



TAMIL NADU GOVERNMENT GAZETTE

EXTRAORDINARY

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Part IV—Section 1

Tamil Nadu Bills

BILL INTRODUCED IN THE LEGISLATIVE ASSEMBLY OF THE STATE OF TAMIL NADU

Under Rule 130 of the Tamil Nadu Legislative Assembly Rules, the following Bill which was introduced in the Legislative Assembly of the State of Tamil Nadu on 27th August, 2015 is published together with Statement of Objects and Reasons for general information:—

L.A. Bill No. 7 of 2015

A Bill 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 Sixty-sixth Year of the Republic of India as follows:—

PART-I.

PRELIMINARY.

1. (1) This Act may be called the Tamil Nadu Municipal Laws (Amendment) Act, 2015.

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 MADURAI CITY MUNICIPAL CORPORATION ACT, 1971.

Tamil Nadu Act
15 of 1971.

2. For the heading "Food establishments" occurring before section 349 of the Madurai City Municipal Corporation Act, 1971 (hereinafter in this Part referred to as the 1971 Act), the heading "Lodging houses and food establishments" shall be substituted.

Substitution of heading before section 349.

3. In section 349 of the 1971 Act,—

Amendment of section 349.

(1) in the marginal heading, for the expression "eating houses", the expression "lodging houses, food establishments, etc.," shall be substituted;

(2) in sub-section (1),—

(i) for the expression “eating house”, the expression “lodging house, eating house” shall be substituted;

(ii) for the expression “admitted for the consumption of any food or drink”, the expression “admitted for repose or for the consumption of any food or drink” shall be substituted;

(3) to sub-section (1), the following proviso and Explanation shall be added, namely :—

“Provided that no such licence shall be required for a lodging house as defined in the Tamil Nadu Public Health Act, 1939 (Tamil Nadu Act III of 1939), if the keeper thereof has been registered under that Act.

Explanation.— For the purpose of this section and section 433, “lodging house” means a hotel, boarding house, choultry or rest-house other than a choultry or rest-house maintained by the Government or a local authority, unlicensed emigration depot or any place where casual visitors are received and provided with sleeping accommodation with or without food on payment, but does not include a students’ hostel under public or recognised control.”.

Amendment of
section 433.

4. In section 433 of the 1971 Act, in clause (13), in sub-clause (a),—

(i) for the expression “hotels”, the expression “lodging houses” shall be substituted;

(ii) for the expression “admitted for the consumption of any food or drink”, the expression “admitted for repose or for the consumption of any food or drink” shall be substituted.

PART-III.

AMENDMENTS TO THE COIMBATORE CITY MUNICIPAL CORPORATION ACT, 1981.

Substitution of
heading
before
section 349.

5. For the heading “Food establishments” occurring before section 349 of the Coimbatore City Municipal Corporation Act, 1981 (hereinafter in this Part referred to as the 1981 Act), the heading “Lodging houses and food establishments” shall be substituted.

Tamil Nadu Act
25 of 1981.

6. In section 349 of the 1981 Act,—

Amendment of
section 349.

(1) in the marginal heading, for the expression “eating houses”, the expression “lodging houses, food establishments, etc,” shall be substituted;

(2) in sub-section (1),—

(i) for the expression “eating house”, the expression “lodging house, eating house” shall be substituted;

(ii) for the expression “admitted for the consumption of any food or drink”, the expression “admitted for repose or for the consumption of any food or drink” shall be substituted;

(3) to sub-section (1), the following proviso and Explanation shall be added, namely :—

“Provided that no such licence shall be required for a lodging house as defined in the Tamil Nadu Public Health Act, 1939 (Tamil Nadu Act III of 1939), if the keeper thereof has been registered under that Act.

Explanation.—For the purpose of this section and section 432, “lodging house” means a hotel, boarding house, choultry or rest-house other than a choultry or rest-house maintained by the Government or a local authority, unlicensed emigration depot or any place where casual visitors are received and provided with sleeping accommodation with or without food on payment, but does not include a students’ hostel under public or recognised control.”.

7. In section 432 of the 1981 Act, in clause (13), in sub-clause (a),—

Amendment of
section 432.

(i) for the expression “hotels”, the expression “lodging houses” shall be substituted;

(ii) for the expression “admitted for the consumption of any food or drink”, the expression “admitted for repose or for the consumption of any food or drink” shall be substituted.

STATEMENT OF OBJECTS AND REASONS.

Section 279 of the Chennai City Municipal Corporation Act, 1919 (Tamil Nadu Act IV of 1919) and section 249 of the Tamil Nadu District Municipalities Act, 1920 (Tamil Nadu Act V of 1920) *inter alia* provides for licensing of lodging houses. Similar provisions are not available in the Madurai City Municipal Corporation Act, 1971 (Tamil Nadu Act 15 of 1971) and in the Coimbatore City Municipal Corporation Act, 1981 (Tamil Nadu Act 25 of 1981). In order to maintain a uniform standard in all city municipal corporations to effectively regulate the lodging houses, the Government have decided to amend the said Tamil Nadu Act 15 of 1971 and the Tamil Nadu Act 25 of 1981 suitably.

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

S.P. VELUMANI,
*Minister for Municipal Administration,
Rural Development, Law, Courts and Prisons.*

A.M.P. JAMALUDEEN,
Secretary.