely:—

“(2) Every contract on behalf of the corporation shall be made by the commissioner subject to the following provisions, namely:—

(a) no contract the estimated cost of which does not exceed ten lakhs of rupees shall be made by the commissioner unless it has been sanctioned by the concerned wards committee;

(b) any contract the estimated cost of which exceeds ten lakhs of rupees but does not exceed fifty lakhs of rupees shall be made by the commissioner;

(c) no contract the estimated cost of which exceeds fifty lakhs of rupees but does not exceed sixty lakhs of rupees shall be made by the commissioner, unless it has been sanctioned by the Mayor;

(d) no contract the estimated cost of which exceeds sixty lakhs of rupees but does not exceed seventy-five lakhs of rupees shall be made by the commissioner unless it has been sanctioned by the concerned standing committee (other than the standing committee on taxation and finance);

(e) no contract the estimated cost of which exceeds seventy-five lakhs of rupees but does not exceed one crore of rupees shall be made by the commissioner unless it has been sanctioned by the standing committee on taxation and finance;

(f) no contract the estimated cost of which exceeds one crore of rupees but does not exceed ten crores of rupees shall be made by the commissioner unless it has been sanctioned by the council;

(g) no contract the estimated cost of which exceeds ten crores of rupees shall be made by the commissioner unless it has been sanctioned by the State Government;

(h) every contract the estimated cost of which exceeds forty thousand rupees made by the commissioner shall be reported to the concerned standing committee within fifteen days from the date on which it has been made.”.

### PART- III

#### AMENDMENTS TO THE MADURAI CITY MUNICIPAL CORPORATION ACT, 1971.

Substitution of sections 97 and 98.

4. For sections 97 and 98 of the Madurai City Municipal Corporation Act, 1971 (hereafter in this Part referred to as the 1971 Act), the following sections shall be substituted, namely:—

Tamil Nadu Act 15 of 1971.

“97. *Powers of municipal authorities to sanction estimates.*— The powers of the different municipal authorities to sanction estimates shall be as follows:—

(a) when the amount of estimate does not exceed five lakhs of rupees, the sanction of the concerned wards committee shall be required;

(b) when the amount of estimate exceeds five lakhs of rupees but does not exceed ten lakhs of rupees, the sanction of the commissioner shall be required;

(c) when the amount of estimate exceeds ten lakhs of rupees but does not exceed twenty lakhs of rupees, the sanction of the Mayor shall be required;

(d) when the amount of estimate exceeds twenty lakhs of rupees but does not exceed thirty lakhs of rupees, the sanction of the concerned standing committee (other than the standing committee on taxation and finance) shall be required;

(e) when the amount of estimate exceeds thirty lakhs of rupees but does not exceed fifty lakhs of rupees, the sanction of the standing committee on taxation and finance shall be required;

(f) when the amount of estimate exceeds fifty lakhs of rupees but does not exceed one crore of rupees, the sanction of the council shall be required;

(g) when the amount of estimate exceeds one crore of rupees, the sanction of the Government shall be required.

98. *Works costing more than twenty lakhs of rupees.*— (1) Where a project is framed for the execution of any work or series of works, the entire estimated cost of which exceeds twenty lakhs of rupees,—

(a) the commissioner shall cause a detailed report to be prepared including such estimates and drawings as may be requisite and shall lay the same,—

(i) before the concerned standing committee (other than the standing committee on taxation and finance), if the entire estimated cost exceeds twenty lakhs of rupees but does not exceed thirty lakhs of rupees;

(ii) before the standing committee on taxation and finance, if the entire estimated cost exceeds thirty lakhs of rupees but does not exceed fifty lakhs of rupees;

(iii) before the council, if the entire estimated cost exceeds fifty lakhs of rupees;

(b) the concerned standing committee or the standing committee on taxation and finance or the council, as the case may be, shall consider the report and may approve it either in its entirety or subject to modifications or may reject the same.

(2) (a) Where the council approves the project, subject to any modifications or otherwise, the entire estimated cost of which exceeds one crore of rupees, the same shall be submitted to the Government.

(b) The Government may sanction the project either in its entirety or subject to modifications or may reject the same and the work shall not be commenced without such sanction of the Government.

(c) No material change in the project sanctioned as aforesaid shall be carried into effect without the sanction of the Government.”.

5. In section 99 of the 1971 Act, for sub-section (2), the following sub-section shall be substituted, namely:—

Amendment of section 99.

“(2) Every contract on behalf of the corporation shall be made by the commissioner subject to the following provisions, namely:—

(a) no contract the estimated cost of which does not exceed five lakhs of rupees shall be made by the commissioner unless it has been sanctioned by the concerned wards committee;

(b) any contract the estimated cost of which exceeds five lakhs of rupees but does not exceed ten lakhs of rupees shall be made by the commissioner;

(c) no contract the estimated cost of which exceeds ten lakhs of rupees but does not exceed twenty lakhs of rupees shall be made by the commissioner unless it has been sanctioned by the Mayor;

(d) no contract the estimated cost of which exceeds twenty lakhs of rupees but does not exceed thirty lakhs of rupees shall be made by the commissioner unless it has been sanctioned by the concerned standing committee (other than the standing committee on taxation and finance);

(e) no contract the estimated cost of which exceeds thirty lakhs of rupees but does not exceed fifty lakhs of rupees shall be made by the commissioner unless it has been sanctioned by the standing committee on taxation and finance;

(f) no contract the estimated cost of which exceeds fifty lakhs of rupees but does not exceed one crore of rupees shall be made by the commissioner unless it has been sanctioned by the council;

(g) no contract the estimated cost of which exceeds one crore of rupees shall be made by the commissioner unless it has been sanctioned by the Government;

(h) every contract the estimated cost of which exceeds ten thousand rupees made by the commissioner shall be reported to the concerned standing committee within fifteen days from the date on which it has been made.”.

#### PART- IV

#### AMENDMENTS TO THE COIMBATORE CITY MUNICIPAL CORPORATION ACT, 1981.

Substitution of sections 99 and 100.

6. For sections 99 and 100 of the Coimbatore City Municipal Corporation Act, 1981 (hereafter in this Part referred to as the 1981 Act), the following sections shall be substituted, namely:—

Tamil Nadu Act 25 of 1981.

“99. *Powers of municipal authorities to sanction estimates.*— The powers of the different municipal authorities to sanction estimates shall be as follows:—

(a) when the amount of estimate does not exceed five lakhs of rupees, the sanction of the concerned wards committee shall be required;

(b) when the amount of estimate exceeds five lakhs of rupees but does not exceed ten lakhs of rupees, the sanction of the commissioner shall be required;

(c) when the amount of estimate exceeds ten lakhs of rupees but does not exceed twenty lakhs of rupees, the sanction of the Mayor shall be required;

(d) when the amount of estimate exceeds twenty lakhs of rupees but does not exceed thirty lakhs of rupees, the sanction of the concerned standing committee (other than the standing committee on taxation and finance) shall be required;

(e) when the amount of estimate exceeds thirty lakhs of rupees but does not exceed fifty lakhs of rupees, the sanction of the standing committee on taxation and finance shall be required;

(f) when the amount of estimate exceeds fifty lakhs of rupees but does not exceed one crore of rupees, the sanction of the council shall be required;

(g) when the amount of estimate exceeds one crore of rupees, the sanction of the Government shall be required.

100. *Works costing more than twenty lakhs of rupees.*— (1) Where a project is framed for the execution of any work or series of works, the entire estimated cost of which exceeds twenty lakhs of rupees,—

(a) the commissioner shall cause a detailed report to be prepared including such estimates and drawings as may be requisite and shall lay the same,—

(i) before the concerned standing committee (other than the standing committee on taxation and finance), if the entire estimated cost exceeds twenty lakhs of rupees but does not exceed thirty lakhs of rupees;

(ii) before the standing committee on taxation and finance, if the entire estimated cost exceeds thirty lakhs of rupees but does not exceed fifty lakhs of rupees;

(iii) before the council, if the entire estimated cost exceeds fifty lakhs of rupees;

(b) the concerned standing committee, or the standing committee on taxation and finance or the council, as the case may be, shall consider the report and may approve it either in its entirety or subject to modifications or may reject the same.

(2) (a) Where the council approves the project, subject to any modifications or otherwise, the entire estimated cost of which exceeds one crore of rupees, the same shall be submitted to the Government.

(b) The Government may sanction the project either in its entirety or subject to modifications or may reject the same and the work shall not be commenced without such sanction of the Government.

(c) No material change in the project sanctioned as aforesaid shall be carried into effect without the sanction of the Government.”.

7. In section 101 of the 1981 Act, for sub-section (2), the following sub-section shall be substituted, namely:—

Amendment of section 101.

“(2) Every contract on behalf of the corporation shall be made by the commissioner subject to the following provisions, namely:—

(a) no contract the estimated cost of which does not exceed five lakhs of rupees shall be made by the commissioner unless it has been sanctioned by the concerned wards committee;

(b) any contract the estimated cost of which exceeds five lakhs of rupees but does not exceed ten lakhs of rupees shall be made by the commissioner;

(c) no contract the estimated cost of which exceeds ten lakhs of rupees but does not exceed twenty lakhs of rupees shall be made by the commissioner, unless it has been sanctioned by the Mayor;

(d) no contract the estimated cost of which exceeds twenty lakhs of rupees but does not exceed thirty lakhs of rupees shall be made by the commissioner unless it has been sanctioned by the concerned standing committee (other than the standing committee on taxation and finance);

(e) no contract the estimated cost of which exceeds thirty lakhs of rupees but does not exceed fifty lakhs of rupees shall be made by the commissioner unless it has been sanctioned by the standing committee on taxation and finance;

(f) no contract the estimated cost of which exceeds fifty lakhs of rupees but does not exceed one crore of rupees shall be made by the commissioner unless it has been sanctioned by the council;

(g) no contract the estimated cost of which exceeds one crore of rupees shall be made by the commissioner unless it has been sanctioned by the Government;

(h) every contract the estimated cost of which exceeds ten thousand rupees made by the commissioner shall be reported to the concerned standing committee within fifteen days from the date on which it has been made.”.

Tamil Nadu Ordinance 6 of 2008.

8. (1) The Tamil Nadu Municipal Corporations Laws (Amendment) Ordinance, 2008 is hereby repealed.

Repeal and saving.

Tamil Nadu Act IV of 1919.

Tamil Nadu Act 15 of 1971.

Tamil Nadu Act 25 of 1981.

Tamil Nadu Act IV of 1919.

Tamil Nadu Act 15 of 1971.

Tamil Nadu Act 25 of 1981.

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

(By order of the Governor)

S. DHEENADHAYALAN,  
Secretary to Government,  
Law Department.





The following Act of the Tamil Nadu Legislative Assembly received the assent of the Governor on the 29th November 2008 and is hereby published for general information:—

**ACT No. 56 OF 2008.**

***An Act to make special provisions for Chennai Metropolitan Planning Area for a period of one year and for matters connected therewith or incidental thereto.***

WHEREAS, there had been rapid increase in the population owing to industrialization, migration and various other factors, putting pressure on land and infrastructure in the Chennai Metropolitan Planning Area leading to unauthorized developments which are not in conformity with the First Master Plan for Chennai Metropolitan Planning Area in force, the Development Control Rules contained therein and the building rules, regulations and bye laws;

AND WHEREAS, the Government have constituted a committee headed by a retired Supreme Court Judge to look into all aspects of developments and to suggest necessary modifications to the Tamil Nadu Town and Country Planning Act, 1971 (*Tami Nadu Act 35 of 1972*);

AND WHEREAS, it is expected that the recommendations of the Committee aforesaid may involve substantial amendments to the Tamil Nadu Town and Country Planning Act, 1971 (*Tamil Nadu Act 35 of 1972*) and some with retrospective effect, and in particular to the provisions relating to construction and use of the premises, thereby changing the position as obtaining now under the said Act;

AND WHEREAS, Chennai Metropolitan Development Authority has prepared the Draft Master Plan II for Chennai Metropolitan Planning Area, with the perspective year 2026 keeping in view the emerging new dimensions in urban development, which has been published for public objections and suggestions giving time upto 31-8-2007. The Draft Second Master Plan after public consultation and modification as suggested by the Government was resubmitted to Government on 29th February 2008. The Government have approved the said Draft Master Plan-II for Chennai Metropolitan Planning Area, 2026 and the same has been published in the *Tamil Nadu Government Gazette*, Extraordinary dated the 2nd September 2008.

AND WHEREAS, a comprehensive policy for the improvement of slum areas and resettlement of the people in slum area wherever necessary in the Chennai Metropolitan Planning Area is contemplated by the State Government;

AND WHEREAS, a detailed study of the issues relating to unauthorized occupation by the vendors and hawkers in the public street is contemplated with a view to evolving a scheme for regulating their activities in terms of the Master Plan II;

AND WHEREAS, action for violation of the provisions of the First Master Plan for Chennai Metropolitan Planning Area in force and Development Control Rules contained therein, before a final view is taken in the matter by the Government may cause avoidable hardship and irreparable loss to a large number of people including small traders;

AND WHEREAS, the Tamil Nadu Laws (Special Provisions) Ordinance, 2007 (*Tamil Nadu Ordinance 1 of 2007*), which was replaced by the Tamil Nadu (Special Provisions) Act, 2007, (*Tamil Nadu Act 39 of 2007*) was challenged before the High Court of Madras, and it was quashed by a Division Bench of the High Court of Madras;

AND WHEREAS, in the Special Leave petitions filed before the Supreme Court of India against the above Judgement of High Court of Madras, quashing the above said Tamil Nadu Ordinance 1 of 2007 and the said Tamil Nadu Act 39 of 2007, the Supreme Court has ordered that status quo as on 14-12-2007 shall be maintained until further orders and the petitioners shall not pass any order of regularization in the meantime;

AND WHEREAS, the validity of the said Tamil Nadu Act 39 of 2007 is pending before the Supreme Court of India and the said Tamil Nadu Act 39 of 2007 would cease to operate from the 27th day of July 2008.

AND WHEREAS, there is a need to make provisions to deal with deviations which may be marginal or gross in nature in a balanced and just manner without compromise on the safety and transport mobility but at the same time keeping in view the spirit and text of judicial pronouncements;

AND WHEREAS, the modern requirements of fire safety precautions in commercial and shopping centers should be gone through thoroughly evolving a safety measure and to make provisions to empower the planning authority suitably;

AND WHEREAS, the Government will require more time to consider the report of the committee headed by a retired Supreme Court Judge and there is an urgent need for deferring enforcement action against unauthorized buildings;

AND WHEREAS, the purpose and objective of the Tamil Nadu Laws (Special Provisions) Act, 2007 has not been subserved and it is expedient to have a law to provide temporary relief to the people of Chennai Metropolitan Planning Area against such action for a period up to 26th July, 2009 within which various issues referred to above to be finalized;

AND WHEREAS, it is expedient to have a law for a period of one year to provide temporary relief and to minimize hardships and irreparable loss to a large number of people including small traders;

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

Short title,  
extent  
commence-  
ment and  
duration.

1. (1) This Act may be called the Tamil Nadu Laws (Special Provisions) Act, 2008.

(2) It extends to the Chennai Metropolitan Planning Area.

(3) It shall be deemed to have come into force on the 27th day of July 2008.

(4) It shall cease to have effect on the expiry of one year from the date of its commencement, except as respects things done or omitted to be done before such cesser, and upon such cesser section 8 of the Tamil Nadu General Clauses Act, 1891, shall apply as if this Act had then been repealed by a Tamil Nadu Act.

Tamil Nadu  
Act 1 of  
1891.

Definitions.

2. (1) In this Act, unless the context otherwise requires,—

(a) “building rules, regulations and bye-laws” means rules, regulations and bye-laws made under the Chennai City Municipal Corporation Act, 1919, the Tamil Nadu District Municipalities Act, 1920 and the Tamil Nadu Panchayats Act, 1994 as the case may be, relating to buildings;

Tamil Nadu Act  
IV of 1919.  
Tamil Nadu Act  
V of 1920.  
Tamil Nadu Act  
21 of 1994.

(b) “Chennai Metropolitan Planning Area” means the Chennai Metropolitan Planning Area specified under clause (23-a) of section 2 of the Tamil Nadu Town and Country Planning Act, 1971;

Tamil Nadu Act  
35 of 1972.

(c) “detailed development plan” means a detailed development plan approved under the Tamil Nadu Town and Country Planning Act, 1971, in respect of any area covered under the Chennai Metropolitan Planning Area;

Tamil Nadu Act  
35 of 1972.

(d) “Development Control Rules” means the Development Control Rules for Chennai Metropolitan Planning Area;

(e) “Government” means the State Government;

(f) “local authority” means the Chennai City Municipal Corporation established under the Chennai City Municipal Corporation Act, 1919 or Municipalities or Town Panchayats (within Chennai Metropolitan Planning Area) established under the Tamil Nadu District Municipalities Act, 1920 or Panchayat Unions or Village Panchayats (within Chennai Metropolitan Planning Area) established under the Tamil Nadu Panchayats Act, 1994 or the Chennai Metropolitan Development Authority constituted under the Tamil Nadu Town and Country Planning Act, 1971, legally entitled to exercise control in respect of the areas under their respective jurisdictions;

Tamil Nadu Act  
IV of 1919.  
Tamil Nadu Act  
V of 1920.  
Tamil Nadu Act  
21 of 1994.  
Tamil Nadu Act  
35 of 1972.

Tamil Nadu Act 35 of 1972. (g) "Master Plan" means the Master Plan for Chennai Metropolitan Planning Area, published under the Tamil Nadu Town and Country Planning Act, 1971;

Tamil Nadu Act 35 of 1972. (h) "public street" means public street as defined in clause (37) of section 2 of the Tamil Nadu Town and Country Planning Act, 1971;

(i) "punitive action" means action taken by local authority within Chennai Metropolitan Planning Area under the relevant law against unauthorized development and shall include demolition, whether in pursuance of court orders or otherwise;

(j) "relevant law" 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 V of 1920. (iii) the Municipalities and Town Panchayats, the Tamil Nadu District Municipalities Act, 1920; and

Tamil Nadu Act 21 of 1994. (iv) the Panchayat Unions and Village Panchayats, the Tamil Nadu Panchayats Act, 1994;

(k) "unauthorized development" means use of any land or any building or construction of any building carried out,—

(i) in deviation from any planning permission or building permit; or

(ii) without obtaining any planning permission or building permit; or

(iii) in contravention of the land use zoning under the Master Plan or any approved detailed development plan; or

(iv) in contravention of the Development Control Rules for Chennai Metropolitan Planning Area, building rules, regulations, bye-laws applicable to areas within the Chennai Metropolitan Planning Area;

and includes unauthorized occupation by hawkers and street vendors in the public street and by the people in the slum area;

Tamil Nadu Act 35 of 1972.  
Tamil Nadu Act IV of 1919.  
Tamil Nadu Act V of 1920.  
Tamil Nadu Act 21 of 1994.

(2) The words and expressions used but not defined herein shall have the meanings respectively assigned to them in the Tamil Nadu Town and Country Planning Act, 1971, the Chennai City Municipal Corporation Act, 1919, the Tamil Nadu District Municipalities Act, 1920 and the Tamil Nadu Panchayats Act, 1994.

3. (1) Notwithstanding anything contained in any relevant law or any rules, regulations or bye-laws made thereunder, the Government shall within a period of one year from the date of commencement of this Act, take all possible measures, with due regard to environment, to finalise norms, policy guidelines and feasible strategies to deal with the problems of unauthorized developments with regard to the under mentioned categories, namely:—

Government to finalise norms and policy guidelines, etc.

(a) land use not conforming to, the Master Plan, detailed development plans or any Planning permission;

(b) construction in deviation from or beyond planning permission or building permit;

(c) development without any planning permission or building permit; and

(d) unauthorized occupation by, the hawkers and street vendors, in the public street and by the people in slum area,

so that the developments of Chennai Metropolitan Planning Area take place in a sustainable and planned manner.

(2) Subject to the provisions contained in sub-section (1) and notwithstanding any judgement, decree or order of any court, *status quo* as on the date of the commencement of this Act shall be maintained in respect of the categories of unauthorized development mentioned in sub-section (1).

(3) All notices issued by any local authority or any authority empowered under relevant law for initiating action against the categories of unauthorized development mentioned in sub-section (1) prior to 27th day of July 2007 shall be deemed to have been suspended and no punitive action shall be taken during the said period of one year.

(4) Notwithstanding any other provision contained in this Act, the Government may, at any time, before the expiry of one year withdraw the concession given in sub-section (2) or sub-section (3) as the case may be, by notification in the *Tamil Nadu Government Gazette* in respect of the categories of unauthorized development mentioned in sub-section (1).

The provisions of this Act not to apply in certain cases.

4. During the period of operation of this Act, no relief shall be available under section 3 in respect of the following categories of unauthorized development, namely:—

(a) any unauthorized development started or continued on or after the 27th day of July 2007;

(b) commencement of any activity anywhere in the Chennai Metropolitan Planning Area in violation of the provisions of the Master Plan or any detailed development plan on or after the 27th day of July 2007;

(c) unauthorized occupation on public street except in those cases which are covered under clause (d) of sub-section (1) of section 3; and

(d) removal of people in slum area, hawkers and street vendors in accordance with policies of the Government, for clearance of land required for any public project.

Act to over-ride other laws.

5. The provisions of this Act shall have effect notwithstanding anything inconsistent therewith contained in any other law made by the Legislature of the State for the time being in force.

Power to give directions.

6. The Government may, from time to time, issue such directions to any local authority or any authority under any relevant law as it may deem fit, for giving effect to the provisions of this Act and it shall be the duty of such local authority or authority to comply with such directions.

Repeal and saving.

7. (1) The Tamil Nadu Laws (Special Provisions) Ordinance, 2008 is hereby repealed.

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

Tamil Nadu Ordinance 4 of 2008.

(By order of the Governor)

S. DHEENADHAYALAN,  
Secretary to Government,  
Law Department.

The following Act of the Tamil Nadu Legislative Assembly received the assent of the Governor on the 29th November 2008 and is hereby published for general information:—

**ACT No. 57 OF 2008.**

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

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

**PART - I**

**PRELIMINARY**

1. (1) This Act may be called the Tamil Nadu Municipal Laws (Seventh Amendment) Act, 2008.

Short title and commencement.

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

**PART - II**

**AMENDMENTS TO THE CHENNAI CITY MUNICIPAL CORPORATION ACT, 1919.**

Tamil Nadu Act IV of 1919.

2. In section 52 of the Chennai City Municipal Corporation Act, 1919 (hereafter in this Part referred to as the 1919 Act), after sub-section (1-A), the following sub-section shall be inserted, namely:—

Amendment of section 52.

“(1-B) A person disqualified for being a councillor under clause (eee) of sub-section (1) of section 53 shall be disqualified for election as a councillor for a period of six years from the date of such disqualification.”

3. In section 53 of the 1919 Act, in sub-section (1), after clause (ee), the following clause shall be inserted, namely:—

Amendment of section 53.

“( ee) does not belong to Scheduled Caste or Scheduled Tribe, but has been elected from the seat reserved for Scheduled Caste or Scheduled Tribe, as the case may be;”

**PART - III**

**AMENDMENTS TO THE MADURAI CITY MUNICIPAL CORPORATION ACT, 1971.**

Tamil Nadu Act 15 of 1971.

4. In section 56 of the Madurai City Municipal Corporation Act, 1971 (hereafter in this Part referred to as the 1971 Act), after sub-section (1-A), the following sub-section shall be inserted, namely:—

Amendment of section 56.

“(1-B) A person disqualified for being a councillor under clause (ee) of sub-section (1) of section 57 shall be disqualified for election as a councillor for a period of six years from the date of such disqualification.”

5. In section 57 of the 1971 Act, in sub-section (1), after clause (e), the following clause shall be inserted, namely:—

Amendment of section 57.

“(ee) does not belong to Scheduled Caste or Scheduled Tribe, but has been elected from the seat reserved for Scheduled Caste or Scheduled Tribe, as the case may be;”

**PART - IV**

**AMENDMENTS TO THE COIMBATORE CITY MUNICIPAL CORPORATION ACT, 1981.**

Tamil Nadu Act 25 of 1981.

6. In section 58 of the Coimbatore City Municipal Corporation Act, 1981 (hereafter in this Part referred to as the 1981 Act), after sub-section (2), the following sub-section shall be inserted, namely:—

Amendment of section 58.

“(2-A) A person disqualified for being a councillor under clause (ff) of sub-section (1) of section 59 shall be disqualified for election as a councillor for a period of six years from the date of such disqualification.”

Amendment of section 59. **7.** In section 59 of the 1981 Act, in sub-section (1), after clause (f), the following clause shall be inserted, namely:—

“(ff) does not belong to Scheduled Caste or Scheduled Tribe, but has been elected from the seat reserved for Scheduled Caste or Scheduled Tribe, as the case may be;”.

**PART - V**

**AMENDMENTS TO THE TAMIL NADU DISTRICT MUNICIPALITIES ACT, 1920.**

Amendment of section 49. **8.** In section 49 of the Tamil Nadu District Municipalities Act, 1920 (hereafter in this Part referred to as the 1920 Act), after sub-section (1-A), the following sub-section shall be inserted, namely:—

Tamil Nadu  
Act  
V of 1920.

“(1-B) A person disqualified for being a councillor under clause (ddd) of sub-section (1) of section 50 shall be disqualified for election as a councillor for a period of six years from the date of such disqualification.”.

Amendment of section 50. **9.** In section 50 of the 1920 Act, in sub-section (1), after clause (dd), the following clause shall be inserted, namely:—

“(ddd) does not belong to Scheduled Caste or Scheduled Tribe, but has been elected from the seat reserved for Scheduled Caste or Scheduled Tribe, as the case may be;”.

(By order of the Governor)

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

The following Act of the Tamil Nadu Legislative Assembly received the assent of the Governor on the 29th November 2008 and is hereby published for general information:—

**ACT No. 58 OF 2008.**

***An Act further to amend the Tamil Nadu Panchayats Act, 1994.***

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

Tamil Nadu Act 21 of 1994.	<p><b>1.</b> (1) This Act may be called the Tamil Nadu Panchayats (Eighth Amendment) Act, 2008.</p> <p>(2) It shall be deemed to have come into force on the 29th day of October 2008.</p>	Short title and commencement.
	<p><b>2.</b> In section 172-A of the Tamil Nadu Panchayats Act, 1994 (hereinafter referred to as the principal Act), for the expression "village panchayat may", the expression "collector may" shall be substituted.</p>	Amendment of section 172-A.
	<p><b>3.</b> In section 172-B of the principal Act including the proviso thereto, for the expression "village panchayat" in two places where it occurs, the expression "collector" shall be substituted.</p>	Amendment of section 172-B.
	<p><b>4.</b> In section 220 of the principal Act,—</p> <p>(1) in sub-section (2), for the expression "panchayat", the expression "panchayat or the collector, as the case may be" shall be substituted;</p> <p>(2) the following proviso shall be added to sub-section (2), namely:—</p> <p>"Provided that for every licence for hoardings, the fees may be charged at such rates as may be fixed by the Government.";</p> <p>(3) in sub-section (3), for the expression "the Secretary", the expression "the Secretary or the collector" shall be substituted;</p> <p>(4) in sub-section (5), in clause (a), for the expression "the Secretary", the expression "the Secretary or the collector" shall be substituted.</p>	Amendment of section 220.
Tamil Nadu Ordinance 10 of 2008.	<p><b>5.</b> (1) The Tamil Nadu Panchayats (Eighth Amendment) Ordinance, 2008 is hereby repealed.</p> <p>(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.</p>	Repeal and saving.

(By order of the Governor)

S. DHEENADHAYALAN,  
Secretary to Government,  
Law Department.





The following Act of the Tamil Nadu Legislative Assembly received the assent of the Governor on the 29th November 2008 and is hereby published for general information:—

**ACT No. 59 OF 2008.**

***An Act further to amend the Tamil Nadu Panchayats Act, 1994.***

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

1. (1) This Act may be called the Tamil Nadu Panchayats (Ninth Amendment) Act, 2008.

Short title and commencement.

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

Tamil Nadu  
Act 21 of  
1994.

2. In section 96 of the Tamil Nadu Panchayats Act, 1994 (hereinafter referred to as the principal Act), in sub-section (1), in clause (a), for the expression "which shall be composed of the chairman of the panchayat union council, the commissioner and one member elected annually by the panchayat union council", the expression "which shall be composed of the chairman and the vice-chairman of the panchayat union council and the commissioner" shall be substituted.

Amendment of section 96.

3. Notwithstanding anything contained in the principal Act or the rules made thereunder, the members elected by the panchayat union councils to the Appointments Committees for panchayat unions and holding office as such immediately before the date of commencement of the Tamil Nadu Panchayats (Ninth Amendment) Act, 2008 shall cease to be members of the Appointments Committees on the date of commencement of the Tamil Nadu Panchayats (Ninth Amendment) Act, 2008.

Elected members of Appointments Committees cease to be members.

(By order of the Governor)

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



The following Act of the Tamil Nadu Legislative Assembly received the assent of the Governor on the 29th November 2008 and is hereby published for general information:—

**ACT No. 60 OF 2008.**

***An Act to provide for settlement of arrears of tax, penalty or interest pertaining to sales tax and the matters connected therewith or incidental thereto.***

Tamil Nadu Act  
1 of 1959.  
Tamil Nadu Act  
24 of 1971.  
Tamil Nadu Act  
14 of 1970.  
Central Act  
74 of 1956.

Whereas, it is expedient to provide for settlement of arrears of tax, penalty or interest, as the case may be, under the repealed Tamil Nadu General Sales Tax Act, 1959, the repealed Tamil Nadu Sales Tax (Surcharge) Act, 1971, the repealed Tamil Nadu Additional Sales Tax Act, 1970 and the Central Sales Tax Act, 1956;

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

1. (1) This Act may be called the Tamil Nadu Sales Tax (Settlement of Arrears) Act, 2008.

Short title,  
extent and  
commence-  
ment.

(2) It extends to the whole of the State of Tamil Nadu.

(3) It shall be deemed to have come into force on the 1st day of November, 2008.

2. (1) In this Act, unless the context otherwise requires,—

Definitions.

(a) “applicant” means a dealer as defined in the relevant Act;

(b) “arrears of tax, penalty or interest” means—

(i) tax including additional sales tax, surcharge, additional surcharge and central sales tax, payable by an applicant upon assessment under the relevant Act; or

(ii) penalty payable by an applicant under the relevant Act; or

(iii) interest payable by an applicant under the relevant Act

as the case may be, for which assessment has been made prior to the 1st day of April 2002 under the relevant Act, and pending collection on the date of filing of application under this Act;

(c) “designated authority” means an authority appointed under section 3;

(d) “Government” means the State Government;

(e) “relevant Act” means,—

Tamil Nadu  
Act 1 of  
1959.

(i) the repealed Tamil Nadu General Sales Tax Act, 1959;

Tamil Nadu  
Act 24 of  
1971.

(ii) the repealed Tamil Nadu Sales Tax (Surcharge) Act, 1971;

Tamil Nadu  
Act 14 of  
1970.

(iii) the repealed Tamil Nadu Additional Sales Tax Act, 1970;

Central Act  
74 of 1956.

(iv) the Central Sales Tax Act, 1956

and includes the rules made or notifications issued thereunder.

(2) Unless there is anything repugnant to the subject or context, all expressions used in this Act, which are not defined, shall have the same meaning as defined or used in the relevant Act.

Tamil Nadu  
Act 32 of  
2006.

3. For carrying out the purposes of this Act, the Government may, by notification, appoint one or more authorities referred to in section 48 of the Tamil Nadu Value Added Tax Act, 2006, to be the designated authority and such authority shall exercise jurisdiction over such area or areas as the Government may specify in the notification.

Designated  
authority.

Eligibility for settlement.

4. Subject to the other provisions of this Act, an applicant may make an application for settlement of arrears of tax, penalty or interest in respect of which assessment has been made under the relevant Act, prior to the 1st day of April 2002, against which an appeal or revision is not pending before any court on the date of filing application.

Application for settlement.

5. (1) An application for the purpose of section 4 shall be made to the designated authority by an applicant within three months from the date of commencement of this Act or by such later date as the Government may, by notification, specify, from time to time, in such form, and in such manner, as may be prescribed, with proof of payment of the amount payable at the rates specified in section 7.

(2) A separate application shall be made for each assessment year.

(3) The applicant shall send a copy of the application made under sub-section (1) to the assessing authority, appellate authority or revisional authority under the relevant Act, before whom any proceeding or appeal or revision, as the case may be, is pending, within seven days from the date of making such application before the designated authority.

Determination of amount payable by the applicant.

6. (1) The designated authority shall verify the correctness of the particulars furnished in the application made under section 5 with reference to all relevant records and determine the amount payable at the rates specified in section 7.

(2) The designated authority shall demand further amount payable by the applicant in the form prescribed, if the amount paid by the applicant along with application falls short of not more than ten per cent of the amount determined under sub-section (1).

(3) If the applicant has not paid ninety per cent of the amount payable under section 7 along with the application, the designated authority shall summarily reject the application.

(4) The amount determined under sub-section (1) shall be rounded off to the nearest rupee and, for this purpose, where such amount contains a part of a rupee, and, if such part is fifty paise or more, it shall be rounded off to the nearest rupee, and if such part is less than fifty paise, it shall be ignored.

Rate applicable in determining amount payable

7. The amount payable by the applicant and to be waived shall be determined as follows:—

(a) Where it relates to arrears of tax which was assessed on the best of judgment due to non production of accounts with corresponding arrears of penalty and interest, the applicant shall pay one third of arrears of tax pending collection on the date of application along with interest calculated at six per cent per annum on the arrears of tax and on such payment of tax, the balance of tax and interest and the entire penalty shall be waived.

(b) Where it relates to arrears of tax which was in excess of the tax admitted as per the returns filed for the year with the corresponding arrears of penalty and interest, the applicant shall pay one third of such arrears of tax pending collection on the date of application along with interest at six per cent per annum on the arrears of tax and on such payment of tax, the balance of tax and interest and the entire penalty shall be waived.

(c) Where it relates to arrears of tax, which was admitted as tax due as per returns filed for the year with corresponding arrears of penalty and interest, the applicant shall pay the entire arrears of tax pending collection along with interest at six per cent per annum and on such payment, the balance of interest and the entire penalty shall be waived.

(d) where it relates to arrears of penalty or interest or both and where there is no corresponding arrears of tax pending collection on the date of application, the applicant shall pay ten per cent of the penalty and twenty-five per cent of interest, the balance of penalty and interest shall be waived.

8. (1) The designated authority shall, on being satisfied about the payment of the amount determined under sub-section (1) of section 6, by an order, settle the arrears of tax, penalty or interest and issue a certificate in such form as may be prescribed, and thereupon, the applicant shall be discharged from his liability to make payment of the balance amount of such arrears of tax, penalty or interest. Separate certificate shall be issued in respect of each application.

Settlement of arrears and issue of certificate.

(2) The designated authority, for reasons to be recorded in writing, may refuse to settle the arrears of tax, penalty or interest:

Provided that no order under this sub-section shall be passed without giving the applicant a reasonable opportunity of showing cause against such refusal.

(3) The authority notified by the Government in this behalf may, at any time within ninety days from the date of issue of certificate under sub-section (1) by the designated authority, modify the certificate by rectifying any error apparent on the face of the record:

Provided that no such rectification adversely affecting the applicant shall be passed without allowing the applicant a reasonable opportunity of showing cause against such rectification.

9. A certificate issued under section 8 shall be conclusive as to the settlement to which it relates, and no matter covered by such certificate shall be re-opened in any proceeding of review or revision, or in any other proceeding, under the relevant Act.

Bar on re-opening of settled cases.

10. Notwithstanding anything to the contrary contained in any provision in the relevant Act, any proceeding or appeal or revision for any period pending before the assessing authority or appellate authority or revisional authority, as the case may be, under the relevant Act in respect of which a certificate is issued under section 8, shall be deemed to have been withdrawn from the date of making of the application by the applicant under sub-section (1) of section 5. Any order passed by the assessing authority or appellate authority or revisional authority subsequent to the date of filing of application for settlement of arrears of tax, penalty or interest, resulting in claim for refund of amount paid upto the time of settlement of such arrears of tax, penalty or interest under this Act, will not be taken into consideration.

Withdrawal of appeal and revision.

11. No authority shall proceed to decide in any proceeding or appeal or revision under the relevant Act relating to any assessment year in respect of which a copy of the application has been received under sub-section (3) of section 5:

Authority not to proceed in certain cases.

Provided that such authority shall proceed to decide such proceeding or appeal or revision in accordance with the provisions of the relevant Act, if a certificate referred to in sub-section (1) of section 8 is refused to the applicant by an order passed by the designated authority under sub-section (2) of section 8.

12. (1) Notwithstanding anything contained in section 9 or section 10, where it appears to the designated authority that an applicant has obtained the certificate under section 8 by suppressing any material information or particulars or by furnishing any incorrect or false information or particulars, such designated authority, may, within a period of two years from the date of issue of the said certificate, for reasons to be recorded in writing and after giving the applicant a reasonable opportunity of showing cause, revoke the certificate issued under sub-section (1) of section 8.

Revocation of certificate.

(2) If a certificate is revoked under sub-section (1), any proceeding or appeal or revision, as the case may be, under the relevant Act, covered by such certificate shall, notwithstanding the provisions of section 9 or section 10, stand revived or reinstated immediately upon such revocation, and such proceeding or appeal or revision shall be decided in accordance with the provisions of the relevant Act, as if no settlement of the arrears of tax, penalty or interest in such proceeding or appeal or revision has ever been made under this Act.

(3) In the case of revocation of a certificate in accordance with sub-section(1), the amount paid by the applicant under section 6 shall be treated as payment towards the amount payable under the relevant Act for the period for which the certificate has been revoked.

Information to be sent to authorities under relevant Act.

**13.** The designated authority shall inform the assessing authority or appellate authority or revisional authority, as the case may be, under the relevant Act, who for the time being, has jurisdiction over the applicant under the relevant Act,—

(a) the fact of making of an application by the applicant under section 5;

(b) the fact of passing of any order by the designated authority under section 8;

(c) the fact of revocation of any certificate under section 12; and

(d) such other matters as it may deem necessary

in such form, in such manner, and within such time, as may be prescribed.

Power to remove difficulties.

**14.** If any difficulty arises in giving effect to any of the provisions of this Act, the Government may, by order, not inconsistent with the provisions of this Act, remove such difficulty:

Provided that no such order shall be made after the expiry of one year from the date of coming into force of this Act.

Power to make rules.

**15.** (1) The Government may, make rules, whether prospectively or retrospectively, for carrying out the purposes of this Act.

(2) (a) 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.

(b) 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 so published.

(3) Every rule made and every notification issued under this Act and every order made under section 14 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 Assembly makes any modification in any such rule or notification or order or the Assembly decides 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.

Repeal and Saving.

**16.** (1) The Tamil Nadu Sales Tax (Settlement of Arrears) Ordinance, 2008 is hereby repealed.

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

Tamil Nadu  
Ordinance  
7 of 2008.

(By order of the Governor)

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

The following Act of the Tamil Nadu Legislative Assembly received the assent of the Governor on the 29th November 2008 and is hereby published for general information:—

**ACT No. 61 OF 2008.**

***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 Fifty-ninth Year of the Republic of India as follows :—

1. (1) This Act may be called the Tamil Nadu Town and Country Planning (Amendment) Act, 2008.

Short title and commencement.

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

2. In section 56 of the Tamil Nadu Town and Country Planning Act, 1971 (hereinafter referred to as the principal Act),—

Amendment of section 56.

(i) in sub-section (1), the expression “within three years of such development” shall be omitted;

(ii) after sub-section (2), the following sub-section shall be inserted, namely:—

“(2-A) If the owner or occupier, as the case may be, of land or building has not discontinued, the use of such land or building as required in the notice served under sub-section (1), within the time specified therein, the appropriate planning authority if *prima-facie* satisfied, may take action to discontinue the use of such land or building by locking and sealing the premises in such manner as may be prescribed irrespective of pendency of any application under section 49 or appeal under section 79 or any litigation before a court. The owner or occupier, as the case may be, of such land or building shall provide security for such sealed premises.”;

(iii) in sub-section (4), in clause (a), after the expression “The notice”, the expression “except the cases covered by clause (iii) of sub-section (2)” shall be inserted.

3. In section 57 of the principal Act,—

Amendment of section 57.

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

“(2) Where the notice under sub-section (1) has been served, the owner or the person carrying out any development shall discontinue the development from the date of service of such notice and inform the fact of discontinuance to the appropriate planning authority.”;

(2) after sub-section (2), the following sub-sections shall be added, namely:—

“(3) If the owner or the person carrying out the development has not discontinued the development as required in the notice served under sub-section (1),—

(a) the appropriate planning authority may serve a notice on the owner requiring him within such period, being not less than seven days to remove that part of the building built subsequent to the notice served under sub-section (1). If the direction is not complied with, within the period specified therein, the appropriate planning authority may demolish that part of the building built subsequent to the notice served under sub-section (1) and reserve the right to recover the cost of any expenses incurred by it in this behalf from the owner, as an arrear of land revenue,

(b) the appropriate planning authority may also proceed to seize any construction material, tool, machinery, equipment, scaffolding, vehicle or any other thing used for such development and kept within the site for development,

(c) the material, tool, equipment, scaffolding, vehicle or any other thing so seized may be confiscated by such planning authority and sold by auction in such manner

as may be prescribed and the sale proceeds shall be credited to the Fund Account. No claim shall be made by the owner or any other person, on the material, tool, equipment, scaffolding, vehicle or any other thing confiscated and on the sale proceeds.

(4) Where the development as described in clauses (a) to (d) of sub-section (1) of section 56 is being carried out, the planning authority may also take action to discontinue the development by locking and sealing the premises, in such manner as may be prescribed, till the production of the planning permission from the appropriate planning authority as required under this Act.

(5) If the owner or the person carrying out the development has not complied with the requirement in the notices served under sub-section (1) or (3), within the period specified therein, the appropriate planning authority may prosecute the owner for not complying with the notice.

(6) If the development as described in clauses (a) to (d) of sub-section (1) of section 56 is discontinued, the provisions under sub-sections (3) and (4) of section 56 shall apply.”.

Insertion of  
new section  
80-A.

4. After section 80 of the principal Act, the following section shall be inserted, namely:—

“80-A. *Special Powers of Government.*—(1) Notwithstanding anything contained in section 80, the Government may, on application, call for and examine the records of the appropriate planning authority in respect of sealing of the premises under sub-section (2-A) of section 56 or under sub-section (4) of section 57 and if, in any case, it appears to the Government that any such action or decision should be modified, annulled, reversed or remitted for reconsideration, they may pass orders accordingly:

Provided that every application to the Government for the exercise of the powers under this section shall be preferred within thirty days from the date of sealing:

Provided further that such application for revision shall be disposed of by the Government within ninety days from the date of receipt of the application.

(2) No order prejudicial to any person shall be passed under sub-section (1) unless such person has been given an opportunity of making his representation.

(3) The Government may pass such *interim* order, as they may deem fit, pending the exercise of the powers under sub-section (1) in respect thereof.”.

Amendment of  
section 101.

5. In section 101 of the principal Act, after the expression “in any court of law”, the expression “and no injunction shall be granted by any court against the notices served to any person by the planning authority under section 56 or under section 57 of this Act” shall be added.

(By order of the Governor)

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



The following Act of the Tamil Nadu Legislative Assembly received the assent of the Governor on the 30th November 2008 and is hereby published for general information:—

**ACT No. 62 OF 2008.**

***An Act 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 Fifty-ninth Year of the Republic of India as follows:—

1. (1) This Act may be called the Tamil Nadu Co-operative Societies (Third Amendment) Act, 2008.

Short title and commencement.

(2) It shall be deemed to have come into force on the 21st day of October 2008.

Tamil Nadu Act  
30 of 1983.

2. After Chapter XIV of the Tamil Nadu Co-operative Societies Act, 1983, the following Chapter shall be inserted, namely:—

Insertion of new Chapter XIV-A.

“CHAPTER XIV-A.

SPECIAL PROVISIONS APPLICABLE TO SHORT TERM CO-OPERATIVE CREDIT STRUCTURE SOCIETIES.

136-A. *Application of Chapter.*—This Chapter shall apply only to short term co-operative credit structure societies.

136-B. *Provisions of this Chapter to have overriding effect.*—Notwithstanding anything contrary or inconsistent contained in any other Chapter of this Act or rules framed thereunder or bye-laws of any registered society or orders issued thereunder, the provisions of this Chapter shall have overriding effect in respect of short term co-operative credit structure society.

136-C. *Definitions.*—(1) In this Chapter, unless the context otherwise requires,—

(a) “capital to risk weighted assets ratio” means the capital adequacy norms stipulated by the Reserve Bank from time to time;

(b) “central co-operative bank” means a central society engaged in the business of banking;

(c) “federal society” means an apex society to which central or primary societies of similar class or category are affiliated or a central society to which primary societies of similar class or category are affiliated;

(d) “National Bank” means the National Bank for Agriculture and Rural Development established under section 3 of the National Bank for Agriculture and Rural Development Act, 1981 (Central Act 61 of 1981);

(e) “primary agricultural credit society” means a co-operative society as defined under clause (cciv) of section 5 read with section 56 of the Banking Regulation Act, 1949 (Central Act X of 1949);

(f) “Reserve Bank” means the Reserve Bank of India constituted under section 3 of the Reserve Bank Act, 1934 (Central Act II of 1934);

(g) “short term co-operative credit structure society” means the short term co-operative credit society at the apex level, central level or primary level and includes the State Apex Co-operative Bank, a Central Co-operative Bank and a primary agricultural credit society;

(h) “State Apex Co-operative Bank” means an apex society engaged in the business of banking.

136-D. *Special provisions applicable to short term co-operative credit structure societies.*—(1) (a) A depositor holding a minimum deposit of rupees five thousand or such minimum sum as may be specified by the Government, from time to time, for a continuous

period of minimum two years in a primary agricultural credit society shall become a member of the registered society under section 21 by subscribing the minimum share capital specified in the bye-laws and shall have full membership, voting rights and eligible for patronage rebate, bonus and dividend.

(b) An individual or group borrower shall have the right to become a member of the registered society under section 21.

(c) Every group depositor or group borrower who has become a member under section 21 shall be entitled to vote through one delegate nominated by the group.

(2) A short term co-operative credit structure society shall have autonomy in all financial and internal administrative matters including the following areas:-

(i) interest rates on deposits and loans in conformity with the guidelines issued by the Reserve Bank;

(ii) borrowing and investments;

(iii) loan policies and decisions on individual loan;

(iv) personnel policy, staffing, recruitment, posting and remuneration to staff;  
and

(v) internal control systems, appointment of auditors and remuneration for the audit.

(3) The Government's subscription in the share capital of any short term co-operative credit structure society shall not exceed twenty-five per cent and the Government or short term co-operative credit structure society may reduce the Government's subscription further at its choice.

(4) (a) There shall be only one nominee of the Government in the Board of the State Apex Co-operative Bank or a Central Co-operative Bank if the Government has subscribed to its share capital.

(b) There shall be no nominee of the Government in the Board of a primary agricultural credit society irrespective of Government's subscription to the share capital.

(5) A short term co-operative credit structure society may affiliate or disaffiliate with a federal society at its choice subject to the condition that the said short term co-operative credit structure society which exits with the existing structure and affiliates with another federal society shall display this in the name board of the said short term co-operative credit structure society.

(6) A short term co-operative credit structure society shall have the freedom of entry and exit at any tier and there shall be no mandatory restrictions of geographical boundaries for its operations.

(7) A short term co-operative credit structure society may, subject to the guidelines of the Reserve Bank, invest or deposit its funds in any Bank or financial institution regulated by the Reserve Bank and not necessarily in the federal society to which it is affiliated.

(8) A short term co-operative credit structure society may, obtain loans from any Bank or financial institution regulated by the Reserve Bank and re-finance from the National Bank or any other financing institution directly or through any Reserve Bank regulated financial institutions and not necessarily from the federal society to which it is affiliated.

(9) A primary agricultural credit society may pay dividend in accordance with the guidelines framed by the Registrar in consultation with the National Bank.

(10) The Government or the Registrar shall have no powers to direct any short term co-operative credit structure society to contribute to any fund other than those required for improving its net worth or own funds.

(11) No person shall be elected, nominated or co-opted or allowed to continue as a member of the Board of a short term co-operative credit structure society, if he,-

(i) is a person who represents a society other than a primary agricultural credit society on the Board of a Central Co-operative Bank or the State Apex Co-operative Bank, if such society to whom he represents has committed a default towards the payments of such Bank for a period exceeding ninety days;

(ii) is a person who committed a default towards the payments to a primary agricultural credit society or represents a primary agricultural credit society on the Board of a Central Co-operative Bank or the State Apex Co-operative Bank, if such society to whom he represents has committed a default towards the payments of such Bank for a period exceeding one year unless the default is cleared;

(iii) is a person, who represents a society whose Board is superseded.

(12) (a) The supersession of the Board of the State Apex Co-operative Bank and the Central Co-operative Banks shall be done only with prior consultation of the Reserve Bank.

(b) The supersession of the Board of a primary agricultural credit society shall be done only on the following grounds:-

(i) if the primary agricultural credit society incurs losses for three consecutive years; or

(ii) if serious financial irregularities or frauds have been identified; or

(iii) if there are judicial directives to this effect; or

(iv) if there is lack of quorum for three consecutive meeting.

(13) (a) The Registrar shall conduct elections to a short term co-operative credit structure society before the expiry of the term of the existing Board.

(b) The Registrar shall conduct elections to a short term co-operative credit structure society within two months from the date of supersession:

Provided that in circumstances beyond control, the Government may allow holding of such elections within a period not exceeding six months from the date of supersession.

(c) A member of the Board of a primary agricultural credit society which has been superseded under this Act shall not be entitled to contest the election again for a period of three years from the date of supersession.

(14) (a) The bye-laws or any amendment to the bye-laws of a short term co-operative credit structure society shall be registered by the Registrar within thirty days from the date of receipt of the application.

(b) If the Registrar is satisfied that the proposed bye-laws or the amendments to the bye-laws are contrary to the provisions of the Act and the rules made thereunder, he shall reject the same duly recording his reasons thereon within thirty days from the date of receipt of the application.

(15) The prudential norms including capital to risk weighted assets ratio shall be prescribed by the Registrar for all the primary agricultural credit societies in consultation with the National Bank.

(16) The Directors and Chief Executive Officers of the State Apex Co-operative Bank or the Central Co-operative Banks who do not fulfill the criteria stipulated by the Reserve Bank shall be removed by the Registrar or the appointing authority, as the case may be, at the recommendation of the Reserve Bank or the National Bank.

(17) (a) There shall be such number of professionals having special knowledge or experience in such fields as may be stipulated by the Reserve Bank, on the Board of the State Apex Co-operative Bank and Central Co-operative Banks and in case such number of elected directors, in the opinion of Reserve Bank or National Bank, do not possess special knowledge or experience as stipulated by Reserve Bank, the Board of such State Apex Co-operative Bank or the Central Co-operative Bank, as the case may be, shall co-opt such number of professionals with full voting rights irrespective of,—

(i) the limit on the number of members of the Board under this Act or rules framed thereunder or in the bye-laws;

(ii) whether such professional is a member of the society or not.

(b) If any person who, in the opinion of the Reserve Bank, has been co-opted as a member of the Board under clause (a) of this sub-section without having requisite knowledge or experience as stipulated by the Reserve Bank, he shall, on being advised by the Reserve Bank or the National Bank, be removed from the office after giving him a reasonable opportunity of being heard.

(18) The Registrar shall ensure conduct of audit and certification of accounts of the State Apex Co-operative Bank and the Central Co-operative Banks by Chartered Accountants appointed by such Bank from a panel approved by the National Bank.

(19) The Registrar shall ensure conduct of special audit of the State Apex Co-operative Bank or a Central Co-operative Bank if requested by the Reserve Bank in the manner and form stipulated by the Reserve Bank and also furnish the report to Reserve Bank within the time stipulated.

(20) (a) The Registrar shall ensure that Reserve Bank's regulatory prescriptions in case of State Apex Co-operative Bank and Central Co-operative Banks including recommendation for supersession of the Board and winding up of the State Apex Co-operative Bank and Central Co-operative Banks are implemented within one month of being so advised by the Reserve Bank.

(b) The Registrar shall ensure that the liquidator or the Administrator, as the case may be, is appointed within two months of being so advised by the Reserve Bank for winding up or supersession.

(c) If in the opinion of the Reserve Bank or National Bank, the Chief Executive Officer of the State Apex Co-operative Bank or a Central Co-operative Bank, does not fulfill eligibility criteria specified by the Reserve Bank, the Registrar shall ensure removal of Chief Executive Officer within one month of being so advised by the Reserve Bank or the National Bank.

(d) If in the opinion of the Reserve Bank or the National Bank, a person has been co-opted as a member of the Board without having the requisite special knowledge or experience in such fields as may be stipulated by the Reserve Bank, the Registrar shall, on being advised by the Reserve Bank or the National Bank, ensure removal of that person co-opted within one month of being so advised by the Reserve Bank or the National Bank.

(21) No primary agricultural credit society or its federation or association, except those which are permitted to act as a Bank under the Banking Regulation Act, 1949 (Central Act X of 1949), shall be registered with the words 'Bank' or any other derivative of the word 'Bank' in its registered name or shall use the same as a part of its name:

Provided that where any primary agricultural credit society or its federation or association, except those which are permitted to act as a Bank under the Banking Regulation Act, 1949 (Central Act X of 1949), has been registered or using the same as a part of its name before the 21st day of October 2008 with the word 'Bank' or any of its derivatives in its registered name, it shall within three months from that date, change its name so as to remove the word 'Bank' or its derivative, if any, from its name:

Provided further that where any such society fails to comply with the above provisions within the period specified therein, the Registrar shall order the winding up of such society forthwith.

(22) Save as otherwise provided in this section, the existing provisions of the Act, rules and guidelines shall continue to be in force till the guidelines or stipulations are issued by the Reserve Bank or the National Bank wherever required for effective implementation of the provisions of this section.

(23) There shall be no cadre system in short term co-operative credit structure society and cadre system in such society shall be abolished.

(24) No short term co-operative credit structure society shall be exempted by the Government from the application of the provisions of this Chapter without the prior approval of the Reserve Bank or the National Bank, as the case may be.

(25) The Government or the Registrar shall not do anything or take action or issue any order or direction which may have the effect of, curtailing any of the freedoms or powers given under this Chapter to any short term co-operative credit structure society or adversely affecting other provisions of this Chapter."

Tamil Nadu  
Ordinance  
8 of 2008.

3. (1) The Tamil Nadu Co-operative Societies (Third Amendment) Ordinance, 2008 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.

(By order of the Governor)

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