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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 20th April, 2023 is published together with Statement of Objects and Reasons for general information:—

L.A Bill No. 17 of 2023

A Bill further to amend the Tamil Nadu Urban Local Bodies Act, 1998.

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

Short title and commencement.

1. (1) This Act may be called the Tamil Nadu Urban Local Bodies (Amendment) Act, 2023.

(2) It shall be deemed to have come into force on the 13th day of April 2023.

Substitution of section 91.

2. For section 91 of the Tamil Nadu Urban Local Bodies Act, 1998 (hereinafter referred to as the principal Act), the following section shall be substituted, namely:—

Tamil Nadu Act 9 of 1999.

“91. Levy and collection of education tax.— The council may levy education tax within its area at such rate not exceeding five per cent of the annual value of all lands, buildings, telecommunication towers and storage structures built on or attached to land, as the council may determine, and collect such tax.”.

3. Notwithstanding anything contained in the principal Act, the education tax levied, collected or paid under the principal Act during the period commencing on and from the 13th day of April 2023 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 levied, collected or paid in accordance with law as if section 91 of the principal Act, as substituted by section 2 of this Act had been in force at all material times when such tax was levied, collected or paid and accordingly all acts, proceedings or things done or taken by any authority or officer in connection with the collection or payment of such tax shall for all purposes be deemed to be and to have always been validly done or taken in accordance with law.

Validation.

STATEMENT OF OBJECTS AND REASONS

The Tamil Nadu Urban Local Bodies Act, 1998 (Tamil Nadu Act 9 of 1999) which was under suspension since the year 2000, has been updated and revived by the Tamil Nadu Urban Local Bodies (Amendment) Act, 2022 (Tamil Nadu Act 35 of 2022). The said Tamil Nadu Act 9 of 1999 as amended by the said Tamil Nadu Act 35 of 2022 and the Tamil Nadu Urban Local Bodies Rules, 2023 framed thereunder have been brought into force with effect from the 13th April 2023.

2. Education Tax was levied on the annual value of property under the Tamil Nadu District Municipalities Act, 1920 (Tamil Nadu Act V of 1920) and the Corporation Acts which were repealed by the said Tamil Nadu Act 9 of 1999. On the same analogy, the Government have decided to enable the Municipal Corporations, Municipal Councils and Town Panchayats to levy and collect the education tax on the annual value of the property and to amend the said Tamil Nadu Urban Local Bodies Act, 1998 (Tamil Nadu Act 9 of 1999) suitably for the purpose.

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

K.N.NEHRU,
Minister for Municipal Administration.

MEMORANDUM REGARDING DELEGATED LEGISLATION

Clause 2 of the Bill authorised the council of municipalities to levy education tax within its area and the rate specified therein.

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

K.N. NEHRU,
Minister for Municipal Administration.

Secretariat,
Chennai-600 009,
20th April 2023.

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 20th April, 2023 is published together with Statement of Objects and Reasons for general information:—

L.A Bill No. 18 of 2023

A Bill further to amend the Tamil Nadu Veterinary and Animal Sciences University Act, 1989.

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

Short title and commencement.

1. (1) This Act may be called the Tamil Nadu Veterinary and Animal Sciences University (Amendment) Act, 2023.

(2) It shall come into force at once.

Amendment of section 11.

2. In section 11 of the Tamil Nadu Veterinary and Animal Sciences University Act, 1989 (hereinafter referred to as the principal Act),—

Tamil Nadu Act 42 of 1989.

(1) in sub-section (1),—

(a) for the expression “Chancellor”, the expression “Government” shall be substituted;

(b) in the proviso, for the expressions “the Chancellor” and “he”, the expressions “the Government” and “they” shall, respectively, be substituted;

(2) in sub-section (2), —

(a) for clause (i), the following clause shall be substituted, namely:—

“(i) two nominees of the Government, of whom, one shall be a retired Judge of the Supreme Court or a High Court, and another shall be a retired or serving officer of the State Government not below the rank of Principal Secretary to Government or an eminent educationist”;

(b) clause (ii) shall be omitted;

(3) in sub-section (2-A), in clause (ii), the expression “in consultation with the Chancellor” shall be omitted;

(4) in sub-section (2-B), the expression “the Chancellor” shall be omitted;

(5) in sub-section (2-D), for the expression “the Chancellor” occurring in three places, the expression “the Government” shall be substituted;

(6) in the second proviso to sub-section (3), in clauses (a) and (b), for the expression “the Chancellor”, the expression “the Government” shall be substituted;

Insertion of new section 11-A.

3. After section 11 of the principal Act, the following section shall be inserted, namely:—

“11-A. Removal of Vice-Chancellor.— The Vice-Chancellor shall not be removed from his office except by an order of the Government passed on the ground of wilful omission or refusal to carry out the provisions of this Act or abuse of the powers vested in him. In a case where it is proposed to remove the Vice-Chancellor, the Government shall order an inquiry by such a person who is or has been,-

- (i) a Judge of the High Court; or
- (ii) an Officer of the Government, not below the rank of the Chief Secretary to Government,

in which the Vice-Chancellor shall be given an opportunity to make a representation. On consideration of the inquiry report, the Vice-Chancellor shall be furnished a copy of the inquiry report and called upon to submit his further representation, if any thereon, before making an order of removal.”.

STATEMENT OF OBJECTS AND REASONS

Earlier, in line with certain State University Laws of Gujarat, Telangana and Karnataka States, the Government decided to empower themselves to appoint the Vice-Chancellors of the State Universities and accordingly the Tamil Nadu Universities Laws (Amendment) Bill, 2022 (L.A. Bill No.24 of 2022) for amending twelve State University Laws was passed in the Legislative Assembly of the State on the 25th April, 2022. Further, a Bill to amend the Tamil University Act, 1982 (Tamil Nadu Act 9 of 1982) for the said purpose was passed in the State Legislative Assembly on the 19th October 2022. In line with the aforesaid decision, the Government have also decided to amend the Tamil Nadu Veterinary and Animal Sciences University Act, 1989 (Tamil Nadu Act 42 of 1989) suitably for the purpose.

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

ANITHA R. RADHAKRISHNAN,
*Minister for Fisheries, Fishermen Welfare,
and Animal Husbandry.*

Secretariat,
Chennai-600 009,
20th April 2023.

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 20th April, 2023 is published together with Statement of Objects and Reasons for general information:—

L.A Bill No. 19 of 2023

A Bill further to amend the Tamil Nadu Fiscal Responsibility Act, 2003.

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

1. (1) This Act may be called the Tamil Nadu Fiscal Responsibility (Amendment) Act, 2023. Short title and commencement.

(2) It shall come into force at once.

Tamil Nadu Act
16 of 2003.

2. In section 4 of the Tamil Nadu Fiscal Responsibility Act, 2003, in sub-section (2),- Amendment of section 4.

(1) in clause (a), for the expression "2023-2024", the expression "2025-2026" shall be substituted;

(2) in clause (b), for the expression "31st March 2024", the expression "31st March 2025" shall be substituted.

STATEMENT OF OBJECTS AND REASONS

The 15th Finance Commission in its Report for 2021-2026 has recommended an extra annual borrowing space for the States, of the magnitude of 0.50 per cent of their Gross State Domestic Product for each of the first four years of the award covering the period 2021-2022 to 2024-2025, based on certain performance criteria in the power sector. Further, the Finance Commission has also recommended for fixing the net borrowing limit to Gross State Domestic Product at 4 per cent, 3.5 per cent and 3 per cent, for the years 2021-2022, 2022-2023 and 2023-2024 to 2025-2026, respectively and to avail the unutilized borrowing amount in any of the subsequent years within the award period, if the State is not able to fully utilize the borrowing limit during the first four years of the award period.

2. Based on the aforesaid recommendations of the Finance Commission, the Government have decided to amend the Tamil Nadu Fiscal Responsibility Act, 2003 (Tamil Nadu Act 16 of 2003) to extend the time limit set out to eliminate the revenue deficit by 2025-26 and reduce fiscal deficit to three per cent of Gross State Domestic Product by 31st March 2025 in order to utilize the maximum fiscal space available.

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

Dr. PALANIVEL THIAGA RAJAN,
*Minister for Finance and
Human Resources Management.*

Secretariat,
Chennai-600 009,
20th April 2023

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 20th April, 2023 is published together with Statement of Objects and Reasons for general information:—

L.A Bill No. 20 of 2023

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

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

1. (1) This Act may be called the Tamil Nadu Transparency in Tenders (Amendment) Act, 2023. Short title and commencement.

(2) It shall come into force at once.

Tamil Nadu Act
43 of 1998.

2. In section 9 of the Tamil Nadu Transparency in Tenders Act, 1998, for sub-section (3), the following sub-section shall be substituted, Amendment of section 9.
namely:—

“(3) The Tender Inviting Authority shall also,-

(a) host the notice inviting tenders in the web-portals as may be specified by the Government, by notification, from time to time; and

(b) publish the notice inviting tenders in daily newspapers having wide circulation depending upon the value of the procurement as may be prescribed.”.

STATEMENT OF OBJECTS AND REASONS

The Tamil Nadu Transparency in Tenders Act, 1998 (Tamil Nadu Act 43 of 1998) provides for transparency in public procurement and regulates the procedure in inviting and accepting tenders. The said Act mandates the Tender Inviting Authority, to publish notice inviting tenders in the Indian Trade Journal and in daily news papers. In tune with the policy of the Government to provide paperless, contactless and transparent digital services to citizens in a proactive manner, it is considered that the notice inviting tenders may also be hosted in the web-portals, in addition to publication of the same in the daily news papers. The Government have therefore, decided to amend the said Tamil Nadu Act 43 of 1998, suitably for the purpose.

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

Dr. PALANIVEL THIAGA RAJAN,
*Minister for Finance and Human
Resources Management.*

MEMORANDUM REGARDING DELEGATED LEGISLATION

Clause 2 of the Bill empowers the Government to issue notification for the purpose specified therein.

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

Dr. PALANIVEL THIAGA RAJAN,
*Minister for Finance and Human
Resources Management.*

Secretariat,
Chennai-600 009,
20th April 2023.

K. SRINIVASAN,
Secretary.