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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 4th February, 2021 is published together with Statement of Objects and Reasons for general information:—

L.A. Bill No. 1 of 2021

***A Bill further to amend the Tamil Nadu Gaming Act, 1930, the
Chennai City Police Act, 1888 and the Tamil Nadu District
Police Act, 1859.***

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

PART – I.

PRELIMINARY.

Short title and commencement.

1. (1) This Act may be called the Tamil Nadu Gaming and Police Laws (Amendment) Act, 2021.

(2) (i) All sections except sections 2 and 8 shall be deemed to have come into force on the 21st November 2020.

(ii) Sections 2 and 8 shall come into force at once.

PART – II.

Substitution of sections 2 and 3.

AMENDMENTS TO THE TAMIL NADU GAMING ACT, 1930.

Tamil Nadu Act III of 1930.

2. In the Tamil Nadu Gaming Act, 1930 (hereinafter in this Part referred to as the 1930 Act), for sections 2 and 3, the following sections shall be substituted, namely:—

“2. Extent.— This Act extends to the whole of the State of Tamil Nadu.

3. Definitions.— In this Act, unless there is anything repugnant in the subject or context,—

(a) “common gaming-house” means any house, room, tent, enclosure, vehicle, vessel, cyber cafe or any place whatsoever in which instruments of gaming are kept or used for the profit or gain of the person owning, occupying, using or keeping such house, room, tent, enclosure, vehicle, vessel, cyber cafe or place, whether free of cost or by way of charge for the use of instruments of gaming or of the house, room, tent, enclosure, vehicle, vessel, cyber cafe or the place; and includes any house, room, tent, enclosure, vehicle, vessel, cyber cafe or place opened, kept or used or permitted to be opened, kept or used for the purpose of gaming;

(b) “gaming” does not include a lottery, but includes any game involving wagering or betting in person or in cyber space.

Explanation.— For the purposes of clause (b) and section 3-A, wagering or betting shall be deemed to comprise the collection or soliciting of bets, the receipt or distribution of winnings or prizes, in money or otherwise, including through electronic transfer of funds, in respect of any wager or bet, or any act which is intended to aid, induce, solicit or facilitate wagering or betting or such collection, soliciting, receipt, or distribution;

(c) “Government” means the State Government;

(d) "instruments of gaming" includes cards, dice, gaming table or cloth, board, computers, computer system, computer network, computer resource, any communication device or any other article used or intended to be used as a subject or means of gaming, any document or electronic record, used or intended to be used as a register or record or evidence of any gaming, the proceeds of any gaming, and any winnings or prizes in money or otherwise, including through electronic transfer of funds, distributed or intended to be distributed in respect of any gaming;

(e) the words 'computer', 'communication device', 'computer network', 'computer resource', 'computer system', 'cyber cafe', and 'electronic record' used in this Act shall have the respective meanings assigned to them in the Information Technology Act, 2000.

Central Act 21 of
2000.

3-A. Wagering or betting in cyber space.—

(1) No person shall wager or bet in cyberspace using computers, computer system, computer network, computer resource, any communication device or any other instrument of gaming by playing Rummy, Poker or any other game or facilitate or organize any such wager or bet in cyberspace.

(2) Whoever wagers or bets in cyberspace using computers, computer system, computer network, computer resource, any communication device or any other instrument of gaming by playing Rummy, Poker or any other game or facilitates or organizes any such wager or bet in cyberspace, shall be punished with imprisonment which may extend to two years or with fine not exceeding ten thousand rupees or with both."

3. In section 4 of the 1930 Act, in sub-section (1), in clauses (b), (c) and (d), after the expression "enclosure, vehicle, vessel", the expression "cyber cafe" shall be inserted. Amendment of section 4.

4. In section 5 of the 1930 Act, in sub-section (1), for the expression "not inferior to a Judicial Magistrate of the second class or any police officer not below the rank of Deputy Superintendent of Police", the expression "or any police officer not below the rank of Deputy Superintendent of Police or Assistant Commissioner of Police, as the case may be" shall be substituted. Amendment of section 5.

5. In section 6 of the 1930 Act, after the expression "Any cards, dice, gaming table or cloth, board", the expression "electronic record, computers, computer system, computer network, computer resource or any communication device" shall be inserted. Amendment of section 6.

6. In section 8 of the 1930 Act, for the expressions "five hundred rupees" and "three months", the expressions "ten thousand rupees" and "two years" shall, respectively, be substituted. Amendment of section 8.

7. In section 9 of the 1930 Act, for the expressions "two hundred rupees" and "one month", the expressions "five thousand rupees" and "six months" shall, respectively, be substituted. Amendment of section 9.

8. For section 11 of the 1930 Act, the following section shall be substituted, namely:— Substitution of section 11.

"11. Games of mere skill.— Notwithstanding anything contained in this Act, sections 3A and sections 5 to 10 shall apply to games of mere skill, if played for wager, bet, money or other stake."

9. In section 12 of the 1930 Act, for the expressions "one hundred rupees" and "three months", the expressions "five thousand rupees" and "six months" shall, respectively, be substituted. Amendment of section 12.

10. After section 13-A of the 1930 Act, the following section shall be inserted, namely:— Insertion of new section 13-B.

“13-B. Offences by companies.— (1) Where an offence under this Act has been committed by a company, every person who, at the time the offence was committed, was in-charge of, and was responsible to, the company for the conduct of the business of the company, as well as the company, 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, 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 company 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 the company, such director, manager, secretary or other officer shall be deemed to be guilty of that offence and shall be liable to be proceeded against and punished accordingly.

Explanation.— For the purposes of this section.—

(a) “company” means any body corporate and includes a firm or other association of individuals; and

(b) “director” in relation to a firm, means a partner in the firm.”.

PART – III.

AMENDMENTS TO THE CHENNAI CITY

POLICE ACT, 1888.

Tamil Nadu Act III of 1888.	11. In section 3 of the Chennai City Police Act, 1888 (hereinafter in this Part referred to as the 1888 Act), the definitions of ‘conviction’, ‘imprisonment’, ‘common gaming house’, ‘gaming’ and ‘instruments of gaming’ shall be omitted.	Amendment of section 3.
Amendment of section 79.	12. Sections 40-A, 42, 43, 44, 45, 46, 47, 48, 49, 49-A, 49-B, 50, 51 and 52 of the 1888 Act shall be omitted.	Omission of certain sections.
Insertion of new section 80-A.	13. In section 79 of the 1888 Act, for the expression “English, Tamil, Telugu and Hindustani”, the expression “English and Tamil” shall be substituted.	
	14. After section 80 of the 1888 Act, the following section shall be inserted, namely:—	
	<p>“80-A. Offences by companies.— (1) Where an offence under this Act has been committed by a company, every person who, at the time the offence was committed, was in-charge of, and was responsible to, the company for the conduct of the business of the company, as well as the company, shall be deemed to be guilty of the offence and shall be liable to be proceeded against and punished accordingly:</p> <p>Provided that nothing contained in this sub-section shall render any such person liable to any punishment, 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.</p>	

(2) Notwithstanding anything contained in sub-section (1), where an offence under this Act has been committed by a company 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 the company, such director, manager, secretary or other officer shall be deemed to be guilty of that offence and shall be liable to be proceeded against and punished accordingly.

Explanation.— For the purposes of this section.—

(a) “company” means any body corporate and includes a firm or other association of individuals; and

(b) “director” in relation to a firm, means a partner in the firm.”.

PART – IV.

AMENDMENT TO THE TAMIL NADU DISTRICT POLICE ACT, 1859.

Central Act XXIV of 1859.	15. In the Schedule to the Tamil Nadu District Police Act, 1859, the expressions “Definition of ‘imprisonment’, ‘gaming’, ‘Instruments of gaming’, ‘common gaming-house’ and ‘conviction’ in section 3” and “48, 50,” shall be omitted.	Omission of certain expressions.
Tamil Nadu Ordinance 11 of 2020.	16. (1) The Tamil Nadu Gaming and Police Laws (Amendment) Ordinance, 2020 is hereby repealed.	Repeal and Saving.
Tamil Nadu Act III of 1930.	(2) Notwithstanding such repeal, anything done or any action taken under the Tamil Nadu Gaming Act, 1930, the Chennai City Police Act, 1888 and the Tamil Nadu District Police Act, 1859, as amended by the said Ordinance, shall be deemed to have been done or taken under the respective Acts, as amended by this Act.	
Tamil Nadu Act III of 1888.		
Central Act XXIV of 1859.		

STATEMENT OF OBJECTS AND REASONS.

Gaming by means of cards, dice etc. in the form of betting or wagering has been banned in the cities of Chennai, Madurai, Coimbatore, Salem, Tiruchirapalli and Tirunelveli by the Chennai City Police Act, 1888 (Tamil Nadu Act III of 1888) read with Tamil Nadu Act 32 of 1987 and Tamil Nadu Act 51 of 1997 and in the rest of the State by the Tamil Nadu Gaming Act, 1930 (Tamil Nadu Act III of 1930). Playing games like Rummy, Poker etc, using computers or mobile phones, for money or other stakes, which are addictive in nature, had developed manifold, in the recent times. As a result, innocent people got cheated and incidents of suicide were reported. In order to prevent such incidents of suicide and protect innocent people from the evils of online gaming, it was decided to ban wagering or betting in cyber space by suitably amending the relevant enactments. Therefore, the Government decided to amend the Tamil Nadu Gaming Act, 1930 (Tamil Nadu Act III of 1930) and to extend its application throughout the State and to make consequential amendments to the Chennai City Police Act, 1888 (Tamil Nadu Act III of 1888) and the Tamil Nadu District Police Act, 1859 (Central Act XXIV of 1859).

2. Accordingly, the Tamil Nadu Gaming and Police Laws (Amendment) Ordinance, 2020 (Tamil Nadu Ordinance 11 of 2020) was promulgated by the Governor on the 20th November, 2020 and the same was published in the *Tamil Nadu Government Gazette* Extraordinary, dated the 21st November, 2020.

3. The Bill seeks to replace the above said Ordinance with certain modifications.

EDAPPADI K.PALANISWAMI,
Chief Minister .

Chennai-600 009,
4th February 2021.

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 4th February, 2021 is published together with Statement of Objects and Reasons for general information:—

L.A. Bill No. 2 of 2021

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

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

1. (1) This Act may be called the Tamil Nadu Co-operative Societies (Amendment) Act, 2021. Short title and commencement.

(2) It shall come into force at once.

Tamil Nadu Act 30 of 1983. 2. In section 81 of the Tamil Nadu Co-operative Societies Act, 1983 (hereinafter referred to as the principal Act), in sub-section (4), Amendment of section 81.

(i) for the expression “not exceeding three months”, the expression “not exceeding one month” shall be substituted;

(ii) for the expression “shall not exceed six months”, the expression “shall not exceed three months” shall be substituted.

3. In section 82 of the principal Act, in sub-section (4), —

(i) for the expression “not exceeding three months”, the expression “not exceeding one month” shall be substituted;

(ii) for the expression “shall not exceed six months”, the expression “shall not exceed three months” shall be substituted.

4. For the second proviso to sub-section (1) of section 87 of the principal Act, the following proviso shall be substituted, namely: — Amendment of section 87.

“ Provided further that the action commenced under this sub-section shall be completed within a period of three months from the date of such commencement or such further period or periods not exceeding one month at a time as the next higher authority may permit but such extended periods shall not exceed three months in the aggregate.”.

5. In section 90 of the principal Act, —

(1) in sub-section (1), in clause (d), after the expression “any other registered society”, the expression “or between the society and the liquidator of another registered society or between the liquidator of the registered society and the liquidator of another registered society” shall be inserted;

(2) in sub-section (9), in clause (a), in sub-clause (i), for the expression “a special officer”, the expression “an administrator” shall be substituted.

Amendment of section 90.

STATEMENT OF OBJECTS AND REASONS.

Sections 81 and 82 of the Tamil Nadu Co-operative Societies Act, 1983 (Tamil Nadu Act 30 of 1983) provide time limit of three months for completion of inquiry, inspection or investigation. The said sections also provide for further extension of time limit of six months in the aggregate as may be permitted by the next higher authority. Similarly, section 87 of the said Act provides time limit of six months for completion of the surcharge action and further extension of time limit of six months in the aggregate as may be permitted by the next higher authority. The Government considers that these time limits are too long and that in the interest of the societies, the fraud or misappropriation occurring in co-operative societies should be unearthed expeditiously and the recovery process of the loss sustained by the societies thereby, should be expedited.

2. Further, sub-section (1) of Section 90 of the said Tamil Nadu Act 30 of 1983, among others, provides for referring a dispute between the society and any other registered society to the Registrar for decision. The Government have now decided also to refer disputes between the society and liquidator of another registered society or between the liquidator of two registered societies to the Registrar for decision, on the lines of section 84 of the Multi-State Co-operative Societies Act, 2002 (Central Act 39 of 2002).

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

SELLUR K. RAJU,
Minister for Co-operation.

Chennai-600 009,
4th February 2021.

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 4th February, 2021 is published together with Statement of Objects and Reasons for general information:—

L.A. Bill No. 3 of 2021

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 Seventy-second Year of the Republic of India as follows:—

PART – I.

PRELIMINARY.

1. (1) This Act may be called the Tamil Nadu Municipal Laws (Amendment) Act, 2021. Short title and commencement.

(2) It shall be deemed to have come into force on the 30th day of December 2020.

PART – II.

AMENDMENT TO THE CHENNAI CITY MUNICIPAL CORPORATION ACT, 1919.

Tamil Nadu
Act IV of 1919.

2. In section 414-B of the Chennai City Municipal Corporation Act, 1919, for the expression “upto the 31st day of December 2020”, the expression “upto the 30th day of June 2021” shall be substituted. Amendment of section 414-B.

PART – III.

AMENDMENT TO THE TAMIL NADU DISTRICT MUNICIPALITIES ACT, 1920.

Tamil Nadu
Act V of 1920.

3. In section 375-B of the Tamil Nadu District Municipalities Act, 1920, for the expression “upto the 31st day of December 2020”, the expression “upto the 30th day of June 2021” shall be substituted. Amendment of section 375-B.

PART – IV.

AMENDMENT TO THE MADURAI CITY MUNICIPAL CORPORATION ACT, 1971.

Tamil Nadu
Act 15 of 1971.

4. In section 510-AAA of the Madurai City Municipal Corporation Act, 1971, for the expression “upto the 31st day of December 2020”, the expression “upto the 30th day of June 2021” shall be substituted. Amendment of section 510-AAA.

PART – V.

AMENDMENT TO THE COIMBATORE CITY MUNICIPAL CORPORATION ACT, 1981.

Tamil Nadu
Act 25 of 1981.

5. In section 511-AAA of the Coimbatore City Municipal Corporation Act, 1981, for the expression “upto the 31st day of December 2020”, the expression “upto the 30th day of June 2021” shall be substituted. Amendment of section 511-AAA.

PART – VI.**AMENDMENT TO THE TIRUCHIRAPPALLI CITY MUNICIPAL CORPORATION ACT, 1994.**

Amendment of section 10-A.	6. In section 10-A of the Tiruchirappalli City Municipal Corporation Act, 1994, for the expression “upto the 31st day of December 2020”, the expression “upto the 30th day of June 2021” shall be substituted.	Tamil Nadu Act 27 of 1994.
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PART – VII.**AMENDMENT TO THE TIRUNELVELI CITY MUNICIPAL CORPORATION ACT, 1994.**

Amendment of section 10-A.	7. In section 10-A of the Tirunelveli City Municipal Corporation Act, 1994, for the expression “upto the 31st day of December 2020”, the expression “upto the 30th day of June 2021” shall be substituted.	Tamil Nadu Act 28 of 1994.
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PART – VIII.**AMENDMENT TO THE SALEM CITY MUNICIPAL CORPORATION ACT, 1994.**

Amendment of section 10-A.	8. In section 10-A of the Salem City Municipal Corporation Act, 1994, for the expression “upto the 31st day of December 2020”, the expression “upto the 30th day of June 2021” shall be substituted.	Tamil Nadu Act 29 of 1994.
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PART – IX.**AMENDMENT TO THE TIRUPPUR CITY MUNICIPAL CORPORATION ACT, 2008.**

Amendment of section 9-A.	9. In section 9-A of the Tiruppur City Municipal Corporation Act, 2008, for the expression “upto the 31st day of December 2020”, the expression “upto the 30th day of June 2021” shall be substituted.	Tamil Nadu Act 7 of 2008.
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PART – X.**AMENDMENT TO THE ERODE CITY MUNICIPAL CORPORATION ACT, 2008.**

Amendment of section 9-A.	10. In section 9-A of the Erode City Municipal Corporation Act, 2008, for the expression “upto the 31st day of December 2020”, the expression “upto the 30th day of June 2021” shall be substituted.	Tamil Nadu Act 8 of 2008.
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PART – XI.**AMENDMENT TO THE VELLORE CITY MUNICIPAL CORPORATION ACT, 2008.**

Amendment of section 9-A.	11. In section 9-A of the Vellore City Municipal Corporation Act, 2008, for the expression “upto the 31st day of December 2020”, the expression “upto the 30th day of June 2021” shall be substituted.	Tamil Nadu Act 26 of 2008.
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PART – XII.**AMENDMENT TO THE THOOTHUKUDI CITY MUNICIPAL CORPORATION ACT, 2008.**

Tamil Nadu Act 27 of 2008.	12. In section 9-A of the Thoothukudi City Municipal Corporation Act, 2008, for the expression “upto the 31st day of December 2020”, the expression “upto the 30th day of June 2021” shall be substituted.	Amendment of section 9-A.
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PART – XIII.**AMENDMENT TO THE THANJAVUR CITY MUNICIPAL CORPORATION ACT, 2013.**

Tamil Nadu Act 24 of 2013.	13. In section 9-A of the Thanjavur City Municipal Corporation Act, 2013, for the expression “upto the 31st day of December 2020”, the expression “upto the 30th day of June 2021” shall be substituted.	Amendment of section 9-A.
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PART – XIV.**AMENDMENT TO THE DINDIGUL CITY MUNICIPAL CORPORATION ACT, 2013.**

Tamil Nadu Act 25 of 2013.	14. In section 9-A of the Dindigul City Municipal Corporation Act, 2013, for the expression “upto the 31st day of December 2020”, the expression “upto the 30th day of June 2021” shall be substituted.	Amendment of section 9-A.
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PART – XV.**AMENDMENT TO THE HOSUR CITY MUNICIPAL CORPORATION ACT, 2019.**

Tamil Nadu Act 10 of 2019.	15. In section 10 of the Hosur City Municipal Corporation Act, 2019, in sub-section (4), for the expression “upto the 31st day of December 2020”, the expression “upto the 30th day of June 2021” shall be substituted.	Amendment of section 10.
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PART – XVI.**AMENDMENT TO THE NAGERCOIL CITY MUNICIPAL CORPORATION ACT, 2019.**

Tamil Nadu Act 11 of 2019.	16. In section 10 of the Nagercoil City Municipal Corporation Act, 2019, in sub-section (4), for the expression “upto the 31st day of December 2020”, the expression “upto the 30th day of June 2021” shall be substituted.	Amendment of section 10.
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PART – XVII.**AMENDMENT TO THE AVADI CITY MUNICIPAL CORPORATION ACT, 2019.**

Tamil Nadu Act 24 of 2019.	17. In section 10 of the Avadi City Municipal Corporation Act, 2019, in sub-section (4), for the expression “upto the 31st day of December 2020”, the expression “upto the 30th day of June 2021” shall be substituted.	Amendment of section 10.
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Repeal and saving.	18. (1) the Tamil Nadu Municipal Laws (Fourth Amendment) Ordinance, 2020 is hereby repealed.	Tamil Nadu Ordinance 13 of 2020.
	(2) Notwithstanding such repeal, anything done or any action taken under the Chennai City Municipal Corporation Act, 1919, the Tamil Nadu District Municipalities Act, 1920, the Madurai City Municipal Corporation Act, 1971, the Coimbatore City Municipal Corporation Act, 1981, the Tiruchirappalli City Municipal Corporation Act, 1994, the Tirunelveli City Municipal Corporation Act, 1994, the Salem City Municipal Corporation Act, 1994, the Tiruppur City Municipal Corporation Act, 2008, the Erode City Municipal Corporation Act, 2008, the Vellore City Municipal Corporation Act, 2008, the Thoothukudi City Municipal Corporation Act, 2008, the Thanjavur City Municipal Corporation Act, 2013, the Dindigul City Municipal Corporation Act, 2013, the Hosur City Municipal Corporation Act, 2019, the Nagercoil City Municipal Corporation Act, 2019 and the Avadi City Municipal Corporation Act, 2019, as amended by the said Ordinance, shall be deemed to have been done or taken under the respective Acts, as amended by this Act.	Tamil Nadu Act IV of 1919. Tamil Nadu Act V of 1920. Tamil Nadu Act 15 of 1971. Tamil Nadu Act 25 of 1981. Tamil Nadu Act 27 of 1994. Tamil Nadu Act 28 of 1994. Tamil Nadu Act 29 of 1994. Tamil Nadu Act 7 of 2008. Tamil Nadu Act 8 of 2008. Tamil Nadu Act 26 of 2008. Tamil Nadu Act 27 of 2008. Tamil Nadu Act 24 of 2013. Tamil Nadu Act 25 of 2013. Tamil Nadu Act 10 of 2019. Tamil Nadu Act 11 of 2019. Tamil Nadu Act 24 of 2019.

STATEMENT OF OBJECTS AND REASONS.

The Special Officers to the Town Panchayats, Municipalities and Municipal Corporations were appointed in pursuance of the orders of the Hon'ble High Court of Madras in W.P.No.33984 of 2016, dated the 4th October 2016. The term of office of the said Special Officers of the Town Panchayats, Municipalities and Municipal Corporations was extended from time to time and lastly upto the 31st December 2020.

2. Following the direction of the Hon'ble Supreme Court of India in I.A No.182868 of 2019 in Civil Appeal Nos. 5467-5469 of 2017, dated the 6th December 2019 read with Writ Petition (Civil) No.1443 of 2019, dated the 11th December 2019 relating to delimitation of territorial wards of Village Panchayats, Panchayat Unions and District Panchayats in the nine newly reconstituted districts, namely, Kancheepuram, Chengalpattu, Vellore, Thirupathur, Ranipet, Villupuram, Kallakurichi, Tirunelveli and Tenkasi, the Tamil Nadu Delimitation Commission conducted series of meetings with the District Delimitation Authorities for finalisation of territorial wards of the Town Panchayats, Municipalities and Municipal Corporations also, in the above said nine newly reconstituted districts and submitted its recommendation thereon to the Government and the same are under active consideration of the Government. Further, for conducting ordinary elections to Urban Local Bodies, the Tamil Nadu State Election Commission has initiated swift actions, namely, preparation of Local Body Electoral Rolls, identification of Polling Stations, revision of certain Booklets, training for handling Electronic Voting Machines to officials and development of software for randomisation of polling official and Electronic Voting Machines.

3. In the meantime, due to sudden outbreak of the pandemic disease, namely, COVID-19, high alert / lock down was declared by the Central Government and the State Government and an order under section 144 of the Code of Criminal Procedure, 1973 (Central Act 2 of 1974) was issued. Consequent on the said measures, only limited employees of the Government were permitted to work in the offices. Further, the machinery of the Government and Urban Local Bodies were engaged in taking preventive, protective, relief and welfare measures on a war footing, to mitigate the suffering of the people due to the outbreak of COVID-19. Certain restrictions are still in force. Hence, the notification of delimitation of territorial wards of Town Panchayats, Municipalities and Municipal Corporations in the said nine newly reconstituted districts and the preparatory works for the conduct of ordinary elections could not be completed as per the planned schedule of activities.

4. Further, after notification of the delimitation of territorial wards of Town Panchayats, Municipalities and Municipal Corporations, the reservation of seats for Scheduled Castes, Scheduled Tribes and Women in the territorial wards of all the Urban Local Bodies in the nine newly reconstituted districts will have to be notified. Only thereafter, the Tamil Nadu State Election Commission could be enabled to notify the schedule for the conduct of ordinary elections to the Urban Local Bodies, after ensuring conducive atmosphere for the consideration of the health and safety of the people/voters/candidates/election machineries and the security personnel for effective participation in the electoral process without any risk. In view of the above, additional time is required for the Tamil Nadu State Election Commission to complete the preparatory works for the conduct of elections to the Urban Local Bodies. To that effect, the Hon'ble Supreme Court in its order, dated the 4th December 2020 has allowed the Interlocutory Application No.114726/2020 seeking extension of six months time to comply with the Court's Order, dated 11.12.2019 passed in Writ Petition (C) No.1443 of 2019.

5. In the circumstances stated above, as the term of office of the Special Officers was due to expire on the 31st December 2020, the Government decided to amend the laws relating to the Town Panchayats, Municipalities and Municipal Corporations, so as to extend the term of office of the Special Officers for a further period of six months upto the 30th June 2021 or until the first meeting of the council is held after the ordinary elections to the Town Panchayats, Municipalities and Municipal Corporations, whichever is earlier. Accordingly, the Tamil Nadu Municipal Laws (Fourth Amendment) Ordinance, 2020 (Tamil Nadu Ordinance 13 of 2020) was promulgated by the Governor on the 29th December 2020 and the same was published in the *Tamil Nadu Government Gazette* Extraordinary, dated the 30th December 2020.

6. The Bill seeks to replace the above said Ordinance.

S.P.VELUMANI,

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

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 4th February, 2021 is published together with Statement of Objects and Reasons for general information:—

L.A. Bill No. 4 of 2021

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

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

1. (1) This Act may be called the Tamil Nadu Panchayats (Amendment) Act, 2021. Short title and commencement.

(2) It shall be deemed to have come into force on the 30th day of December 2020.

Tamil Nadu Act 21 of 1994. 2. In section 261-A of the Tamil Nadu Panchayats Act, 1994, for the expression “upto the 31st day of December 2020”, the expression “upto the 30th day of June 2021” shall be substituted. Amendment of section 261-A.

Tamil Nadu Ordinance 12 of 2020. 3. (1) The Tamil Nadu Panchayats (Fourth Amendment) Ordinance, 2020 is hereby repealed. Repeal and saving.

Tamil Nadu Act 21 of 1994. (2) Notwithstanding such repeal, anything done or any action taken under the Tamil Nadu Panchayats Act, 1994, as amended by the said Ordinance, shall be deemed to have been done or taken under the said Act, as amended by this Act.

STATEMENT OF OBJECTS AND REASONS.

The Special Officers to the Village Panchayats, Panchayat Unions and District Panchayats were appointed in pursuance of the orders of the Hon'ble High Court of Madras in W.P. No.33984 of 2016, dated the 4th October 2016. The term of office of the said Special Officers of the three tier panchayats were extended, from time to time, and lastly extended upto the 31st December 2020.

2. The Hon'ble Supreme Court of India in I.A.No.182868 of 2019 in Civil Appeal Nos.5467-5469 of 2017, dated the 6th December 2019 read with W.P. (Civil) No.1443 of 2019, dated the 11th December 2019 has, among other things, directed that the Respondent-authorities shall hold elections to all Panchayats at village, intermediate and district levels, except those in the nine reconstituted districts, namely, Kancheepuram, Chengalpattu, Vellore, Tirupathur, Ranipet, Villupuram, Kallakurichi, Tirunelveli and Tenkasi and also directed to delimit the nine newly reconstituted districts in accordance with law and thereafter hold elections for their panchayats at the village, intermediate and district levels within a period of three months. Accordingly, the Tamil Nadu State Election Commission conducted ordinary elections for electing the ward members of Village Panchayats, Panchayat Unions and District Panchayats and to the offices of the President of Village Panchayats and the elected representatives have also assumed office on 06.01.2020 except for the above said nine newly reconstituted districts.

3. Following the direction of the Hon'ble Supreme Court of India in I.A No.182868 of 2019 in Civil Appeal Nos. 5467-5469 of 2017, dated the 6th December 2019 read with W.P (Civil) No. 1443 of 2019, dated the 11th December 2019, the Tamil Nadu Delimitation Commission has conducted series of meetings with the District Delimitation Authorities for finalisation of territorial wards of the Rural Local Bodies in the nine newly reconstituted districts and submitted its recommendation thereon to the Government and the same are under active consideration of the Government. Further, for conducting ordinary elections to Rural Local Bodies in the said nine districts, the Tamil Nadu State Election Commission has initiated swift actions, namely, preparation of Local Body Electoral Rolls, identification of Polling Stations, revision of certain Booklets, training to officials for conducting elections and development of software for randomisation of polling official.

4. In the meantime, due to sudden outbreak of pandemic disease, namely, COVID-19, high alert / lock down was declared by the Central Government and the State Government and an order under section 144 of the Code of Criminal Procedure, 1973 (Central Act 2 of 1974) was issued. Consequent on the said measures, only limited employees of the Government were permitted to work in the offices. Further, the machinery of the Government were engaged in taking preventive, protective, relief and welfare measures on a war footing, to mitigate the suffering of the people due to the outbreak of COVID-19. Certain restrictions are still in force and extended upto the 31st December 2020. Hence, the notification of delimitation of territorial wards of three tier panchayats in the said nine newly reconstituted districts and the preparatory works could not be completed as per the planned schedule of activities.

5. Further, after notification of the delimitation of territorial wards of Village Panchayats, Panchayat Unions and District Panchayats, the reservation of seats for Scheduled Castes, Scheduled Tribes and Women in the territorial wards of all the three tiers of panchayats will have to be notified. Thereafter, the reservation of office for Scheduled Castes, Scheduled Tribes and Women in all the three tier of Panchayats have also to be notified by the Government. Only thereafter, the Tamil Nadu State Election Commission could be enabled to notify the schedule for the conduct of ordinary elections to the Rural Local Bodies in the nine newly reconstituted districts, as ordered by the Hon'ble Supreme Court after ensuring conducive atmosphere for the consideration of the health and safety of the people / voters / candidates / election machineries and the security personnel for effective participation in the electoral process without any risk. In view of the above, additional time is required for the Tamil Nadu State Election Commission to complete the preparatory works for the conduct of elections to the Rural Local Bodies. To that effect, the Hon'ble Supreme Court in its order dated the 4th December 2020 has allowed the Interlocutory Application No.114726 / 2020 seeking extension of six months time to comply with the Court's Order dated 11.12.2019 passed in Writ Petition (C) No.1443/2019.

6. In the circumstances stated above, as the term of office of the Special Officers of Village Panchayats, Panchayat Unions and District Panchayats in the districts of Kancheepuram, Chengalpattu, Vellore, Tirupathur, Ranipet, Villupuram, Kallakurichi, Tirunelveli and Tenkasi was due to expire on the 31st December 2020, the Government decided to amend section 261-A of the Tamil Nadu Panchayats Act, 1994 (Tamil Nadu Act 21 of 1994) so as to extend the term of office of the said Special Officers for a further period of six months upto the 30th June 2021 or until the first meeting of the council is held after the ordinary elections to the Village Panchayats, Panchayat Unions and District Panchayats, whichever is earlier.

7. Accordingly, the Tamil Nadu Panchayats (Fourth Amendment) Ordinance, 2020 (Tamil Nadu Ordinance 12 of 2020) was promulgated by the Governor on the 29th December 2020 and the same was published in the *Tamil Nadu Government Gazette* Extraordinary, dated the 30th December 2020.

8. The Bill seeks to replace the said Ordinance.

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

Chennai-600 009,
4th February 2021.

K. SRINIVASAN,
Secretary.