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## Part IV—Section 1

### Tamil Nadu Bills

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

Under Rule 130 of the Tamil Nadu Legislative Assembly Rules, the following Bill which was introduced in the Legislative Assembly of the State of Tamil Nadu on 9th July, 2018 is published together with Statement of Objects and Reasons for general information:—

**L.A. Bill No. 40 of 2018**

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

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

Short title and  
commence-  
ment.

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

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

Amendment of  
section 2.

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

Tamil Nadu Act  
35 of 1972.

(1) after clause (15), the following clauses shall be inserted, namely:—

“(15-A) “development right certificate” means the certificate to be issued under the signature of the Member-Secretary of the Planning Authorities including digital signature, indicating the floor space index credit in square metres of the built-up area to which the owner or lessee is entitled, the place from where it is generated and the rate of that plot as prescribed in the guideline value issued by the Registration Department for the relevant year;

(15-B) “development rights” means the right to carry out development or to develop land or building or both in the area specified in the development right certificate;”.

(2) after clause (17), the following clause shall be inserted, namely:—

“(17-A) “floor space index” means the quotient obtained by dividing the total covered area (plinth) on all the floors excepting the areas specifically exempted by notification by the plot area, i.e.

$$\text{Floor space index} = \frac{\text{Total covered area on all floors}}{\text{Plot area;”}.$$

(3) after clause (45), the following clause shall be inserted, namely:—

“(45-A) “transfer of development rights” means compensation in the form of additional floor space index or development rights, which shall entitle the owner for construction of additional built-up area, subject to such rules and regulations as the Government or an authority under this Act may prescribe and the floor space index credit shall be issued in such form as may be prescribed.”.

3. After section 35 of the principal Act, the following section shall be inserted, namely:—

Insertion new  
section 35-A.

“35-A. Transfer of development rights.— (1) Where any area is required by a planning authority for a public purpose and the owner of any site or land which comprises such area, surrenders it free of cost and hands over possession of the same to the planning authority free from encumbrances, or maintains the land or restricts development on the land as per the requirement of the Government, the planning authority may permit the transfer of development rights in proportion to the land area surrendered or the restrictions placed on developments in the manner prescribed.

(2) The development rights so permitted under sub-section (1) may be utilized either on the remaining portion of the area after the surrender if feasible, or at any other location in the State equivalent in value of land, subject to such conditions as may be prescribed, either by the person surrendering the land or suffering the restriction or any other person to whom the original allottee of the development rights has transferred such rights.”.

4. For sections 36, 37 and 38 of the principal Act, the following section shall be substituted, namely:—

Substitution of  
sections 36,  
37 and 38.

“36. Compulsory acquisition of land needed for development plan.— Any land required, reserved or designated in a regional plan, master plan, detailed development plan or new town development plan for the development or re-development or improvement of the area within the jurisdiction of a planning authority, as the case may be, shall be deemed to be the land needed for a public purpose within the meaning of the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013 (Central Act 30 of 2013) and may be acquired under the said Act.

37. Power to purchase or acquire lands specified in development plan.— (1) Where after the publication of the notice in the *Tamil Nadu Government Gazette* of preparation of a regional plan, master plan, detailed development plan, new town development plan or for the development or re-development or improvement of the area within the jurisdiction of a planning authority, any land is required, reserved or designated in such plan, the appropriate planning authority may acquire the land,—

(a) by agreement by paying an amount agreed to; or

(b) in lieu of any such amount, by granting the landowner the transfer of development rights against the area of land surrendered free of cost and free from all encumbrances, and also further additional floor space index or transfer of development rights against the development or construction of the amenity on the surrendered land at his cost, in such manner as may be prescribed; or

(c) by making an application to the Government for acquiring such land under the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013 (Central Act 30 of 2013), and the land (together with the amenity, if any so developed or constructed) so acquired by agreement or by grant of floor space index and additional floor space index in the form of transfer of development rights under this section or under the said Act, as the case may be, shall vest absolutely free from all encumbrances in the appropriate planning authority.

(2) On receipt of an application made under sub-section (1), if the Government are satisfied that the land specified in the application is needed for the public purpose specified therein, they may acquire the said land by following the procedure laid down in the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013 (Central Act 30 of 2013).

38. Release of land.— If within five years from the date of the publication of the notice in the *Tamil Nadu Government Gazette* under section 26 or section 27—

(a) no acquisition of land as provided in sub-section (2) of section 37 is made in respect of any land reserved, allotted or designated for any purpose specified in a regional plan, master plan, detailed development plan or new town development plan covered by such notice; or

(b) such land is not acquired by agreement, such land shall be deemed to be released from such reservation, allotment or designation:

Provided that the Government may, by notification, extend the period for such time as they may think proper, but such extended period shall, in no case, exceed five years.”.

**STATEMENT OF OBJECTS AND REASONS**

The Town and Country Planning Act, 1971 (Tamil Nadu Act 35 of 1972) provides for formulation of Regional Plans, Master Plans, New Town Development Plan and Detailed Development Plans for the planned development and use of rural and urban land. Land is a scarce resource. Land is essentially required for creation of public and common assets, particularly, in urban areas, including formation of new roads, widening of existing roads, traffic and transportation and other infrastructure development to ensure sustainable development and to improve the quality of life for the residents in the area. The major portion of land in the State is under private ownership. The process of acquiring land for the above purposes is complicated, costly and time consuming. Transfer of Development Rights is an effective instrument to minimise the time and cost for obtaining the land to enable development of necessary infrastructure for the benefit of the public. Further, unlike a cash payment, Transfer of Development Rights have the potential to appreciate in value with the appreciation of the value of the underlying land. It is a hassle-free mechanism to facilitate the acquisition of land for infrastructure developmental activities. Under the scheme of Transfer of Development Rights, the Government can obtain the land from the private land owners in exchange for development rights which are transferred to the land owner. Transfer of Development Rights involves making available certain amount of additional built up area in lieu of the area relinquished or surrendered by the owner of the land. Transfer of Development Rights effectively allows developers to exceed the permitted Floor Space Index on the land proposed to be developed. The award of Transfer of Development Rights will entitle the owner of the land in the form of a Development Rights Certificate which he may use himself or transfer it to any other person.

(2) In order to give statutory backing to the Transferable Development Rights, the Government have decided to amend the Tamil Nadu Town and Country Planning Act, 1971 (Tamil Nadu Act 35 of 1972) suitably.

(3) The Bill seeks to give effect to the above decision.

**O. PANNEERSELVAM,**  
*Deputy Chief Minister.*

**MEMORANDUM REGARDING DELEGATED LEGISLATION**

Sections 35-A and 37 proposed to be inserted by clauses 3 and 4 of the Bill empowers the Government to make rules, for the purposes specified therein.

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

**O. PANNEERSELVAM,**  
*Deputy Chief Minister.*

K. SRINIVASAN,  
*Secretary.*

Under Rule 130 of the Tamil Nadu Legislative Assembly Rules, the following Bill which was introduced in the Legislative Assembly of the State of Tamil Nadu on 9th July, 2018 is published together with Statement of Objects and Reasons for general information:—

**L.A. Bill No. 41 of 2018**

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

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

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

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

Tamil Nadu Act  
35 of 1972.

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

(1) in clause (13), for the expression “detailed development plan or a new town development plan”, the expression “detailed development plan, new town development plan or a land pooling area development scheme” shall be substituted;

(2) in clause (15), for the expression “detailed development plan and a new town development plan”, the expression “detailed development plan, new town development plan and a land pooling area development scheme” shall be substituted;

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

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

3. In section 36 of the principal Act, for the expression “detailed development plan or a new town development plan”, the expression “detailed development plan, new town development plan or a land pooling area development scheme” shall be substituted. Amendment of section 36.

4. In section 37 of the principal Act, in sub-section (1), for the expression “detailed development plan or a new town development plan”, the expression “detailed development plan, new town development plan or a land pooling area development scheme” shall be substituted. Amendment of section 37.

5. In section 38 of the principal Act, for the expression “detailed development plan or a new town development plan”, the expression “detailed development plan, new town development plan or a land pooling area development scheme” shall be substituted. Amendment of section 38.

6. After Chapter IV of the principal Act, the following Chapter shall be inserted, namely:— Insertion of new Chapter IV-A.

**“CHAPTER – IV A.****LAND POOLING AREA DEVELOPMENT SCHEME.**

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

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

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

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

**Explanation.**— For the purpose of this section, “statutory body owned or controlled by the State Government or Central Government” means anybody corporate established by or under a Central or State Act and includes a Government company as defined in clause (45) of section 2 of the Companies Act, 2013 (Central Act 18 of 2013), a society registered under the Societies Registration Act, 1860 (Central Act 21 of 1860), or under any corresponding law for the time being in force in a State being a Society established or administered by Government and a Co-operative Society within the meaning of any law relating to Co-operative Societies for the time being in force in the State, in which not less than fifty one per cent of the paid-up share capital is held by the Central Government or by any State Government or Governments or partly by the Central Government and partly by one or more State Governments.

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

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

**39-C. Restrictions on use of land and making development.**— (1) On or after the date on which the declaration of the intention to make the scheme is published under section 39-A, no person shall, within the area covered under the scheme, carry out any development work without obtaining permission from the appropriate planning authority under section 49.

(2) The provisions of sections 50 to 58 shall, mutatis mutandis, apply in relation to development and use of land covered in the scheme area in so far as they are not inconsistent with the provisions of this Chapter.



**39-D. Contents of the scheme.**— The scheme may provide for all or any of the following matters, namely:—

(a) the matters specified in clauses (a) to (c) and (e) to (n) of sub-section (1) of section 20;

(b) reservation of land for the purpose of providing housing accommodation to the members of Economically Weaker Section to such extent, as may be prescribed;

(c) allotment of land from the total area covered under the scheme,—

(i) for roads, parks, playgrounds, garden and open space;

(ii) for social infrastructure to be given to Government Departments or leased for public purpose such as water supply, electricity, school, clinic or dispensary, community halls or thirumana mandapams;

(iii) for returning back to each land owner in lieu of the land contributed by him for the scheme to an extent of minimum forty percent:

Provided that the percentage of the allotment of land under this sub-clause may be fixed in each scheme, depending upon the nature of development and for the reasons to be recorded in writing:

(iv) for payment of market value of land or transfer of development right to the land owner in lieu of returning back the land as provided in sub-clause (iii);

(d) the area, ownership and tenure of each original plot;

(e) the particulars of land allotted or reserved under clause (k) of sub-section (1) of section 20 with a general indication of the public purpose to which such land is to be reserved and subject to such terms and conditions as may be specified;

(f) an estimate of the total cost of the scheme and the cost to be borne by the appropriate planning authority and the relevant agencies;

(g) zoning and development regulations, for regulating developments in the scheme area;

(h) proposals to allocate transfer of development right in lieu of monetary compensation to any land owner who has incurred undue loss due to the scheme, if he gives his option for transfer of development right;

(i) the suspension, so far as may be necessary for the proper carrying out of the scheme, of any provision of any Act of the Legislative Assembly of the State or any rule, bye-law, regulation, notification or order made or issued thereunder:

Provided that any suspension under this clause shall cease to operate,—

(i) if the Government refuse to sanction the scheme;

(ii) if the Government withdraw the scheme;

(iii) on the date of coming into force of the scheme; and

(j) such other matters as may be prescribed.

**39-E. Disputed ownership.**— Where there is a disputed claim to the ownership of any land or building included in an area in respect of which declaration of intention to prepare a scheme has been made, and any entry in the revenue records or mutation relevant to such disputed claim is inaccurate or inconclusive, on the request of the appropriate planning authority or the designated officer appointed for the scheme, at any time before the scheme is made, an enquiry may be held by such officer appointed by the Government within such time from the date of receipt of such request, as may be prescribed, for the purpose of deciding as to who shall be deemed to be the owner of the said land covered by the scheme and such decision shall be final:

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

**39-F. Preparation of the scheme.**— (1) Within six months from the date of publication of the notification under section 39-A or within such further time not exceeding six months, as may be permitted by the Government, the appropriate planning authority shall prepare the draft scheme for the area along with the maps and other particulars:

(2) The appropriate planning authority, after consulting the owners of the lands and buildings in the scheme area shall hold land surveys and ownership verification meeting in such manner as may be prescribed and shall consider the objections and suggestions received in writing, if any, and modify the scheme, if necessary. The appropriate planning authority shall prepare estimates and costs of various components of the draft scheme, in consultation with the appropriate agency, if required, covering all the matters, as may be prescribed and submit the draft scheme with full details to the Government:

Provided that the appropriate planning authority other than the Chennai Metropolitan Development Authority shall submit the same to the Government through the Director.

**39-G. Preliminary approval of the scheme.**— (1) As soon as may be, after the receipt of the draft scheme by the Government but not later than such time as may be prescribed, the Government may direct the appropriate planning authority to make such modifications in the draft scheme as they may think fit and thereupon the appropriate planning authority shall make such modifications and resubmit it to the Government but not later than such time, as may be prescribed.

(2) The Government shall give preliminary approval for the draft scheme, within such time as may be prescribed.

(3) Within one month from the date of notification of the preliminary approval of the draft scheme by the Government, the Director shall appoint an officer not lower in rank than that of the Assistant Director of Town Planning or the Chennai Metropolitan Development Authority shall appoint an officer not lower in rank than that of the Deputy Planner as the designated officer, as the case may be, for the purpose of the scheme.

(4) The Director or the Chennai Metropolitan Development Authority, as the case may be, may at any time change the designated officer so appointed for incompetence or misconduct or for any other specific reason and replace him by another officer. Any proceedings pending before such designated officer shall be continued from the stage at which it was left and disposed of by the new designated officer.

**39-H. Publication of notice on preliminary approval of the scheme.**— (1) As soon as may be, after the receipt of the preliminary approval for the draft scheme from the Government under sub-section (2) of section 39-G, the appropriate planning authority shall publish a notice in the Tamil Nadu Government Gazette and in two leading daily newspapers in that area of which at least one shall be in Tamil, and in the place or places where copies of the same may be inspected, inviting objections and suggestions, in respect of the scheme in writing, from any person interested in the land within such period as may be specified in the notice:

Provided that such period shall not be less than two months from the date of publication of the notice in the *Tamil Nadu Government Gazette*.

(2) After expiry of the period mentioned in the notice, the designated officer shall give a reasonable opportunity of being heard to any person including representatives of Government department or other authority, who has made request for the same and examine all the objections and suggestions, if any, received and make such amendment to the scheme as he may consider proper.

**39-I. Duties of designated officer.**— (1) The duties of the designated officer shall include,—

- (a) examination of the objections and suggestions received and considering the same on its merits in the preparation of the final scheme;
- (b) demarcation of final plots and public purpose plots, decide on the allottees of the final plots;
- (c) determination of the exemption to be made to the declared archaeological monuments from the payment of proportionate contributions;
- (d) estimation of the amount to be collected from or paid to the land owners;
- (e) determination of compensation payable to the land owners;
- (f) drawing the final scheme; and
- (g) such other matters as may be prescribed.

**39-J. Certain decisions of designated officer to be final.**— (1) Every decision of the designated officer in the matters, other than the estimation of costs, levy of the amount payable by the owners, compensation payable and transfer of development rights arrived, shall be final and binding on all persons.

**39-K. Appeal.**— (1) The decision of the designated officer in the matters of estimation of costs, the amount to be collected from or paid to the land owners, compensation payable to the land owners and transfer of development rights arrived at, shall be communicated to the persons concerned, including the appropriate planning authority.

(2) Any person aggrieved by such decision may, within one month from the date of communication of the decision, appeal to the Director or the Chennai Metropolitan Development Authority, as the case may be and the same shall be disposed off in such manner, as may be prescribed.

(3) Any person aggrieved by the decision of the Director or Chennai Metropolitan Development Authority, as the case may be, may appeal to the Government in such form, in such manner and within such period, as may be prescribed.

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

**39-L. Revision by High Court.**— Any person aggrieved by an order of the Government may, within a period of sixty days from the date on which a copy of the order was communicated to him, file an application for revision of such order to the High Court:

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

**39-M. Preparation of final scheme.**— The designated officer shall in preparing the final scheme, after giving notice to the land owners covered in the scheme, in such manner as may be prescribed,—

- (a) define and demarcate the areas allotted for various purposes and the final plots;

- (b) determine the extent of final plots to be allotted to the land owners;
- (c) provide for any total or partial transfer of development rights in an original plot or final plot;
- (d) determine the period within which the works provided in the scheme shall be completed by the appropriate planning authority or any other public authority;
- (e) estimate with reference to the claims made before him for compensation to be paid to any land owner for his right injuriously affected because of the scheme;
- (f) determine whether the areas allotted or reserved for public purposes or for development by the appropriate planning authority are beneficial wholly or partly to the land owners or residents in the scheme area;
- (g) determine the contributions to be levied on each plot included in the final scheme; and
- (h) do such other acts as may be prescribed.

**39-N. Approval by Government.**— (1) The designated officer shall submit the final scheme to the Government through the Director or the Chennai Metropolitan Development Authority, as the case may be, for approval within twelve months from the date of publication of notice under section 39-H or within such further time, not exceeding six months, as may be allowed by the Government.

**Explanation.**— For the purpose of calculating the time limit, the period during which an appeal has been pending before the Director or the Chennai Metropolitan Development Authority, as the case may be, and the Government shall be excluded.

(2) The Government may, within three months from the date of receipt of the final scheme, either approve the said scheme with or without such modifications as may be considered necessary or may return the said scheme to the appropriate planning authority to modify the scheme or to prepare fresh scheme in accordance with such direction as the Government may issue in this behalf. The appropriate planning authority shall modify the scheme or prepare a fresh scheme as directed by the Government and submit it to the Government for approval:

Provided that the Chennai Metropolitan Development Authority shall submit it directly to the Government.

**39-O. Coming into operation of the scheme.**— (1) The approval of the Government for the scheme shall be published by notification in the Tamil Nadu Government Gazette and in two leading daily newspapers in that area of which at least one shall be in Tamil and such notification shall state the place and time at which the said scheme shall be open to the inspection of the public.

(2) A notification published under sub-section (1) shall be the conclusive evidence that the scheme has been duly made and approved. The said scheme shall come into operation from the date of publication of the approval in the Tamil Nadu Government Gazette.

(3) On the date of coming into operation of the scheme,—

(a) all lands required by the appropriate planning authority either for its developments or for any authority such as Government departments, local authority, public sector undertakings, shall, unless or otherwise determined in such scheme, vest absolutely in the appropriate planning authority free from all encumbrances;

(b) all rights in the original plots which have been reconstituted into final plots shall cease to exist and the final plot shall become subject to the rights settled by the designated officer;

(c) the appropriate planning authority shall hand over the possession of the final plots to the owners to whom they are allotted in the final scheme and issue a certificate of allotment in the allottees name;

(d) all the Government lands including lands belonging to local authorities, public sector undertakings, temples, within the scheme area which are required by the appropriate planning authority shall stand transferred to the appropriate planning authority for the purpose of development.

**39-P. Enforcement of the scheme.**— (1) The appropriate planning authority shall, after coming into operation of the scheme, enforce the scheme by taking appropriate measures as may be required, including eviction, removal of structures or buildings in contravention of the scheme, locking and sealing and recover the cost incurred by the appropriate planning authority in such manner as may be prescribed.

(2) The appropriate planning authority shall utilise the proceeds from the sale of land referred to in section 39-D, for the purpose of providing compensation and infrastructure facilities as may be required.

**39-Q. Variation to the scheme.**— (1) If the appropriate planning authority, after the final scheme has come into operation, either suo motto or on application by a land owner, considers that the scheme is defective on account of any error, irregularity or infirmity, it may request the Government for appropriate modification of the scheme:

Provided that the Chennai Metropolitan Development Authority, may directly request the Government for modification of the scheme:

Provided further that any request for further modification of the scheme shall not be entertained by the Government.

(2) On receipt of such request from the appropriate planning authority, the Government may, if satisfied, modify the scheme by publishing the modification in the *Tamil Nadu Government Gazette* and in two leading daily newspapers in that area of which at least one shall be in Tamil.

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

**39-R. Cessation of application of local body Act.**— (1) The Government may direct that any powers or functions exercisable by the local authority under the local body Act within the land pooling area development scheme shall be transferred to, and performed by, the appropriate planning authority under the said Act for such period and for such purposes as may be notified, in relation to such land pooling area development scheme.

**Explanation.**— For the purpose of this section,—

(a) “local authority” means,—

(i) any Municipal Corporation established under any law for the time being in force;

(ii) a Municipal Council constituted under the Tamil Nadu District Municipality Act, 1920 (Tamil Nadu Act V of 1920);

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

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

(b) "local body Act" means,—

(i) The Chennai City Municipal Corporation Act, 1919 (Tamil Nadu Act IV of 1919);

(ii) The Madurai City Municipal Corporation Act, 1971 (Tamil Nadu Act 15 of 1971);

(iii) The Coimbatore City Municipal Corporation Act, 1981 (Tamil Nadu Act 25 of 1981);

(iv) The Tiruchirappalli City Municipal Corporation Act, 1994 (Tamil Nadu Act 27 of 1994);

(v) The Tirunelveli City Municipal Corporation Act, 1994 (Tamil Nadu Act 28 of 1994);

(vi) The Salem City Municipal Corporation Act, 1994 (Tamil Nadu Act 29 of 1994);

(vii) The Tiruppur City Municipal Corporation Act, 2008 (Tamil Nadu Act 7 of 2008);

(viii) The Erode City Municipal Corporation Act, 2008 (Tamil Nadu Act 8 of 2008);

(ix) The Vellore City Municipal Corporation Act, 2008 (Tamil Nadu Act 26 of 2008);

(x) The Thoothukudi City Municipal Corporation Act, 2008 (Tamil Nadu Act 27 of 2008);

(xi) The Thanjavur City Municipal Corporation Act, 2013 (Tamil Nadu Act 24 of 2013);

(xii) The Dindigul City Municipal Corporation Act, 2013 (Tamil Nadu Act 25 of 2013);

(xiii) The Tamil Nadu District Municipalities Act, 1920 (Tamil Nadu Act V of 1920);

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

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

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

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

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

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

**39-T. Execution of works in the scheme by appropriate planning authority.**— (1) The appropriate planning authority shall complete all the works in the scheme within the period stipulated under section 39-M.

(2) If the planning authority fails to complete the work within the period stipulated or the extended period, the Government may, notwithstanding anything contained in sub-section (1), require the appropriate planning authority to complete the works within a further period as they may consider reasonable or appoint an officer to complete such works.”.

**39-U. Chennai Metropolitan Development Authority to submit report on certain matters to Government.**— In cases where the appropriate planning authority is the Chennai Metropolitan Development Authority, all matters relating to the scheme shall be submitted by the Chennai Metropolitan Development Authority directly to the Government.

7. In section 48 of the principal Act, for the expression “the notice in the *Tamil Nadu Government Gazette* under section 26”, the expression “the notice in the *Tamil Nadu Government Gazette* under section 26 or section 39-A” shall be substituted. Amendment of section 48.

8. In section 49 of the principal Act, for the expression “the notice in the *Tamil Nadu Government Gazette* under section 26”, the expression “the notice in the *Tamil Nadu Government Gazette* under section 26 or section 39-A” shall be substituted. Amendment of section 49.

9. In section 99 of the principal Act including the marginal heading, for the expression “detailed development plan” in two places where it occurs, the expression “detailed development plan and land pooling area development scheme” shall be substituted. Amendment of section 99.

10. In section 122 of the principal Act, in sub-section (2), for clause (j), the following clauses shall be substituted, namely:— Amendment of section 122.

“(j) the form and contents of the regional plan, master plan, detailed development plan, new town development plan and land pooling area development scheme and the procedure to be followed in connection with the preparation, submission and approval of such plans and scheme and the form and the manner of publication of the notices relating to such plans and scheme;

(jj) duties of the designated officer and the manner of reconstitution of plots, allotment of final plots, incorporation of the legal rights settled in the final scheme in the land registers of the Revenue department;

(jjj) estimated cost of the scheme, financial account for the scheme such as escrow account, for the preparation, approval and effective implementation of the scheme;”.

**STATEMENT OF OBJECTS AND REASONS**

Land pooling or land re-adjustment is a way of consolidating land for development of projects by making land owners as partners in development. This scheme can also be an alternative to the time consuming and contentious land acquisition procedures. Tamil Nadu is a rapidly urbanizing and industrially progressive State with a growing need for housing as well as infrastructure. In order to boost the economic and social development apart from orderly and planned spatial developments in the State and to share the benefits of such development with land owners, it is proposed to introduce Land Pooling Area Development Scheme as an alternative to the present modes of land acquisition in order to meet the land requirements for the developmental activities of the State. To give effect to the above decision, the Government decided to amend the Tamil Nadu Town and Country Planning Act, 1971 (Tamil Nadu Act 35 of 1972) suitably.

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

**O. PANNEERSELVAM,**  
*Deputy Chief Minister.*



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**MEMORANDUM REGARDING DELEGATED LEGISLATION**

Sections 39-A, 39-D, 39-F, 39-I, 39-K, 39-M, 39-O and 39-P proposed to be inserted by clause 6 of the Bill empowers the Government to make rules or issue notifications, as the case may be, for the purposes specified therein.

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

**O. PANNEERSELVAM,**  
*Deputy Chief Minister.*

K. SRINIVASAN,  
*Secretary.*



Under Rule 130 of the Tamil Nadu Legislative Assembly Rules, the following Bill which was introduced in the Legislative Assembly of the State of Tamil Nadu on 9th July, 2018 is published together with Statement of Objects and Reasons for general information:—

**L.A. Bill No. 42 of 2018**

***A Bill further to amend the Tamil Nadu District Municipalities Act, 1920.***

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

1. (1) This Act may be called the Tamil Nadu District Municipalities (Amendment) Act, 2018. Short title and commencement.

(2) Sections 2 and 4 shall be deemed to have come into force on the 14th day of July 2006.

Tamil Nadu Act  
V of 1920.

2. For section 3-AA of the Tamil Nadu District Municipalities Act, 1920 (hereinafter referred to as the principal Act), the following section shall be substituted, namely:— Substitution of section 3-AA.

**“3-AA. Provisions of the Act shall apply to Town Panchayats subject to certain modifications.—** All provisions of the Act, except sections 5, 7, 12-C, 13-B, 43, 77-AA and 77-B shall apply to all the Town Panchayats, subject to the following modifications, namely:—

(1) for the expression “municipality” wherever it occurs, the expression “town panchayat” shall be substituted;

(2) for the expression “municipal council” wherever it occurs, the expression “council” shall be substituted;

(3) for the expression “councillor” and “councillors” wherever it occurs, the expression “member” and “members” shall, respectively, be substituted;

(4) for the expression “municipal authority” wherever it occurs, the expression “authority” shall be substituted;

(5) for the expression “commissioner” wherever it occurs, the expression “Executive Officer” shall be substituted;

(6) in section 4, in sub-section (6), for the expression “State Government”, the expression “Director of Town Panchayats” shall be substituted.”.

3. The notification issued by the Government in the Municipal Administration and Water Supply Department No.II(2)/MAWS/701(c)/2014, published in Part II-Section 2 of the *Tamil Nadu Government Gazette*, Extraordinary, dated the 21st day of November 2014 shall cease to have effect from the date of the publication of this Act in the *Tamil Nadu Government Gazette*. Notification to cease to have effect.

4. Notwithstanding anything contained in the principal Act or any other law or order or notification for the time being in force or in any judgment, decree or order of any court or other authority, all acts done or proceedings taken by the council, authority, chairman, vice-chairman, member, officers, Inspector, the Director of Town Panchayats and committees of the Town Panchayats under the provisions of the principal Act, during the period commencing on the 14th day of July 2006 and ending with the date of publication of this Act in the *Tamil Nadu Government Gazette*, shall, for all purposes, be deemed to be, and to have always been, validly done or taken in accordance with law, as if the principal Act, as amended by this Act, had been in force at all material times when such acts or proceedings were done or taken. Validation

**STATEMENT OF OBJECTS AND REASONS**

The Government reconstituted Special Grade Village Panchayats as Town Panchayats under the Tamil Nadu District Municipalities Act, 1920 (Tamil Nadu Act V of 1920), as amended by the Tamil Nadu Municipal Laws (Amendment) Act, 2006 (Tamil Nadu Act 18 of 2006). According to section 3-AA of the said Tamil Nadu Act V of 1920, the State Government may, by notification, direct that any of the provisions of the said Act and the rules made thereunder shall apply to that Town Panchayats to such extent and subject to such modifications. But, the Government had not issued any notification to that effect to the newly reconstituted Town Panchayats on or after the 14th day of July 2006. Further, the Government had issued notification No.II(2)/MAWS/701(c)/2014, dated 21.11.2014 under section 3-AA of the said Tamil Nadu Act V of 1920, for applying the provisions of the Tamil Nadu District Municipalities Act, 1920 to the Town Panchayats with effect on and from the 21st day of November 2014 only. However, the council, chairman, vice-chairman, members, officers, committees, Inspectors and Director of Town Panchayats exercised the powers and performed the duties in respect of Town Panchayats by applying the provisions of the said Tamil Nadu Act V of 1920 on and from the 14th day of July 2006.

2. In the circumstances, it is necessary to apply the provisions of the said Tamil Nadu Act V of 1920 retrospectively to the Town Panchayats and also to validate the action of the council, authority, chairman, vice-chairman, members, officers, committees of the Town Panchayats, Inspectors and Director of Town Panchayats. The Government, therefore, have decided to amend the said Act to achieve the object in view.

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

**S.P.VELUMANI,**  
*Minister for Municipal Administration  
and Rural Development, Implementation  
of Special Programme.*

K. SRINIVASAN,  
*Secretary.*

Under Rule 130 of the Tamil Nadu Legislative Assembly Rules, the following Bill which was introduced in the Legislative Assembly of the State of Tamil Nadu on 9th July, 2018 is published together with Statement of Objects and Reasons for general information:—

**L.A. Bill No. 43 of 2018**

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

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

**PART – I.**

**PRELIMINARY.**

1. (1) This Act may be called the Tamil Nadu Municipal Laws (Fifth Amendment) Act, 2018. Short title and commencement.

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

**PART – II.**

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

Tamil Nadu Act IV of 1919.

2. In section 326-A of the Chennai City Municipal Corporation Act, 1919 (hereinafter in this Part referred to as the 1919 Act), for clause (a), the following clause shall be substituted, namely:— Amendment of section 326-A.

“(a) “hoarding” means any screen of boards, other than digital banner and placard, at any place, used or intended to be used for exhibiting advertisement, including the frame work or other support, erected, wholly or in part upon or over any land, building, wall or structure, belonging to the Corporation, visible to public wholly or partly;”.

3. In section 326-C of the 1919 Act,—

Amendment of section 326-C

(1) in sub-section (1), for the expression “with such fee”, the expression “with such application fee” shall be substituted;

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

“(2) The Commissioner may, after local inspection and on payment of such licence fee as may be prescribed, grant a licence with such conditions or directions as may be prescribed.”;

(3) in sub-section (5), for the expression “under sub-section (1)”, the expression “under sub-sections (1) and (2)” shall be substituted.”.

4. In section 326-I of the 1919 Act, for the expression “ten thousand rupees”, the expression “twenty-five thousand rupees” shall be substituted. Amendment of section 326-I

5. In Schedule VI to the 1919 Act, for the entry “Keeping a shaving or hair dressing saloon”, the following entries shall be substituted, namely :— Amendment of Schedule VI.

“Haircutting saloon or beauty parlour, without partition or room.

Beauty parlour, spa or massage parlour, with partition or room or sauna or bathing facilities:

Provided that no licence shall be granted unless the applicant produces no objection certificates from the Health department of the Corporation and from such police officer as may be specified by the Commissioner.”.

### PART – III.

#### AMENDMENT TO THE TAMIL NADU DISTRICT MUNICIPALITIES ACT, 1920

Amendment of  
section 285-A.

6. In section 285-A of the Tamil Nadu District Municipalities Act, 1920 (hereinafter in this Part referred to as the 1920 Act), for clause (a), the following clause shall be substituted, namely:—

Tamil Nadu  
Act V of 1920.

“(a) “hoarding” means any screen of boards, other than digital banner and placard, at any place, used or intended to be used for exhibiting advertisement, including the frame work or other support, erected, wholly or in part upon or over any land, building, wall or structure, belonging to the Municipality, visible to public wholly or partly;”.

Amendment of  
section 285-C.

7. In section 285-C of the 1920 Act,—

(1) in sub-section (1), for the expression “with such fee”, the expression “with such application fee” shall be substituted;

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

“(2) The District Collector may, after local inspection and on payment of such licence fee as may be prescribed, grant a licence with such conditions or directions as may be prescribed.”;

(3) in sub-section (5), for the expression “under sub-section (1)”, the expression “under sub-sections (1) and (2)” shall be substituted.”.

Amendment of  
section 285-I.

8. In section 285-I of the 1920 Act, for the expression “ten thousand rupees”, the expression “twenty-five thousand rupees” shall be substituted.

Amendment of  
Schedule V.

9. In Schedule V to the 1920 Act, for clause (jj), the following clauses shall be substituted, namely:—

“(jj) Haircutting saloon or beauty parlour, without partition or room.

(jjj) Beauty parlour, spa or massage parlour, with partition or room or sauna or bathing facilities:

Provided that no licence shall be granted unless the applicant produces no objection certificates from such Health officer and police officer as may be specified by the Executive authority.”.

**PART – IV.****AMENDMENT TO THE MADURAI CITY MUNICIPAL CORPORATION ACT, 1971.**

Tamil Nadu Act 15 of 1971.

10. In section 410-A of the Madurai City Municipal Corporation Act, 1971 (hereinafter in this Part referred to as the 1971 Act), for clause (a), the following clause shall be substituted, namely:—

Amendment of section 410-A.

“(a) “hoarding” means any screen of boards, other than digital banner and placard, at any place, used or intended to be used for exhibiting advertisement, including the frame work or other support, erected, wholly or in part upon or over any land, building, wall or structure, belonging to the Corporation, visible to public wholly or partly;”.

11. In section 410-C of the 1971 Act,—

Amendment of section 410-I

(1) in sub-section (1), for the expression “with such fee”, the expression “with such application fee” shall be substituted;

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

“(2) The District Collector may, after local inspection and on payment of such licence fee as may be prescribed, grant a licence with such conditions or directions as may be prescribed.”;

(3) in sub-section (5), for the expression “under sub-section (1)”, the expression “under sub-sections (1) and (2)” shall be substituted.”.

12. In section 410-I of the 1971 Act, for the expression “ten thousand rupees”, the expression “twenty-five thousand rupees” shall be substituted.

Amendment of section 410-I.

13. In Schedule IV to the 1971 Act, for the entry “Keeping a shaving or hair dressing saloon”, the following entries shall be substituted, namely:—

Amendment of Schedule IV.

“Haircutting saloon or beauty parlour, without partition or room.

Beauty parlour, spa or massage parlour, with partition or room or sauna or bathing facilities:

Provided that no licence shall be granted unless the applicant produces no objection certificates from the Health department of the Corporation and from such police officer as may be specified by the Commissioner.”.

**PART – V.****AMENDMENT TO THE COIMBATORE CITY MUNICIPAL CORPORATION ACT, 1981.**

Tamil Nadu Act 25 of 1981.

14. In section 410-A of the Coimbatore City Municipal Corporation Act, 1981 (hereinafter in this Part referred to as the 1981 Act), for clause (a), the following clause shall be substituted, namely:—

Amendment of section 410-A

“(a) “hoarding” means any screen of boards, other than digital banner and placard, at any place, used or intended to be used for exhibiting advertisement, including the frame work or other support, erected, wholly or in part upon or over any land, building, wall or structure, belonging to the Corporation, visible to public wholly or partly;”.

15. In section 410-C of the 1981 Act,—

Amendment of section 410-C.

(1) in sub-section (1), for the expression "with such fee", the expression "with such application fee" shall be substituted;

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

"(2) The District Collector may, after local inspection and on payment of such licence fee as may be prescribed, grant a licence with such conditions or directions as may be prescribed.";

(3) in sub-section (5), for the expression "under sub-section (1)", the expression "under sub-sections (1) and (2)" shall be substituted."

Amendment of  
section 410-I.

16. In section 410-I of the 1981 Act, for the expression "ten thousand rupees", the expression "twenty-five thousand rupees" shall be substituted.

Amendment of  
Schedule IV.

17. In Schedule IV to the 1981 Act, for the entry "Keeping a shaving or hair dressing saloon", the following entries shall be substituted, namely:—

"Haircutting saloon or beauty parlour, without partition or room.

Beauty parlour, spa or massage parlour, with partition or room or sauna or bathing facilities:

Provided that no licence shall be granted unless the applicant produces no objection certificates from the Health department of the Corporation and from such police officer as may be specified by the Commissioner."



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**STATEMENT OF OBJECTS AND REASONS.**

The Government have decided to grant licence for erection of hoardings in any place belonging to the urban local bodies. Further, the Government have also decided to enhance the fee for granting licence for erection of hoardings and also to enhance the penalty for contravention of the provisions relating to the erection of hoardings, digital banners and placards. The Government have also decided to regulate the beauty parlour, spa and massage parlour. Accordingly, the Government have decided to amend the Chennai City Municipal Corporation Act, 1919 (Tamil Nadu Act IV of 1919), the Tamil Nadu District Municipalities Act, 1920 (Tamil Nadu Act V of 1920), the Madurai City Municipal Corporation Act, 1971 (Tamil Nadu Act 15 of 1971) and the Coimbatore City Municipal Corporation Act, 1981 (Tamil Nadu Act 25 of 1981) for the said purposes.

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

**S.P.VELUMANI,**  
*Minister for Municipal Administration and  
Rural Development, Implementation of  
Special Programme.*

**MEMORANDUM REGARDING DELEGATED LEGISLATION**

Sub-section (2) of section 326-C of the Chennai City Municipal Corporation Act, 1919 (Tamil Nadu Act IV of 1919), sub-section (2) of section 285-C of the Tamil Nadu District Municipalities Act, 1920 (Tamil Nadu Act V of 1920), sub-section (2) of section 410-C of the Madurai City Municipal Corporation Act, 1971 (Tamil Nadu Act 15 of 1971) and sub-section (2) of section 410-C of the Coimbatore City Municipal Corporation Act, 1981 (Tamil Nadu Act 25 of 1981) proposed to be substituted by sub-clause (2) of clause 3, sub-clause (2) of clause 7, sub-clause (2) of clause 11 and sub-clause (2) of clause 15 of the Bill, respectively, authorize the respective Corporation and Municipality, as the case may be, to make rules to carry out the purposes specified therein.

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

**S.P.VELUMANI,**  
*Minister for Municipal Administration  
and Rural Development, Implementation  
of Special Programme.*

K. SRINIVASAN,  
*Secretary.*

Under Rule 130 of the Tamil Nadu Legislative Assembly Rules, the following Bill which was introduced in the Legislative Assembly of the State of Tamil Nadu on 9th July, 2018 is published together with Statement of Objects and Reasons for general information:—

**L.A. Bill No. 44 of 2018**

**THE TAMIL NADU LOKAYUKTA BILL, 2018.**

**Arrangement of clauses.**

**CHAPTER – I.**

**PRELIMINARY.**

1. Short title and commencement.
2. Definitions.

**CHAPTER – II.**

**ESTABLISHMENT AND COMPOSITION OF LOKAYUKTA.**

3. Establishment and Composition of Lokayukta.
4. Appointment of Chairperson and Members on the recommendation of Selection Committee.
5. Term of office of Chairperson and Members.
6. Salary, allowances and other conditions of service of Chairperson and Members.
7. Restriction on employment by Chairperson and Members after ceasing to hold office.
8. Member to act as Chairperson or to discharge his functions in certain circumstances.
9. Secretary, other officers and staff of Lokayukta.

**CHAPTER – III.****INQUIRY WING.**

10. Inquiry Wing.

**CHAPTER – IV.****EXPENSES OF LOKAYUKTA TO BE CHARGED ON CONSOLIDATED FUND OF STATE.**

11. Expenses of Lokayukta to be charged on Consolidated Fund of State.

**CHAPTER – V.****JURISDICTION OF THE LOKAYUKTA.**

12. Jurisdiction of Lokayukta to include Ministers, Members of Legislative Assembly, officers and employees of Government.
13. Matters not subject to inquiry.
14. Matters pending before any court or committee or authority for inquiry not to be affected.
15. Constitution of Benches of Lokayukta.
16. Distribution of business amongst Benches.
17. Power of Chairperson to transfer cases.
18. Decision to be by majority.

**CHAPTER - VI.****PROCEDURE IN RESPECT OF PRELIMINARY INQUIRY AND DETAILED INQUIRY.**

19. Provisions relating to complaints and preliminary inquiry and detailed inquiry.
20. Persons likely to be prejudicially affected to be heard.
21. Lokayukta may require any public servant or any other person to furnish information, etc.
22. Previous sanction not necessary for inquiry.

**CHAPTER – VII.****POWERS OF LOKAYUKTA.**

23. Supervisory powers of Lokayukta.
24. Lokayukta to have powers of civil court in certain cases.
25. Power of Lokayukta to utilise services of officers of Government.
26. Power of Lokayukta to recommend transfer or suspension of public servant connected with allegation of corruption.
27. Power of Lokayukta to give directions to prevent destruction of records during preliminary inquiry.
28. Power to delegate.

**CHAPTER – VIII.****COMPLAINTS AGAINST CHAIRPERSON, MEMBERS AND OFFICIALS OF LOKAYUKTA.**

29. Removal and suspension of Chairperson and Members of Lokayukta.
30. Complaints against officials of Lokayukta.

**CHAPTER - IX.****FINANCE, ACCOUNTS AND AUDIT.**

31. Budget.
32. Grants by Government.
33. Annual statement of accounts.

34. Furnishing of returns etc, to Government.

**CHAPTER - X.**

**ACTION ON FALSE COMPLAINTS.**

35. Prosecution for false complaint and payment of compensation, etc., to public servant.
36. False complaint made by society or association of persons or trust.

**CHAPTER - XI.**

**MISCELLANEOUS.**

37. Protection of action taken in good faith by any public servant.
38. Protection of action taken in good faith by others.
39. Members, officers and employees of Lokayukta to be public servants.
40. Limitation to apply.
41. Bar of Jurisdiction.
42. Legal assistance.
43. Act to have overriding effect.
44. Power to make rules.
45. Power to make regulations.
46. Power to remove difficulties.

***A Bill for the establishment of a body of Lokayukta for the State of Tamil Nadu to inquire into allegations of corruption against certain public servants and for matters connected therewith or incidental thereto.***

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

**CHAPTER – I.**

**PRELIMINARY.**

1. (1) This Act may be called the Tamil Nadu Lokayukta Act, 2018. Short title and commencement.
- (2) It shall come into force on such date as the Government may, by notification, appoint.
2. (1) In this Act, unless the context otherwise requires,— Definitions.
- (a) “Bench” means a bench of the Lokayukta;
- (b) “Chairperson” means the Chairperson of the Lokayukta;
- (c) “competent authority” means, in relation to,—
- (i) the Chief Minister, the Governor;
- (ii) a Minister, the Chief Minister;
- (iii) a Member of the Legislative Assembly of the State other than a Minister, the Speaker of the Legislative Assembly;
- (iv) an officer in any Department, the Government;
- (v) a Chairperson or Members of any Body, or Board or Corporation or Authority or Company or Society or Autonomous Body (by whatever name called) established or constituted under an Act of Parliament or of the Legislative Assembly of the State or wholly or partly financed by the Government or controlled by it, the Minister-in-charge or the Chief Minister, as the case may be, of the department of such Body or Board or Corporation or Authority or Company or Society or Autonomous Body;
- (vi) an officer of any Body or Board or Corporation or Authority or Company or Society or Autonomous Body (by whatever name called) established or constituted under an Act of Parliament or of the Legislative Assembly of the State or wholly or partly financed by the Government or controlled by it, the head of such Body or Board or Corporation or Authority or Company or Society or Autonomous Body;
- (vii) in any other case not falling under sub-clauses (i) to (vi) above, such department or authority as the Government may, by notification, specify:

Provided that if any person referred to in sub-clause (v) or sub-clause (vi) is also a Member of the Legislative Assembly of the State, then the competent authority shall be the Speaker of the Legislative Assembly;

(d) "complaint" means a complaint, made in such form as may be prescribed, alleging that a public servant has committed an offence punishable under the Prevention of Corruption Act, 1988; Central Act 49 of 1988.

(e) "Government" means the State Government;

(f) "Judicial Member" means a Judicial Member of the Lokayukta;

(g) "Lokayukta" means the body established under section 3;

(h) "Member" means a Member of the Lokayukta;

(i) "Minister" means the Minister of the Government and includes the Chief Minister;

(j) "prescribed" means prescribed by rules made under this Act;

(k) "public servant" means a person referred to in clauses (a) to (e) of sub-section (1) of section 12;

(l) "regulations" means regulations made under this Act;

(m) "State" means the State of Tamil Nadu.

(2) The words and expressions used in this Act and not defined but defined in the Prevention of Corruption Act, 1988 and the Code of Criminal Procedure, 1973 shall have the meanings, respectively, assigned to them in those Acts. Central Act 49 of 1988.  
Central Act 2 of 1974.

## CHAPTER – II.

### ESTABLISHMENT AND COMPOSITION OF LOKAYUKTA.

Establishment and Composition of Lokayukta.

3. (1) On and from the date of notification to be issued by the Government in this behalf, there shall be established a body to be called the "Lokayukta".

(2) The Lokayukta shall consist of,—

(a) a Chairperson who is or has been a Judge of the High Court or a person with twenty-five years experience in anti-corruption policy, public administration, vigilance, finance and law; and

(b) four Members, out of whom two shall be Judicial Members.

(3) A person shall be eligible to be appointed,—

(a) as a Judicial Member if he is or has been a Judge of the High Court or has put in twenty-five years of experience in State judiciary with impeccable record;



(b) as a Non-Judicial Member if he has had twenty-five years of experience in anti-corruption policy, public administration, vigilance, finance and law.

(4) The Chairperson or a Member shall not be,—

(a) a Member of Parliament or a Member of the Legislative Assembly of any State or Union territory;

(b) a person convicted of any offence;

(c) a person of less than forty-five years of age, on the date of assuming office as Chairperson or Member, as the case may be;

(d) a Member of any Panchayat or Municipality;

(e) a person who has been removed or dismissed from service of the Union or a State and;

(f) a person holding any office of trust or profit (other than his office as the Chairperson or a Member) or be connected with any political party or carry on any business or practice any profession.

(5) A person who is appointed as the Chairperson or a Member, as the case may be, shall, before he enters upon his office, if,—

(a) he holds any office of trust or profit, resign from such office; or

(b) he is carrying on any business, sever his connection with the conduct and management of such business; or

(c) he is practicing any profession, cease to practice such profession.

4. (1) The Chairperson and the Members shall be appointed by the Governor.

(2) The appointment shall be made on the recommendation of the Selection Committee comprising of the following Members:—

(a) Chief Minister — Chairperson;

(b) Speaker of the Legislative Assembly — Member;

(c) Leader of Opposition or the Leader of the single largest Party in Opposition in the Legislative Assembly— Member.

(3) The Selection Committee may for the purposes of selecting the Chairperson and Members and for preparing a panel of persons to be considered for appointment as such, choose to constitute a Search Committee consisting of three persons having special knowledge and expertise in anti-corruption policy, public administration, vigilance, finance and law.

(4) The Selection Committee shall regulate its own procedure for selecting the Chairperson and Members which shall be transparent.

Appointment of  
Chairperson  
and Members  
on the  
recommen-  
dation of  
Selection  
Committee.

(5) The term of the Search Committee, if constituted, referred to in sub-section (3), the fees and allowances payable to its Members and the manner of selection of panel of names shall be such as may be prescribed.

Term of office of Chairperson and Members.

5. The Chairperson and every Member shall, on the recommendations of the Selection Committee, be appointed by the Governor by warrant under his hand and seal and hold office as such for a term of five years from the date on which he enters upon his office or until he attains the age of seventy years, whichever is earlier:

Provided that he may—

- (a) by writing under his hand addressed to the Governor, resign his office; or
- (b) be removed from his office in the manner provided in this Act.

Salary, allowances and other conditions of service of Chairperson and Members.

6. The salary, allowances and other conditions of service of,—

- (a) the Chairperson shall be the same as those of the Chief Justice of the High Court;
- (b) other Members shall be the same as those of a Judge of the High Court:

Provided that if the Chairperson or a Member is, at the time of his appointment, in receipt of pension (other than disability pension) in respect of any previous service under the Government of India or under any State Government, his salary in respect of service as the Chairperson or, as the case may be, as a Member, be reduced,—

(i) by the amount of that pension; and

(ii) if he has, before such appointment, received, in lieu of a portion of the pension due to him in respect of such previous service, the commuted value thereof, by the amount of that portion of the pension:

Provided further that the salary, allowances and pension payable to, and other conditions of service of, the Chairperson or a Member shall not be varied to his disadvantage after his appointment.

Restriction on employment by Chairperson and Members after ceasing to hold office.

7. (1) On ceasing to hold office, the Chairperson and every Member shall be ineligible for,—

- (a) reappointment as the Chairperson or a Member of the Lokayukta;
- (b) any other assignment or appointment which is required by law to be made by the Governor;
- (c) further employment to any other office of profit under the Government of India or under the Government.

(2) Notwithstanding anything contained in sub-section (1), a Member shall be eligible to be appointed as a Chairperson, if his total tenure as Member and Chairperson does not exceed five years.

*Explanation.*— For the purposes of this section, it is hereby clarified that where the Member is appointed as the Chairperson, his term of office shall not be more than five years in aggregate as the Member and the Chairperson.

8. (1) In the event of occurrence of any vacancy in the office of the Chairperson by reason of his death, resignation or otherwise, the Governor may, by notification, authorise the senior-most Member to act as the Chairperson until the appointment of a new Chairperson to fill such vacancy.

Member to act as Chairperson or to discharge his functions in certain circumstances.

(2) When the Chairperson is unable to discharge his functions owing to absence on leave or otherwise, the senior-most Member available, as the Governor may, by notification, authorise in this behalf, shall discharge the functions of the Chairperson until the date on which the Chairperson resumes his duties.

9. (1) There shall be a Secretary to the Lokayukta not below the rank of Deputy Secretary to Government, who shall be appointed by the Chairperson from a panel of names sent by the Government.

Secretary, other officers and staff of Lokayukta.

(2) There shall be a Director of Inquiry not below the rank of Deputy Secretary to Government, who shall be appointed by the Chairperson from a panel of names sent by the Government.

(3) The appointment of officers and staff of the Lokayukta shall be made as may be required for smooth functioning, by the Government and as may be prescribed.

(4) The conditions of service of Secretary and other officers and staff of the Lokayukta shall be such as may be prescribed from time to time.

### CHAPTER – III

#### INQUIRY WING.

10. (1) Notwithstanding anything contained in any law for the time being in force, the Lokayukta shall constitute an Inquiry Wing headed by the Director of Inquiry for the purpose of conducting inquiry into any offence alleged to have been committed by a public servant:

Inquiry Wing.

Provided that till such time the Inquiry Wing is constituted by the Lokayukta, the Government shall make available such number of officers and other staff from such of its Departments, as may be required, for conducting inquiry under this Act.

(2) For the purposes of assisting the Lokayukta in conducting a inquiry under this Act, the officers of the Inquiry Wing shall have the same powers as are conferred upon the Lokayukta under section 24.

## CHAPTER – IV.

## EXPENSES OF LOKAYUKTA TO BE CHARGED ON CONSOLIDATED FUND OF STATE.

Expenses of Lokayukta to be charged on Consolidated Fund of State.

11. The administrative expenses of the Lokayukta, including all salaries, allowances and pensions payable to or in respect of the Chairperson, Members or Secretary or other officers or staff of the Lokayukta, shall be charged upon the Consolidated Fund of the State and any fees or other moneys taken by the Lokayukta shall form part of that Fund.

## CHAPTER – V.

## JURISDICTION OF THE LOKAYUKTA.

Jurisdiction of Lokayukta to include Ministers, Members of Legislative Assembly, officers and employees of Government.

12. (1) Subject to the other provisions of this Act, the Lokayukta shall have its jurisdiction on all the following categories, namely:—

Central Act 49 of 1988.

(a) any person who is or has been a Minister of the State;

(b) any person who is or has been a Member of the Legislative Assembly;

(c) all officers and employees of the State, from amongst the public servants defined in sub-clauses (i) and (ii) of clause (c) of section 2 of the Prevention of Corruption Act, 1988 when serving or who has served, in connection with the affairs of the State;

(d) all officers and employees referred to in clause (c) equivalent in any Body or Board or Corporation or Authority or Company or Society or Trust or Autonomous Body (by whatever name called) established by an Act of the Parliament or the Legislative Assembly of the State or wholly or partly financed by the Government or controlled by it:

Provided that in the case of officers and employees referred to in clauses (c) and (d) but are working in connection with the affairs of the Union or in Body or Board or Corporation or Authority or Company or Society or Trust or Autonomous Body under the control of the Union, the Lokayukta and officers of its Inquiry Wing shall have jurisdiction under this Act in respect of such officers only after obtaining the consent of the Central Government;

(e) any person who is or has been a Director, Manager, Secretary or other officer of every other Society or Association of persons or Trust (whether registered under any law for the time being in force or not) by whatever name called, wholly or partly financed or aided by the Government and the annual income of which exceeds such amount as the Government may, by notification, specify.

(2) Notwithstanding anything contained in sub-section (1), the Lokayukta shall not inquire into any matter involved in, or arising from, or connected with, any such allegation of corruption against any Member of the Legislative Assembly in respect of anything said or a vote given by him in the Legislative Assembly of the State or any committee thereof covered under the provisions contained in clause (2) of Article 194 of the Constitution.

Central Act 49 of  
1988.

(3) The Lokayukta may inquire into any act or conduct of any person other than those referred to in sub-section (1), if such person is involved in the act of abetting, bribe giving or bribe taking or conspiracy relating to any allegation of corruption under the Prevention of Corruption Act, 1988 against a person referred to in sub-section (1):

Provided that no action under this section shall be taken in case of a person serving in connection with the affairs of the Union, without the consent of the Central Government.

13. (1) Except as hereinafter provided, the Lokayukta shall not conduct any inquiry under this Act, in the case of a complaint in respect of any action, if such action relates to any matter as follows:—

Matters not  
subject to  
inquiry.

(a) action taken for the purpose of investigating crime relating to the security of the State;

(b) action taken in the exercise of powers in relation to determining whether a matter shall go to a court or not;

(c) administrative action taken in matters which arise out of the terms of a contract governing purely commercial relations of the administration with customers or suppliers except where the complainant alleges harassment or gross delay in meeting contractual obligation;

(d) action taken in respect of appointment, transfer and postings, removal, pay, discipline, superannuation, actions relating to claims for pension, gratuity, provident fund or to any claims which arises on retirement, removal or termination of service, or other matters relating to conditions of service of public servants;

(e) grant of honours and awards;

(f) any action in respect of which a formal and public inquiry has been ordered with the prior concurrence of the Lokayukta;

Central Act 60 of  
1952.

(g) any action in respect of a matter which has been referred to inquiry under the Commissions of Inquiry Act, 1952;

Tamil Nadu Act 27  
of 2014.

(h) any action relating to a person or Local Body which is under the purview of Ombudsman constituted under section 3 of the Tamil Nadu Local Bodies Ombudsman Act, 2014.

(2) In the case of any complaint, nothing in this Act shall be construed as empowering the Lokayukta to question any administrative action involving the exercise of a discretion, except where Lokayukta is satisfied that the elements involved in the exercise of the discretion are absent to such an extent that the discretion can *prima-facie* be regarded as having been improperly exercised.

*Explanation.*— For the removal of doubts, it is hereby declared that a complaint under this Act shall only relate to a period during which the public servant was holding or serving in that capacity.

Matters pending before any court or committee or authority for inquiry not to be affected.

14. In case any matter or proceeding related to allegation of corruption under the Prevention of Corruption Act, 1988 has been pending before any court or committee of the Legislative Assembly or before any other authority prior to the commencement of this Act or prior to the commencement of any inquiry after the commencement of this Act, such matter or proceeding shall be continued before such Court, Committee or Authority.

Central Act 49 of 1988.

Constitution of Benches of Lokayukta.

15. (1) Subject to the provisions of this Act,—

(a) the jurisdiction of the Lokayukta may be exercised by Benches thereof;

(b) a Bench may be constituted by the Chairperson with two or more Members as the Chairperson may deem fit;

(c) every Bench shall ordinarily consist of at least one Judicial Member and the senior member of that bench shall preside over the bench;

(d) where a Bench consists of the Chairperson, such Bench shall be presided over by the Chairperson.

(2) The Lokayukta shall notify the areas in relation to which each Bench of the Lokayukta may exercise jurisdiction.

(3) Notwithstanding anything contained in sub-section (2), the Chairperson shall have the power to constitute or reconstitute Benches, from time to time.

(4) If at any stage of the hearing of any case or matter, it appears to the Chairperson or a Member that the case or matter is of such nature that it ought to be heard by a Bench consisting of three or more Members, the case or matter may be transferred by the Chairperson or, as the case may be, referred to him for transfer, to such Bench as the Chairperson may deem fit.

Distribution of business amongst Benches.

16. Where Benches are constituted, the Chairperson may, from time to time, by notification, make provisions as to the distribution of the business of the Lokayukta amongst the benches and also provide for the matters which may be dealt with by each Bench.

Power of Chairperson to transfer cases.

17. On an application for transfer made by the complainant or the public servant, the Chairperson, after giving an opportunity of being heard to the complainant or the public servant, as the case may be, may transfer any case pending before one bench for disposal to any other Bench.

Decision to be by majority.

18. If the Members of a Bench consisting of an even number of Members differ in opinion on any point, they shall state the point or points on which they differ, and make a reference to the Chairperson who shall either hear the point or points himself or refer the case for hearing on such point or points by one or more of the other Members of the Lokayukta and such point or points shall be decided according to the opinion of the majority of the Members of the Lokayukta who have heard the case, including those who first heard it.

## CHAPTER - VI.

## PROCEDURE IN RESPECT OF PRELIMINARY INQUIRY AND DETAILED INQUIRY.

19. (1) The Lokayukta shall, on receipt of a complaint, first decide whether to proceed in the matter or close the same and if the Lokayukta decides to proceed further, it shall,—

Provisions relating to complaints and preliminary inquiry and detailed inquiry.

(a) order for a preliminary inquiry against any public servant referred to in clauses (a), (b) and (e) of sub-section (1) of section 12 by its Inquiry Wing or any agency of the Government to ascertain whether there exists a *prima-facie* case for proceeding in the matter;

(b) forward the complaint to the Vigilance Commission for conducting a preliminary inquiry in respect of public servants belonging to Group A, Group B, Group C and Group D in clauses (c) and (d) of sub-section (1) of section 12 to ascertain whether there exists a *prima-facie* case for proceeding in the matter:

Provided that the Vigilance Commission in respect of complaints referred to it under this clause, after making preliminary inquiry in respect of public servants belonging to Group A and Group B, shall submit its report to the Lokayukta in accordance with the provisions contained in sub-section (2) and in case of public servants belonging to Group C and Group D, the Commission shall proceed in accordance with the instructions and orders in force.

(2) The Inquiry Wing or any agency of the Government or the Vigilance Commission, as the case may be, shall conduct the preliminary inquiry referred to in sub-section (1), on the basis of material, information and documents collected, seek the comments on the allegations made in the complaint from the public servant and competent authority and after obtaining the comments of the concerned public servant and competent authority, submit, within sixty days from the date of receipt of the reference, a report to the Lokayukta.

(3) The Vigilance Commission may, for the purpose of conducting preliminary inquiry, utilise the service of the appropriate agency in accordance with the instructions and orders in force.

(4) A Bench consisting of not less than three Members of the Lokayukta shall consider every report received under sub-section (2) from the Inquiry Wing or any agency of the Government or Vigilance Commission and after giving an opportunity of being heard to the public servant, decide as to whether there exists a *prima-facie* case, and proceed with the following actions, namely:—

(a) order for a detailed inquiry in respect of public servants referred to in sub-section (1) of section 12 (other than the public servants belonging to Group C and Group D) by its Inquiry Wing or any agency of the Government;

(b) recommend for departmental action in respect of public servants belonging to Group A and Group B;

(c) closure of the proceedings against the public servant and take action to proceed against the complainant under section 35.

(5) In case the Lokayukta decides to proceed with a detailed inquiry into the complaint, it shall direct the Inquiry Wing or any agency of the Government to carry out the inquiry as expeditiously as possible and complete the inquiry within a period of six months from the date of its order:

Provided that the Lokayukta may extend the said period by a further period not exceeding six months at a time for the reasons to be recorded in writing.

(6) The Inquiry Wing or the agency of the Government so directed shall, in respect of cases referred to it by the Lokayukta, submit a detailed inquiry report to the Lokayukta.

(7) A Bench consisting of not less than three Members of the Lokayukta shall consider every report received by it under sub-section (6) from the Inquiry Wing or the agency so directed and may,-

(a) send a report to the competent authority in respect of the public servants referred to in sub-section (1) of section 12 (other than the public servants belonging to Group C and Group D) for appropriate action;

(b) order for closure of complaint.

(8) The Lokayukta may, during the preliminary inquiry or the detailed inquiry, as the case may be, pass appropriate orders for the safe custody of the documents relevant to the preliminary inquiry or, as the case may be, detailed inquiry, as it deems fit.

(9) The website of the Lokayukta shall, from time to time and in such manner as may be specified by regulations, display to the public, the status of number of complaints pending before it or disposed of by it.

(10) The Lokayukta may retain or cause to retain the original records and evidences, which are likely to be required in the process of preliminary inquiry or detailed inquiry.

(11) Save as otherwise provided, the manner and procedure of conducting a preliminary inquiry or detailed inquiry (including such material and documents to be made available to the public servant) under this Act, shall be such as may be specified.

20. If, at any stage of the proceeding, the Lokayukta,—

Persons likely to be prejudicially affected to be heard.

(a) considers it necessary to inquire into the conduct of any person other than the person against whom a complaint is filed; or

(b) is of opinion that the reputation of any person other than the person against whom a complaint is filed is likely to be prejudicially affected by the inquiry, the Lokayukta shall give to that person a reasonable opportunity of being heard in the inquiry and to produce evidence in his defence, consistent with the principles of natural justice.



21. Subject to the provisions of this Act, for the purpose of any preliminary inquiry or detailed inquiry, the Lokayukta or the Director of inquiry, as the case may be, may require any public servant or any other person who, in its opinion, is able to furnish information or produce documents relevant to such preliminary inquiry or detailed inquiry, to furnish any such information or produce any such document.

Lokayukta may require any public servant or any other person to furnish information, etc.,

22. No sanction or approval of any authority shall be required by the Lokayukta for the purpose of making preliminary inquiry or detailed inquiry by the Inquiry Wing or Vigilance Commission or any agency of the Government on any complaint filed before it against any public servant.

Previous sanction not necessary for inquiry.

## CHAPTER – VII.

### POWERS OF LOKAYUKTA.

23. The Lokayukta shall, notwithstanding anything contained in any other law for the time being in force, have the powers of superintendence and direction over the Director of inquiry in respect of the matters in so far as they relate to the inquiry under this Act.

Supervisory powers of Lokayukta.

Central Act V of 1908.

24. (1) Subject to the provisions of this section, for the purpose of any inquiry, the Inquiry Wing of the Lokayukta shall have all the powers of a civil court, under the Code of Civil Procedure, 1908, while trying a suit in respect of the following matters, namely:—

Lokayukta to have powers of civil court in certain cases.

(a) summoning and enforcing the attendance of any person and examining him on oath;

(b) requiring the discovery and production of any document;

(c) receiving evidence on affidavits;

(d) requisitioning any public record or copy thereof from any court or office;

(e) issuing commissions for the examination of witnesses or documents:

Provided that such commission, in case of a witness, shall be issued only where the witness, in the opinion of the Lokayukta, is not in a position to attend the proceeding before the Lokayukta; and

(f) such other matters as may be prescribed.

Central Act XLV of 1860.

(2) Any proceeding before the Lokayukta shall be deemed to be a judicial proceeding within the meaning of section 193 of the Indian Penal Code.

25. (1) The Lokayukta may, for the purpose of conducting any preliminary inquiry or detailed inquiry, utilize the services of any officer or agency of the Government with the approval of the Government.

Power of Lokayukta to utilise services of officers of Government.

(2) For the purpose of preliminary inquiry or detailed inquiry, any officer or agency whose services are utilized under sub-section (1) may, subject to the direction and control of the Lokayukta,—

- (a) summon and enforce the attendance of any person and examine him;
- (b) require the discovery and production of any document; and
- (c) request any public record or copy thereof from any officer.

(3) The officer or agency whose services are utilised under sub-section (1) shall inquire into any matter pertaining to the preliminary inquiry or detailed inquiry and submit a report thereon to the Lokayukta within such period as may be specified by it in this behalf.

Power of Lokayukta to recommend transfer or suspension of public servant connected with allegation of corruption.

26. (1) Where the Lokayukta, while making a preliminary inquiry into allegations of corruption, is *prima facie* satisfied, on the basis of evidence available, that—

- (a) the continuance of the public servant referred to in clause (c) or clause (d) of sub-section (1) of section 12 in his post while conducting the preliminary inquiry is likely to affect such preliminary inquiry adversely; or
- (b) the public servant referred to in clause (a) is likely to destroy or in any way tamper with the evidence or influence witnesses,

then, the Lokayukta may recommend to the Government for transfer or suspension of such public servant from the post held by him till such period as may be specified in the order.

(2) The Government shall ordinarily accept the recommendation of the Lokayukta made under sub-section (1), except for the reasons to be recorded in writing in a case where it is not feasible to do so for administrative reasons.

Power of Lokayukta to give directions to prevent destruction of records during preliminary inquiry.

27. The Lokayukta may, in discharge of its functions under this Act, issue appropriate directions to a public servant entrusted with the preparation or custody of any document or record—

- (a) to protect such document or record from destruction or damage; or
- (b) to prevent the public servant from altering or secreting such document or record; or
- (c) to prevent the public servant from transferring or alienating any assets allegedly acquired by him through corrupt means.

28. The Lokayukta may, by general or special order in writing, and subject to such conditions and limitations as may be specified therein, direct that any administrative or financial power conferred on it may also be exercised or discharged by such of its members or officers or employees as may be specified in the order.

Power to delegate.

#### CHAPTER – VIII.

#### COMPLAINTS AGAINST CHAIRPERSON, MEMBERS AND OFFICIALS OF LOKAYUKTA.

29. (1) The Lokayukta shall not inquire into any complaint made against the Chairperson or any Member.

Removal and suspension of Chairperson and Members of Lokayukta.

(2) Subject to the provisions of sub-section (4), the Chairperson or any Member shall be removed from his office by order of the Governor on grounds of misbehavior, after the High Court, on a reference being made to it by the Governor on a petition signed by at least forty-five Members of the Legislative Assembly, has, on an inquiry held by the High Court in that behalf, reported that the Chairperson or such Member, as the case may be, ought to be removed on such ground.

(3) The Governor may suspend from office, the Chairperson or any Member in respect of whom a reference has been made to the High Court under sub-section (2), on receipt of the recommendation or interim order made by the High Court in this regard until the Governor has passed orders on receipt of the final report of the High Court on such reference.

(4) Notwithstanding anything contained in sub-section (2), the Governor may, by order, remove from the office, the Chairperson or any Member, if the Chairperson or such Member, as the case may be,—

(a) is adjudged an insolvent; or

(b) engages himself during his term of office, in any paid employment outside the duties of his office; or

(c) is, in the opinion of the Governor, unfit to continue in office by reason of infirmity of mind or body.

(5) If the Chairperson or any Member is, or becomes, in any way concerned or interested in any contract or agreement made by or on behalf of the Government of India or the Government of Tamil Nadu or participates in any way in the profit thereof or in any benefit or emolument arising therefrom otherwise than as a member and in common with the other members of an incorporated company, he shall, for the purposes of sub-section (2), be deemed to be guilty of misbehaviour.

Central Act  
49 of 1988.

30. (1) Every complaint of allegation or wrong doing made against any officer or employee or agency under or associated with the Lokayukta for an offence punishable under the Prevention of Corruption Act, 1988 shall be dealt with in accordance with the provisions of this section.

Complaints against officials of Lokayukta.

(2) The Lokayukta shall complete the inquiry into the complaint or allegation made within a period of thirty days from the date of its receipt.

(3) While making an inquiry into the complaint against any officer or employee of the Lokayukta or agency engaged or associated with the Lokayukta, if it is *prima facie* satisfied on the basis of evidence available, that—

(a) continuance of such officer or employee of the Lokayukta or agency engaged or associated in his post while conducting the inquiry is likely to affect such inquiry adversely; or

(b) an officer or employee of the Lokayukta or agency engaged or associated is likely to destroy or in any way tamper with the evidence or influence witnesses,

then, the Lokayukta may, by order, suspend such officer or employee of the Lokayukta or divest such agency engaged or associated with the Lokayukta of all powers and responsibilities hereto before exercised by it .

(4) On completion of the inquiry, if the Lokayukta is satisfied that there is *prima facie* evidence of the commission of an offence under the Prevention of Corruption Act, 1988, or of any wrong doing, it shall, within a period of fifteen days of the completion of such inquiry, sent its report to the Vigilance Commission of the State for appropriate action on such officer or employee of the Lokayukta or such officer, employee, agency engaged or associated with the Lokayukta and initiate disciplinary proceedings against the official concerned:

Central Act 49 of  
1988.

Provided that no such order shall be passed without giving such officer or employee of the Lokayukta, or agency so engaged or associated, a reasonable opportunity of being heard.

## CHAPTER - IX.

### FINANCE, ACCOUNTS AND AUDIT.

Budget.

31. The Lokayukta shall prepare, in such form and at such time in each financial year as may be prescribed, its budget for the next financial year, showing the estimated receipts and expenditure of the Lokayukta and forward the same to the Government.

Grants by  
Government.

32. The Government may, after due appropriation made by the Legislative Assembly of the State by law in this behalf, make to the Lokayukta grants of such sums of money as are required to be paid for the salaries and allowances payable to the Chairperson and Members and the administrative expenses, including the salaries and allowances and pension payable to or in respect of officers and other employees of the Lokayukta.

Annual statement  
of accounts.

33. (1) The Lokayukta shall maintain proper accounts and other relevant records and prepare an annual statement of accounts in such form as may be prescribed in consultation with the Accountant General of Tamil Nadu.

(2) The accounts of the Lokayukta shall be audited by the Accountant General of Tamil Nadu at such intervals as may be specified by him.

(3) The Accountant General of Tamil Nadu or any person appointed by him in connection with the audit of the accounts of the Lokayukta under this Act shall have the same rights, privileges and authority in connection with such audit, as the Accountant General of Tamil Nadu generally has, in connection with the audit of the Government accounts and, in particular, shall have the right to demand the production of books, accounts, connected vouchers and other documents and papers and to inspect any of the offices of the Lokayukta.

(4) The accounts of the Lokayukta, as certified by the Accountant General of Tamil Nadu or any other person appointed by him in this behalf, together with the audit report thereon, shall be forwarded annually to the Government and the Government shall cause the same to be laid before the Legislative Assembly of the State.

Furnishing of returns etc., to Government.

34. The Lokayukta shall furnish to the Government, at such time and in such form and manner as may be prescribed or as the Government may request, such returns and statements and such particulars in regard to any matter under the jurisdiction of the Lokayukta, as the Government may, from time to time, require.

Furnishing of returns etc., to Government.

#### CHAPTER - X.

#### ACTION ON FALSE COMPLAINTS.

35. (1) Notwithstanding anything contained in this Act, whoever makes any false and frivolous or vexatious complaint under this Act shall, on conviction, be punished with imprisonment for a term which may extend to one year and with fine which may extend to one lakh rupees.

Prosecution for false complaint and payment of compensation, etc., to public servant.

(2) No Court shall take cognizance of an offence under sub-section (1) except on a complaint made by a person against whom the false, frivolous or vexatious complaint was made or by an officer authorised by the Lokayukta.

(3) The prosecution in relation to an offence under sub-section (1) shall be conducted by the public prosecutor and all expenses connected with such prosecution shall be borne by the Government.

(4) In case of conviction of a person being an individual or Society or Association of persons or Trust (whether registered or not) for having made a false complaint under this Act, such person shall be liable to pay compensation to the public servant against whom he made the false complaint in addition to the legal expenses for contesting the case by such public servant, as the Court may determine.

(5) Nothing contained in this section shall apply in case of complaints made in good faith.

Central Act XLV of 1860.

*Explanation.*— For the purpose of this sub-section, the expression “good faith” means any act believed or done by a person in good faith with due care, caution and sense of responsibility or by mistake of fact believing himself justified by law under section 79 of the Indian Penal Code, 1860.

False complaint made by society or association of persons or trust.

36. (1) Where any offence under sub-section (1) of section 35 has been committed by any Society or Association of persons or Trust (whether registered or not), every person who, at the time the offence was committed, was directly in charge of, and was responsible to, the Society or Association of persons or Trust, for the conduct of the business or affairs or activities of the society or Association of persons or Trust as well as such Society or Association of persons or Trust shall be deemed to be guilty of the offence and shall be liable to be proceeded against and punished accordingly:

Provided that nothing contained in this sub-section shall render any such person liable to any punishment provided in this Act, if he proves that the offence was committed without his knowledge or that he had exercised all due diligence to prevent the commission of such offence.

(2) Notwithstanding anything contained in sub-section (1), where an offence under this Act has been committed by a Society or Association of persons or Trust (whether registered or not) and it is proved that the offence has been committed with the consent or connivance of, or is attributable to any neglect on the part of, any Director, Manager, Secretary or other officer of such Society or Association of persons or Trust, such Director, Manager, Secretary or other officer shall also be deemed to be guilty of that offence and shall be liable to be proceeded against and punished accordingly.

#### CHAPTER - XI.

#### MISCELLANEOUS.

Protection of action taken in good faith by any public servant.

37. No suit, prosecution or other legal proceedings under this Act shall lie against any public servant, in respect of anything which is done in good faith or intended to be done in the discharge of his official functions or in exercise of his powers.

Protection of action taken in good faith by others.

38. No suit, prosecution or other legal proceedings shall lie against the Lokayukta or against any officer, employee, agency or any person, in respect of anything which is done in good faith or intended to be done under this Act or the rules or the regulations made thereunder.

Members, officers and employees of Lokayukta to be public servants.

39. The Chairperson, Members, officers and other employees of the Lokayukta shall be deemed, when acting or purporting to act in pursuance of any of the provisions of this Act, to be public servants within the meaning of section 21 of the Indian Penal Code, 1860.

Central Act XLV of 1860.

Limitation to apply.

40. The Lokayukta shall not inquire into any complaint, if the complaint is not made within a period of four years from the date on which the offence mentioned in such complaint is alleged to have been committed.

Bar of Jurisdiction.

41. No Civil Court shall have jurisdiction in respect of any matter which the Lokayukta is empowered by or under this Act to determine.

Legal assistance.

42. The Lokayukta shall provide to every person against whom a complaint has been made, before it, under this Act, legal assistance to defend his case before the Lokayukta, if such assistance is requested for.

Act to have overriding effect.

43. 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.

44. (1) The Government may, by notification, make rules to carry out the provisions of this Act. Power to make rules.

(2) In particular, and without prejudice to the generality of the foregoing powers, such rules may provide for all or any of the following matters, namely:—

(a) the form of complaint referred to in clause (d) of sub-section (1) of section 2;

(b) term of Search Committee, fees and allowances payable to its Members and the manner of selection of panel of names under sub-section (5) of section 4;

(c) appointment in respect of any post or posts under the proviso to sub-section (3) of section 9;

(d) conditions of service of Secretary and other officers and staff of the Lokayukta under sub-section (4) of section 9;

(e) other matters for which the Lokayukta shall have the powers of a Civil Court under clause (f) of sub-section (1) of section 24;

(f) the form and the time for preparing in each financial year the budget for the next financial year, showing the estimated receipts and expenditure of the Lokayukta under section 31;

(g) the form for maintaining the accounts and other relevant records and the form of annual statement of accounts under sub-section (1) of section 33;

(h) the form and manner and the time for preparing the returns and statements along with particulars under section 34;

(i) any other matter which is to be or may be prescribed.

(3) All rules made and notification issued 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.

(4) Every rule, notification or order made or 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 in the next session, the Legislative Assembly makes any modification in any such rule, notification or order or the Legislative Assembly decides that the rule, notification or order should not be made or issued, the rule, 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, notification or order.

45. (1) Subject to the provisions of this Act and the rules made thereunder, the Lokayukta may, by notification, make regulations to carry out the provisions of this Act. Power to make regulations.

(2) In particular, and without prejudice to the generality of the foregoing powers, such regulations may provide for all or any of the following matters, namely:—

(a) the manner for displaying on the website of the Lokayukta, the status of all complaints pending or disposed of along with records and evidence with reference thereto under sub-section (9) of section 19; and

(b) any other matter which is required to be, or may be, specified under this Act.

Power to remove difficulties.

46. (1) If any difficulty arises in giving effect to the provisions of this Act, the Government may, by an order published in the *Tamil Nadu Government Gazette*, make such provisions not inconsistent with the provisions of this Act as appear to them to be necessary or expedient for removing such difficulty:

Provided that no such order shall be made after the expiry of three years from the date of commencement of this Act.

(2) Every order made under this section shall be laid, as soon as may be, after it is made, before the Legislative Assembly.



**STATEMENT OF OBJECTS AND REASONS.**

The Government of India enacted the Lokpal and Lokayuktas Act, 2013 (Central Act 1 of 2014). Section 63 of the said Central Act 1 of 2014 provides that, every State has to establish an institution called Lokayukta. Accordingly, the Government have decided to establish Lokayukta for the State of Tamil Nadu to inquire into allegations of corruption against public servants.

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

**D.JAYAKUMAR,**  
*Minister for Fisheries, Personnel and  
Administrative Reforms Department.*

**MEMORANDUM REGARDING DELEGATED LEGISLATION.**

Clauses 1 (2), 2 (c), and 2 (d), 3, 4, 8, 9, 12, 15, 16, 24, 28, 31, 33, 34, 44, 45 and 46 of the Bill authorize the Government and the Lokayukta, to issue notifications or orders or to make rules or to make regulations, as the case may be, to carry out the purposes specified therein.

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

**D.JAYAKUMAR,**

*Minister for Fisheries, Personnel and  
Administrative Reforms Department.*

**FINANCIAL MEMORANDUM**

The Tamil Nadu Lokayukta Bill, 2018, when enacted and brought into operation, would involve expenditure from the Consolidated Fund of the State in the implementation of the Act. It is however not possible at this stage to estimate with any degree of accuracy the expenditure that is to be incurred as a result of the proposed legislation.

**D.JAYAKUMAR,**  
*Minister for Fisheries, Personnel and  
Administrative Reforms Department.*

K. SRINIVASAN,  
*Secretary.*



Under Rule 130 of the Tamil Nadu Legislative Assembly Rules, the following Bill which was introduced in the Legislative Assembly of the State of Tamil Nadu on 9th July, 2018 is published together with Statement of Objects and Reasons for general information:—

**L.A. Bill No. 45 of 2018**

***A Bill further to amend the Tamil Nadu National Law School Act, 2012.***

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

	1. (1) This Act may be called the Tamil Nadu National Law School (Amendment) Act, 2018.	Short title and commencement
	(2) It shall come into force at once.	
Tamil Nadu Act 9 of 2012.	2. In the long title to the Tamil Nadu National Law School Act, 2012 (herein after referred to as the principal Act), for the expression "National Law School", the expression "National Law University" shall be substituted.	Amendment of Long Title.
	3. In section 1 of the principal Act, for sub-section (1), the following sub-section shall be substituted, namely:-	Amendment of Section 1.
	“(1) This Act may be called the Tamil Nadu National Law University Act, 2012.”.	
	4. In section 2 of the principal Act,	Amendment of Section 2.
	(1) clause (m) shall be omitted.	
	(2) after clause (o), the following clause shall be inserted, namely;	
	“(oo) “University” means the Tamil Nadu National Law University;”.	
	5. In the principal Act, for the expression "School", wherever it occurs, the expression "University" shall be substituted.	Substitution of the expression "School".
	6. References to "Tamil Nadu National Law School" and " Tamil Nadu National Law School Act " in any Act or in any rule, notification, proceedings, order, regulation, by-law or other instruments made or continued in force under the Principal Act shall be construed as references to "Tamil Nadu National Law University" and "Tamil Nadu National Law University Act" respectively.	Construction of references to "The Tamil Nadu National Law School" and " Tamil Nadu National Law School Act".

**STATEMENT OF OBJECTS AND REASONS**

The Government of Tamil Nadu have enacted the Tamil Nadu National Law School Act, 2012 (Tamil Nadu Act 9 of 2012) to provide for the establishment and incorporation of National Law School in the State of Tamil Nadu to provide quality legal education.

2. At present around 22 National Law Universities have been set up in various States of India by various State legislation. All the said Universities have the term "National Law University" in their title which indicates their status as a National Law University. But, the Tamil Nadu National Law School does not have the term "National Law University" in its title. As a result there is some hesitation in the public mind in identifying it as a University and particularly as a National Law University.

3. In view of above, the Government have decided to amend the Tamil Nadu National Law School Act, 2012 so as to change the name of the said institution as "Tamil Nadu National Law University" and also to replace the term "School" as "University".

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

**C.Ve. SHANMUGAM,**  
*Minister for Law, Courts and Prisons.*

K. SRINIVASAN,  
*Secretary.*

Under Rule 130 of the Tamil Nadu Legislative Assembly Rules, the following Bill which was introduced in the Legislative Assembly of the State of Tamil Nadu on 9th July, 2018 is published together with Statement of Objects and Reasons for general information:—

**L.A. Bill No. 46 of 2018**

***A Bill further to amend the Chennai City Civil Court Act, 1892***

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

1. (1) This Act may be called the Chennai City Civil Court (Amendment) Act, 2018.

Short title  
and commen-  
cement

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

Central Act  
VII of  
1892

2. In section 3-A of the Chennai City Civil Court Act, 1892, (hereinafter referred to as the principal Act), for the expression "ten lakhs of rupees", the expression "one crore rupees" shall be substituted.

Amendment of  
section 3-A

3. In section 4 of the principal act, in sub-section(2), for the expression "twenty-five lakh rupees", the expression "one crore rupees" shall be substituted/

Amendment of  
section 4

4. All suits pending in the High Court on the date of commencement of this Act and which would be within the cognizance of the Chennai City Civil Court under the provisions of the principal Act, as amended by this Act, shall stand transferred to the Chennai City Civil Court.

Transitory  
Provision

**STATEMENT OF OBJECTS AND REASONS.**

The Registrar General, High Court of Madras has brought to the notice of the Government that owing to escalation of values of immovable properties and expansion of commercial activities in Chennai City, the High Court at the Original Side is over-flooded with cases and that it is high-time that the pecuniary jurisdiction of the City Civil Court should be enhanced suitably. The Registrar General, High Court of Madras has, therefore, recommended for the enhancement of the pecuniary jurisdiction of the City Civil Court from twenty five lakhs to one crore rupees. The Government have accepted the above said recommendations of the Registrar General, High Court, Madras and decided to amend the Chennai City Civil Court Act, 1892(Central Act VII of 1892) suitably for the purpose.

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

**C.Ve. SHANMUGAM,**  
*Minister for Law, Courts and Prisons.*

K.SRINIVASAN,  
Secretary.



Under Rule 130 of the Tamil Nadu Legislative Assembly Rules, the following Bill which was introduced in the Legislative Assembly of the State of Tamil Nadu on 9th July, 2018 is published together with Statement of Objects and Reasons for general information:—

**L.A. Bill No. 47 of 2018**

***A Bill to provide for the appropriation of moneys out of the Consolidated Fund of the State for the services and purposes of the financial year commenced on the 1st day of April 2018.***

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

1. This Act may be called the Tamil Nadu Appropriation (No.3) Act, 2018.

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 commenced on the 1st day of April 2018, a sum not exceeding Two lakh forty three thousand eight hundred forty seven crore twenty six lakh and twenty two thousand rupees, which shall be inclusive of the sum of One lakh fifty thousand sixty one crore fifteen lakh and twenty five thousand rupees specified in section 2 of the Tamil Nadu Appropriation (Vote on Account) Act, 2018, being moneys required to meet-

Appropriation out of the Consolidated Fund of the State for the services and purposes of the financial year commenced on the 1st day of April 2018.

Tamil Nadu  
Act 16 of  
2018.

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

(b) the 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)	(4)	(5)	
		₹	₹	₹	
1	STATE LEGISLATURE	Revenue Capital	84,20,07,000 ...	72,71,000 ...	84,92,78,000 ...
		Loan	1,000	...	1,000
2	GOVERNOR AND COUNCIL OF MINISTERS	Revenue Capital	38,15,67,000 ...	12,45,25,000 ...	50,60,92,000 ...
		Loan	...	...	...
3	ADMINISTRATION OF JUSTICE	Revenue Capital	970,20,87,000 ...	227,74,30,000 ...	1,197,95,17,000 ...
		Loan	...	...	...
4	ADI-DRAVIDAR AND TRIBAL WELFARE DEPARTMENT	Revenue Capital	3,394,90,41,000 140,74,96,000	14,00,03,000 ...	3,408,90,44,000 140,74,96,000
		Loan	1,000	...	1,000
5	AGRICULTURE DEPARTMENT	Revenue Capital	8,323,87,22,000 461,87,96,000	4,000 ...	8,323,87,26,000 461,87,96,000
		Loan	130,50,00,000	...	130,50,00,000
6	ANIMAL HUSBANDRY (Animal Husbandry, Dairying and Fisheries Department)	Revenue Capital	1,171,10,65,000 56,33,58,000	3,000 ...	1,171,10,68,000 56,33,58,000
		Loan	25,00,000	...	25,00,000
7	FISHERIES (Animal Husbandry, Dairying and Fisheries Department)	Revenue Capital	733,00,88,000 283,52,09,000	1,000 ...	733,00,89,000 283,52,09,000
		Loan	...	...	...
8	DAIRY DEVELOPMENT (Animal Husbandry, Dairying and Fisheries Department)	Revenue Capital	65,82,30,000 65,00,01,000	1,000 ...	65,82,31,000 65,00,01,000
		Loan	...	...	...
9	BACKWARD CLASSES, MOST BACKWARD CLASSES AND MINORITIES WELFARE DEPARTMENT	Revenue Capital	976,14,10,000 22,78,06,000	1,50,10,000 ...	977,64,20,000 22,78,06,000
		Loan	1,000	...	1,000
10	COMMERCIAL TAXES (Commercial Taxes and Registration Department)	Revenue Capital	366,32,09,000 ...	3,000 ...	366,32,12,000 ...
		Loan	1,000	...	1,000

Demand Number	Services and Purposes	Sums not exceeding			
		Voted by the Legislative Assembly	Charged on the Consolidated Fund of the State	Total	
		(3)	(4)	(5)	
(1)	(2)	₹	₹	₹	
11	STAMPS AND REGISTRATION (Commercial Taxes and Registration Department)	<b>Revenue</b>	304,98,76,000	1,000	304,98,77,000
		<b>Capital</b>	...	...	...
		<b>Loan</b>	...	...	...
12	CO-OPERATION (Co-operation, Food and Consumer Protection Department)	<b>Revenue</b>	1,732,38,68,000	3,000	1,732,38,71,000
		<b>Capital</b>	60,31,33,000	...	60,31,33,000
		<b>Loan</b>	12,37,82,000	...	12,37,82,000
13	FOOD AND CONSUMER PROTECTION (Co-operation, Food and Consumer Protection Department)	<b>Revenue</b>	6,164,77,53,000	4,000	6,164,77,57,000
		<b>Capital</b>	133,96,40,000	...	133,96,40,000
		<b>Loan</b>	...	...	...
14	ENERGY DEPARTMENT	<b>Revenue</b>	8,334,02,11,000	1,000	8,334,02,12,000
		<b>Capital</b>	482,65,01,000	...	482,65,01,000
		<b>Loan</b>	931,21,06,000	...	931,21,06,000
15	ENVIRONMENT (Environment and Forests Department)	<b>Revenue</b>	15,69,03,000	1,000	15,69,04,000
		<b>Capital</b>	13,18,00,000	...	13,18,00,000
		<b>Loan</b>	20,00,01,000	...	20,00,01,000
16	FINANCE DEPARTMENT	<b>Revenue</b>	1,003,32,51,000	5,000	1,003,32,56,000
		<b>Capital</b>	770,00,00,000	...	770,00,00,000
		<b>Loan</b>	131,22,04,000	...	131,22,04,000
17	HANDLOOMS AND TEXTILES (Handlooms, Handicrafts, Textiles and Khadi Department)	<b>Revenue</b>	1,239,22,40,000	1,000	1,239,22,41,000
		<b>Capital</b>	50,01,000	...	50,01,000
		<b>Loan</b>	1,00,07,000	...	1,00,07,000
18	KHADI, VILLAGE INDUSTRIES AND HANDICRAFTS (Handlooms, Handicrafts, Textiles and Khadi Department)	<b>Revenue</b>	227,45,71,000	2,000	227,45,73,000
		<b>Capital</b>	...	...	...
		<b>Loan</b>	1,000	...	1,000
19	HEALTH AND FAMILY WELFARE DEPARTMENT	<b>Revenue</b>	11,021,75,00,000	1,28,78,000	11,023,03,78,000
		<b>Capital</b>	304,55,41,000	...	304,55,41,000
		<b>Loan</b>	1,000	...	1,000
20	HIGHER EDUCATION DEPARTMENT	<b>Revenue</b>	4,241,96,73,000	2,000	4,241,96,75,000
		<b>Capital</b>	378,23,69,000	2,000	378,23,71,000
		<b>Loan</b>	2,000	...	2,000

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)	(4)	(5)
		₹	₹	₹
21	HIGHWAYS AND MINOR PORTS DEPARTMENT	<b>Revenue</b> 1,516,64,62,000	5,000	1,516,64,67,000
		<b>Capital</b> 9,557,00,86,000	2,000	9,557,00,88,000
		<b>Loan</b> 2,000	...	2,000
22	POLICE (Home, Prohibition and Excise Department)	<b>Revenue</b> 7,434,50,57,000	3,57,50,000	7,438,08,07,000
		<b>Capital</b> 434,50,05,000	...	434,50,05,000
		<b>Loan</b> 5,00,03,000	...	5,00,03,000
23	FIRE AND RESCUE SERVICES (Home, Prohibition and Excise Department)	<b>Revenue</b> 302,80,30,000	1,000	302,80,31,000
		<b>Capital</b> 44,78,38,000	...	44,78,38,000
		<b>Loan</b> 1,000	...	1,000
24	PRISONS (Home, Prohibition and Excise Department)	<b>Revenue</b> 306,80,01,000	6,000	306,80,07,000
		<b>Capital</b> 3,000	...	3,000
		<b>Loan</b> ...	...	...
25	MOTOR VEHICLES ACTS-ADMINISTRATION (Home, Prohibition and Excise Department)	<b>Revenue</b> 345,70,80,000	1,000	345,70,81,000
		<b>Capital</b> 1,000	...	1,000
		<b>Loan</b> ...	...	...
26	HOUSING AND URBAN DEVELOPMENT DEPARTMENT	<b>Revenue</b> 2,915,47,58,000	2,000	2,915,47,60,000
		<b>Capital</b> 889,29,15,000	...	889,29,15,000
		<b>Loan</b> 1,360,00,03,000	...	1,360,00,03,000
27	INDUSTRIES DEPARTMENT	<b>Revenue</b> 2,147,97,10,000	3,000	2,147,97,13,000
		<b>Capital</b> 6,000	...	6,000
		<b>Loan</b> 162,33,11,000	...	162,33,11,000
28	INFORMATION AND PUBLICITY (Tamil Development and Information Department)	<b>Revenue</b> 87,40,35,000	...	87,40,35,000
		<b>Capital</b> 20,00,00,000	...	20,00,00,000
		<b>Loan</b> ...	...	...
29	TOURISM - ART AND CULTURE (Tourism, Culture and Religious Endowments Department)	<b>Revenue</b> 110,87,29,000	7,000	110,87,36,000
		<b>Capital</b> 62,54,81,000	...	62,54,81,000
		<b>Loan</b> 1,000	...	1,000
30	STATIONERY AND PRINTING (Tamil Development and Information Department)	<b>Revenue</b> 122,44,05,000	9,03,000	122,53,08,000
		<b>Capital</b> 5,000	...	5,000
		<b>Loan</b> ...	...	...

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)	(4)	(5)	
		₹	₹	₹	
31	INFORMATION TECHNOLOGY DEPARTMENT	Revenue Capital Loan	158,11,30,000 ... 1,000	1,000 ... ...	158,11,31,000 ... 1,000
32	LABOUR AND EMPLOYMENT DEPARTMENT	Revenue Capital Loan	1,367,01,47,000 62,60,47,000 1,000	7,000 ... ...	1,367,01,54,000 62,60,47,000 1,000
33	LAW DEPARTMENT	Revenue Capital Loan	35,22,35,000 ... ...	1,000 ... ...	35,22,36,000 ... ...
34	MUNICIPAL ADMINISTRATION AND WATER SUPPLY DEPARTMENT	Revenue Capital Loan	8,912,92,68,000 6,343,97,09,000 505,13,57,000	3,000 ... ...	8,912,92,71,000 6,343,97,09,000 505,13,57,000
35	PERSONNEL AND ADMINISTRATIVE REFORMS DEPARTMENT	Revenue Capital Loan	102,78,32,000 1,000 50,00,000	66,62,97,000 ... ...	169,41,29,000 1,000 50,00,000
36	PLANNING, DEVELOPMENT AND SPECIAL INITIATIVES DEPARTMENT	Revenue Capital Loan	218,28,49,000 174,25,40,000 1,000	4,000 ... ...	218,28,53,000 174,25,40,000 1,000
37	PROHIBITION AND EXCISE (Home, Prohibition and Excise Department)	Revenue Capital Loan	120,75,10,000 ... ...	1,000 ... ...	120,75,11,000 ... ...
38	PUBLIC DEPARTMENT	Revenue Capital Loan	460,93,63,000 2,000 17,50,00,000	36,04,000 ... ...	461,29,67,000 2,000 17,50,00,000
39	BUILDINGS (Public Works Department)	Revenue Capital Loan	292,91,13,000 1,189,77,16,000 1,000	2,000 ... ...	292,91,15,000 1,189,77,16,000 1,000
40	IRRIGATION (Public Works Department)	Revenue Capital Loan	2,035,15,65,000 3,082,41,00,000 ...	2,000 10,00,09,000 ...	2,035,15,67,000 3,092,41,09,000 ...

Demand Number	Services and Purposes	Sums not exceeding			
		Voted by the Legislative Assembly	Charged on the Consolidated Fund of the State	Total	
		(3)	(4)	(5)	
(1)	(2)	₹	₹	₹	
41	REVENUE AND DISASTER MANAGEMENT DEPARTMENT	Revenue	5,934,20,21,000	13,000	5,934,20,34,000
		Capital	210,37,41,000	1,000	210,37,42,000
		Loan	1,000	...	1,000
42	RURAL DEVELOPMENT AND PANCHAYAT RAJ DEPARTMENT	Revenue	15,783,08,11,000	5,000	15,783,08,16,000
		Capital	2,086,85,02,000	...	2,086,85,02,000
		Loan	1,000	...	1,000
43	SCHOOL EDUCATION DEPARTMENT	Revenue	26,866,68,21,000	17,000	26,866,68,38,000
		Capital	339,19,64,000	...	339,19,64,000
		Loan	2,000	...	2,000
44	MICRO, SMALL AND MEDIUM ENTERPRISES DEPARTMENT	Revenue	446,63,28,000	1,000	446,63,29,000
		Capital	94,03,01,000	...	94,03,01,000
		Loan	1,000	...	1,000
45	SOCIAL WELFARE AND NUTRITIOUS MEAL PROGRAMME DEPARTMENT	Revenue	5,582,28,27,000	3,000	5,582,28,30,000
		Capital	29,34,01,000	...	29,34,01,000
		Loan	2,000	...	2,000
46	TAMIL DEVELOPMENT (Tamil Development and Information Department)	Revenue	52,56,90,000	3,000	52,56,93,000
		Capital	...	...	...
		Loan	1,000	...	1,000
47	HINDU RELIGIOUS AND CHARITABLE ENDOWMENTS (Tourism, Culture and Religious Endowments Department)	Revenue	266,16,61,000	3,00,00,000	269,16,61,000
		Capital	...	...	...
		Loan	...	...	...
48	TRANSPORT DEPARTMENT	Revenue	901,05,50,000	3,000	901,05,53,000
		Capital	791,28,87,000	...	791,28,87,000
		Loan	1,025,00,01,000	...	1,025,00,01,000
49	YOUTH WELFARE AND SPORTS DEVELOPMENT DEPARTMENT	Revenue	191,17,56,000	1,000	191,17,57,000
		Capital	...	...	...
		Loan	1,000	...	1,000
50	PENSION AND OTHER RETIREMENT BENEFITS	Revenue	27,480,71,26,000	19,64,92,000	27,500,36,18,000
		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)	(4)	(5)	
		₹	₹	₹	
51	RELIEF ON ACCOUNT OF NATURAL CALAMITIES	Revenue	786,01,30,000	2,000	786,01,32,000
		Capital	...	...	...
		Loan	...	...	...
52	DEPARTMENT FOR THE WELFARE OF DIFFERENTLY ABLED PERSONS	Revenue	537,05,97,000	1,000	537,05,98,000
		Capital	8,15,27,000	...	8,15,27,000
		Loan	1,000	...	1,000
53	DEPARTMENT OF SPECIAL PROGRAMME IMPLEMENTATION	Revenue	761,06,88,000	1,000	761,06,89,000
		Capital	...	...	...
		Loan	1,000	...	1,000
54	FORESTS (Environment and Forests Department)	Revenue	436,59,65,000	2,000	436,59,67,000
		Capital	163,87,60,000	...	163,87,60,000
		Loan	...	...	...
	DEBT CHARGES	Revenue	...	29,671,05,36,000	29,671,05,36,000
		Capital	...	...	...
		Loan	...	...	...
	PUBLIC DEBT - REPAYMENT	Revenue	...	...	...
		Capital	...	...	...
		Loan	...	15,325,87,66,000	15,325,87,66,000
	<b>Total</b>	Revenue	165,429,35,22,000	30,022,08,29,000	195,451,43,51,000
		Capital	28,757,91,89,000	10,00,14,000	28,767,92,03,000
		Loan	4,302,03,02,000	15,325,87,66,000	19,627,90,68,000
	<b>Grand Total</b>		198,489,30,13,000	45,357,96,09,000	243,847,26,22,000

**STATEMENT OF OBJECTS AND REASONS.**

This Bill is introduced in pursuance of clause (1) of Article 204 of the Constitution, to provide for the appropriation out of the Consolidated Fund of the State, of the moneys required to meet--

- the grants made by the Tamil Nadu Legislative Assembly for the financial year commenced on the 1st day of April 2018; and
- the expenditure *charged* on the said Fund of the State for that year.

**O. PANNEERSELVAM,**  
*Deputy Chief Minister.*

K. SRINIVASAN,  
*Secretary.*