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Part IV—Section 2

TAMIL NADU ACTS AND ORDINANCES

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The following Act of the Tamil Nadu Legislative Assembly received the assent of the Governor on the 17th February 2017 and is hereby published for general information:—

ACT No. 3 OF 2017.

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

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

Short title and commencement.

1. (1) This Act may be called the Tamil Nadu Panchayats (Amendment) Act, 2017.

(2) It shall be deemed to have come into force on the 17th day of October 2016.

Insertion of new section 261-A.

2. After section 261 of the Tamil Nadu Panchayats Act, 1994, the following section shall be inserted, namely:-

Tamil Nadu Act 21 of 1994.

“261-A. Appointment of Special Officers.—Notwithstanding anything contained in this Act, or in any other law for the time being in force, the Government may, by notification, appoint Special Officers to exercise the powers and discharge the functions of the village panchayats, the panchayat union councils or the district panchayats, as the case may be, until the day on which the first meetings of the village panchayats, panchayat union councils or the district panchayats, as the case may be, are held after ordinary elections to said panchayats after the date of commencement of the Tamil Nadu Panchayats (Amendment) Act, 2017 or upto the 30th day of June 2017, whichever is earlier.”.

Repeal and saving.

3. (1) The Tamil Nadu Panchayats (Third Amendment) Ordinance, 2016 and the Tamil Nadu Panchayats (Fourth Amendment) Ordinance, 2016 are hereby repealed.

Tamil Nadu Ordinance 1 of 2016.

Tamil Nadu Ordinance 3 of 2016.

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

Tamil Nadu Act 21 of 1994.

(By order of the Governor)

S.S. POOVALINGAM,
Secretary to Government-in-charge,
Law Department.

The following Act of the Tamil Nadu Legislative Assembly received the assent of the Governor on the 17th February 2017 and is hereby published for general information:—

ACT No. 4 OF 2017.

An Act 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-eighth 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, 2017.

Short title and commencement.

(2) It shall be deemed to have come into force on the 17th day of October 2016.

PART – II.

AMENDMENT TO THE CHENNAI CITY MUNICIPAL CORPORATION ACT, 1919.

Tamil Nadu Act IV of 1919.

2. After section 414-A of the Chennai City Municipal Corporation Act, 1919, the following section shall be inserted, namely:—

Insertion of new section 414-B.

“414-B. Appointment of Special Officer.— Notwithstanding anything contained in this Act, or in any other law for the time being in force, the State Government may, by notification, appoint a Special Officer to exercise the powers and discharge the functions of the corporation, until the day on which the first meeting of the council is held after ordinary election to the corporation after the date of commencement of the Tamil Nadu Municipal Laws (Amendment) Act, 2017 or upto the 30th day of June 2017, whichever is earlier.”.

PART – III.

AMENDMENT TO THE TAMIL NADU DISTRICT MUNICIPALITIES ACT, 1920.

Tamil Nadu Act V of 1920.

3. After section 375-A of the Tamil Nadu District Municipalities Act, 1920, the following section shall be inserted, namely:—

Insertion of new section 375-B.

“375-B. Appointment of Special Officers.— Notwithstanding anything contained in this Act, or in any other law for the time being in force, the State Government may, by notification, appoint Special Officers to exercise the powers and discharge the functions of the Municipalities or the Town Panchayats, as the case may be, until the day on which the first meetings of the councils are held after ordinary elections to the Municipalities or the Town Panchayats, as the case may be, after the date of commencement of the Tamil Nadu Municipal Laws (Amendment) Act, 2017 or upto the 30th day of June 2017, whichever is earlier.”.

PART – IV.

AMENDMENT TO THE MADURAI CITY MUNICIPAL CORPORATION ACT, 1971.

Insertion of new section 510-AAA.

4. After section 510-AA of the Madurai City Municipal Corporation Act, 1971, the following section shall be inserted, namely:—

Tamil Nadu Act 15 of 1971.

“510-AAA. Appointment of Special Officer.— Notwithstanding anything contained in this Act, or in any other law for the time being in force, the Government may, by notification, appoint a Special Officer to exercise the powers and discharge the functions of the corporation, until the day on which the first meeting of the council is held after ordinary election to the corporation after the date of commencement of the Tamil Nadu Municipal Laws (Amendment) Act, 2017 or upto the 30th day of June 2017, whichever is earlier.”.

PART – V.

AMENDMENT TO THE COIMBATORE CITY MUNICIPAL CORPORATION ACT, 1981.

Insertion of new section 511-AAA.

5. After section 511-AA of the Coimbatore City Municipal Corporation Act, 1981, the following section shall be inserted, namely:—

Tamil Nadu Act 25 of 1981.

“511-AAA. Appointment of Special Officer.— Notwithstanding anything contained in this Act, or in any other law for the time being in force, the Government may, by notification, appoint a Special Officer to exercise the powers and discharge the functions of the corporation, until the day on which the first meeting of the council is held after ordinary election to the corporation after the date of commencement of the Tamil Nadu Municipal Laws (Amendment) Act, 2017 or upto the 30th day of June 2017, whichever is earlier.”.

PART – VI.

AMENDMENT TO THE TIRUCHIRAPPALLI CITY MUNICIPAL CORPORATION ACT, 1994.

Insertion of new section 10-A.

6. After section 10 of the Tiruchirappalli City Municipal Corporation Act, 1994, the following section shall be inserted, namely:—

Tamil Nadu Act 27 of 1994.

“10-A. Appointment of Special Officer.— Notwithstanding anything contained in this Act, or in any other law for the time being in force, the Government may, by notification, appoint a Special Officer to exercise the powers and discharge the functions of the corporation, until the day on which the first meeting of the council is held after ordinary election to the corporation after the date of commencement of the Tamil Nadu Municipal Laws (Amendment) Act, 2017 or upto the 30th day of June 2017, whichever is earlier.”.

PART – VII.

AMENDMENT TO THE TIRUNELVELI CITY MUNICIPAL CORPORATION ACT, 1994.

Insertion of new section 10-A.

7. After section 10 of the Tirunelveli City Municipal Corporation Act, 1994, the following section shall be inserted, namely:—

Tamil Nadu Act 28 of 1994.

“10-A. Appointment of Special Officer.— Notwithstanding anything contained in this Act, or in any other law for the time being in force, the Government may, by notification, appoint a Special Officer to exercise the powers and discharge the functions of the corporation, until the day on which the first meeting of the council is held after ordinary election to the corporation after the date of commencement of the Tamil Nadu Municipal Laws (Amendment) Act, 2017 or upto the 30th day of June 2017, whichever is earlier.”.

PART – VIII.**AMENDMENT TO THE SALEM CITY MUNICIPAL CORPORATION ACT, 1994.**

Tamil Nadu
Act 29 of
1994.

8. After section 10 of the Salem City Municipal Corporation Act, 1994, the following section shall be inserted, namely:—

Insertion of
new section
10-A.

“10-A. Appointment of Special Officer.— Notwithstanding anything contained in this Act, or in any other law for the time being in force, the Government may, by notification, appoint a Special Officer to exercise the powers and discharge the functions of the corporation, until the day on which the first meeting of the council is held after ordinary election to the corporation after the date of commencement of the Tamil Nadu Municipal Laws (Amendment) Act, 2017 or upto the 30th day of June 2017, whichever is earlier.”.

PART – IX.**AMENDMENT TO THE TIRUPPUR CITY MUNICIPAL CORPORATION ACT, 2008.**

Tamil Nadu
Act 7 of
2008.

9. After section 9 of the Tiruppur City Municipal Corporation Act, 2008, the following section shall be inserted, namely:—

Insertion of
new section
9-A.

“9-A. Appointment of Special Officer.— Notwithstanding anything contained in this Act, or in any other law for the time being in force, the Government may, by notification, appoint a Special Officer to exercise the powers and discharge the functions of the corporation, until the day on which the first meeting of the council is held after ordinary election to the corporation after the date of commencement of the Tamil Nadu Municipal Laws (Amendment) Act, 2017 or upto the 30th day of June 2017, whichever is earlier.”.

PART – X.**AMENDMENT TO THE ERODE CITY MUNICIPAL CORPORATION ACT, 2008.**

Tamil Nadu
Act 8 of
2008.

10. After section 9 of the Erode City Municipal Corporation Act, 2008, the following section shall be inserted, namely:—

Insertion of
new section
9-A.

“9-A. Appointment of Special Officer.— Notwithstanding anything contained in this Act, or in any other law for the time being in force, the Government may, by notification, appoint a Special Officer to exercise the powers and discharge the functions of the corporation, until the day on which the first meeting of the council is held after ordinary election to the corporation after the date of commencement of the Tamil Nadu Municipal Laws (Amendment) Act, 2017 or upto the 30th day of June 2017, whichever is earlier.”.

PART – XI.**AMENDMENT TO THE VELLORE CITY MUNICIPAL CORPORATION ACT, 2008.**

Tamil Nadu Act
26 of 2008.

11. After section 9 of the Vellore City Municipal Corporation Act, 2008, the following section shall be inserted, namely:—

Insertion of
new section
9-A.

“9-A. Appointment of Special Officer.— Notwithstanding anything contained in this Act, or in any other law for the time being in force, the Government may, by notification, appoint a Special Officer to exercise the powers and discharge the functions of the corporation, until the day on which the first meeting of the council is held after ordinary election to the corporation after the date of commencement of the Tamil Nadu Municipal Laws (Amendment) Act, 2017 or upto the 30th day of June 2017, whichever is earlier.”.

PART – XII.

AMENDMENT TO THE THOOTHUKUDI CITY MUNICIPAL CORPORATION ACT, 2008.

Insertion of new section 9-A.

12. After section 9 of the Thoothukudi City Municipal Corporation Act, 2008, the following section shall be inserted, namely:—

Tamil Nadu Act 27 of 2008.

“9-A. Appointment of Special Officer.— Notwithstanding anything contained in this Act, or in any other law for the time being in force, the Government may, by notification, appoint a Special Officer to exercise the powers and discharge the functions of the corporation, until the day on which the first meeting of the council is held after ordinary election to the corporation after the date of commencement of the Tamil Nadu Municipal Laws (Amendment) Act, 2017 or upto the 30th day of June 2017, whichever is earlier.”.

PART – XIII.

AMENDMENT TO THE THANJAVUR CITY MUNICIPAL CORPORATION ACT, 2013.

Insertion of new section 9-A.

13. After section 9 of the Thanjavur City Municipal Corporation Act, 2013, the following section shall be inserted, namely:—

Tamil Nadu Act 24 of 2013.

“9-A. Appointment of Special Officer.— Notwithstanding anything contained in this Act, or in any other law for the time being in force, the Government may, by notification, appoint a Special Officer to exercise the powers and discharge the functions of the corporation, until the day on which the first meeting of the council is held after ordinary election to the corporation after the date of commencement of the Tamil Nadu Municipal Laws (Amendment) Act, 2017 or upto the 30th day of June 2017, whichever is earlier.”.

PART – XIV.

AMENDMENT TO THE DINDIGUL CITY MUNICIPAL CORPORATION ACT, 2013.

Insertion of new section 9-A.

14. After section 9 of the Dindigul City Municipal Corporation Act, 2013, the following section shall be inserted, namely:—

Tamil Nadu Act 25 of 2013.

“9-A. Appointment of Special Officer.— Notwithstanding anything contained in this Act, or in any other law for the time being in force, the Government may, by notification, appoint a Special Officer to exercise the powers and discharge the functions of the corporation, until the day on which the first meeting of the council is held after ordinary election to the corporation after the date of commencement of the Tamil Nadu Municipal Laws (Amendment) Act, 2017 or upto the 30th day of June 2017, whichever is earlier.”.

Repeal and saving.

15. (1) The Tamil Nadu Municipal Laws (Third Amendment) Ordinance, 2016 and the Tamil Nadu Municipal Laws (Fourth Amendment) Ordinance, 2016 are hereby repealed.

Tamil Nadu Ordinance 2 of 2016.

Tamil Nadu Ordinance 4 of 2016.

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.

(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 and the Dindigul City Municipal Corporation Act, 2013, as amended by the said Ordinances, shall be deemed to have been done or taken under the respective Acts, as amended by this Act.

(By order of the Governor)

S.S. POOVALINGAM,
*Secretary to Government-in-charge,
Law Department.*

The following Act of the Tamil Nadu Legislative Assembly received the assent of the Governor on the 17th February 2017 and is hereby published for general information:—

ACT No. 5 OF 2017.

An Act further to amend the Chennai City Municipal Corporation Act, 1919.

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

1. (1) This Act may be called the Chennai City Municipal Corporation (Amendment) Act, 2017.

Short title and commencement.

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

Tamil Nadu
Act IV of
1919.

2. In Schedule VII to the Chennai City Municipal Corporation Act, 1919,—

Amendment of
Schedule
VII.

(1) for the item relating to section 191, the following item shall be substituted, namely:—

“191 Making connection with mains without permission—

(a) **Ordinary building—**

- | | | |
|------|-------------|-----------------------|
| (i) | Residential | Five thousand rupees; |
| (ii) | Commercial | Ten thousand rupees; |

(b) **Special building—**

- | | | |
|------|-------------|------------------------------|
| (i) | Residential | Twenty five thousand rupees; |
| (ii) | Commercial | Fifty thousand rupees; |

(c) **Multi-storeyed building—**

- | | | |
|------|-------------|------------------|
| (i) | Residential | One lakh rupees; |
| (ii) | Commercial | Two lakh rupees. |

Explanation.— For the purpose of this item, ordinary building, special building and multi-storeyed building shall have the same meaning assigned to them, respectively, in the Development Regulation for Chennai Metropolitan Area.”;

(2) for the item relating to sub-section (5) of section 202, the following item shall be substituted, namely:—

“202 (5) Allowing filth to flow in streets—

(a) **Ordinary building—**

- | | | |
|------|-------------|-----------------------|
| (i) | Residential | Five thousand rupees; |
| (ii) | Commercial | Ten thousand rupees; |

(b) **Special building—**

- | | | |
|------|-------------|------------------------------|
| (i) | Residential | Twenty five thousand rupees; |
| (ii) | Commercial | Fifty thousand rupees; |

(c) **Multi-Storeyed building—**

- | | | |
|------|-------------|------------------|
| (i) | Residential | One lakh rupees; |
| (ii) | Commercial | Two lakh rupees. |

Explanation.— For the purpose of this item, ordinary building, special building and multi-storeyed building shall have the same meaning assigned to them, respectively, in the Development Regulation for Chennai Metropolitan Area.”.

(By order of the Governor)

S.S. POOVALINGAM,
*Secretary to Government-in-charge,
Law Department.*

The following Act of the Tamil Nadu Legislative Assembly received the assent of the Governor on the 17th February 2017 and is hereby published for general information:—

ACT No. 6 OF 2017.

An Act further to amend the Tamil Nadu Court-fees and Suits Valuation Act, 1955.

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

1. (1) This Act may be called the Tamil Nadu Court-fees and Suits Valuation (Amendment) Act, 2017.

Short title and commencement.

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

2. For section 7 of the Tamil Nadu Court-fees and Suits Valuation Act, 1955 (hereinafter referred to as the principal Act), the following section shall be substituted, namely:—

Substitution of section 7.

“7. Determination of market value.— (1) Save as otherwise provided, where the fee payable under this Act depends on the market value of any property, such value shall be determined as on the date of presentation of the plaint.

Explanation.—For the purpose of this section, “market value” means the market value fixed under section 47-AA of the Indian Stamp Act, 1899 (Central Act II of 1899):

Provided that in cases where the plaintiff assess the value of the immovable property at a lesser amount than the market value, he shall give adequate reasons as to why the market value fixed under section 47-AA of the Indian Stamp Act, 1899 (Central Act II of 1899) does not represent the real market value of that immovable property.

(2) The assessment made by the plaintiff shall be accepted by the court at the initial stage of numbering the suit, subject to objection that may be raised by the other party to the litigation.”.

3. For section 21-A of the principal Act, the following section shall be substituted, namely:—

Substitution of section 21-A.

“21-A. Fee to be computed to the nearest rupee.— In the determination and computation of the amount of fee payable under this Act, any fraction of a rupee be rounded off to one rupee.”.

4. In section 25 of the principal Act,—

Amendment of section 25.

(1) in clause (a), for the expression “rupees one thousand and five hundred”, the expression “rupees five thousand” shall be substituted;

(2) in clause (b), for the expression “rupees one thousand”, the expression “rupees five thousand” shall be substituted;

(3) in clause (c), for the expression “rupees two thousand”, the expression “rupees five thousand” shall be substituted;

(4) after clause (c), the following clause shall be inserted, namely:—

“(cc) where a defence of adverse possession is made, the same shall be treated as a counter claim and fee shall be computed on the market value of the immovable property;”;

(5) in clause (d), for the expression “rupees one thousand”, the expression “rupees five thousand” shall be substituted.

Amendment of section 30.

5. In section 30 of the principal Act,—

(1) for the expression “rupees one thousand”, the expression “rupees five thousand” shall be substituted;

(2) the following proviso shall be added, namely:—

“Provided that in cases where a defence of adverse possession is made, the same shall be treated as a counter claim and fee shall be computed on the market value of the immovable property.”.

Amendment of section 37.

6. In section 37 of the principal Act, for sub-section (2), the following sub-section shall be substituted, namely:—

“(2) In a suit for partition and separate possession of joint family property or property owned jointly or in common, by a plaintiff who is in joint possession of such property, fee shall be paid at the following rates:—

When the plaint is presented to—

- | | |
|------------------------------------|-------------------------|
| (i) the High Court; | Rupees ten thousand. |
| (ii) Courts other than High Court. | Rupees five thousand.”. |

Insertion of new section 53-A.

7. After section 53 of the Principal Act, the following section shall be inserted, namely:—

“53-A. Fee on appeals from transfer suits.—

(1) The fee payable on appeals from transferred suits shall be the fee paid or payable on the suit whichever is less.

(2) The fee payable in appeals from suits transferred from the High Court in its original jurisdiction to the City Civil Court shall be the fee paid before the High Court. The fee on the appeal shall not be calculated on the higher fee payable as if the plaint originally been filed before the City Civil Court.”.

Amendment of section 69.

8. In section 69 of the principal Act, for the expression “half the amount”, the expression “full amount” shall be substituted.

Substitution of section 69-A.

9. For section 69-A of the principal Act, the following section shall be substituted, namely:—

“69-A. Refund on settlement of disputes under section 89 of Code of Civil Procedure.—Where the Court refers the parties to the suit to any of the modes of settlement of dispute referred to in section 89 of the Code of Civil Procedure, 1908 (Central Act V of 1908), the fee paid shall be refunded upon such reference. Such refund need not await for settlement of the dispute.”.

Insertion of new section 74-A.

10. After section 74 of the principal Act, the following section shall be inserted, namely:—

“74-A. Mandatory costs.—In frivolous or speculative litigation, the court shall award cost to the winning party, which shall be the actual cost or equal to the value of court-fee paid by the winning party whichever is less.”.

11. In Schedule I to the principal Act,—

Amendment of
Schedule I.

(1) for the entries in columns (2) and (3) against Article 1 in column (1) thereof, the following entries shall, respectively, be substituted, namely:—

“Plaint or written statement pleading a set off or counter claim or memorandum of appeal presented to any Court.	Three per cent of the amount or value of the subject matter in dispute.”;
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(2) for the entries in columns (2) and (3) against Article 6 in column (1) thereof, the following entries shall, respectively, be substituted, namely:—

“Probate of a will or letters of administration with or without will annexed.	Three per cent on the amount or value of the estate in respect of which the grant of probate or letters of administration is made, subject to a maximum of twenty-five thousand rupees.”.
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12. In Schedule II to the principal Act,—

Amendment of
Schedule II.

(1) for the entries in columns (2) and (3) against Article 3 in column (1) thereof, the following entries shall, respectively, be substituted, namely:—

“Memorandum of appeal from an order inclusive of an order determining any question under section 144 of the Code of Civil Procedure, 1908, and not otherwise provided for when presented—

(i) to any Court other than the High Court or to Government or to any Executive Officer other than the Government or the Appropriate Authority specified in the notification under sub-section (1) of section 4 of the Tamil Nadu Board of Revenue Abolition Act, 1980 or Chief Executive Authority;	One hundred rupees.
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(ii) to the High Court.	Two thousand rupees.”;
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(2) for the entries in columns (2) and (3) against Article 4 in column (1) thereof, the following entries shall, respectively, be substituted, namely:—

“Application for setting aside arbitral award and for enforcement of the foreign award under the Arbitration and Conciliation Act, 1996.	Three per cent of the value for jurisdiction subject to a maximum of one lakh rupees.”;
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(3) in Article 11,—

(i) for the entry “Two rupees” in column (3), against item (g) in column (2) thereof, the entry “Twenty rupees” shall be substituted;

(ii) for items (h) and (i) in column (2) and the entries relating thereto in column (3), the following shall be substituted, namely:—

“(h) Application for arrest or attachment before judgment or for temporary injunction when presented to any Court. Twenty rupees.

(i) Application or petition under section 47 and Order XXI, Rules 58 and 90 of the Code of Civil Procedure, 1908 filed in any Court. Twenty rupees.”;

(iii) for the entry “One per cent of value of the subject matter, subject to a maximum of rupees five thousand”, in column (3) against item (m) in column (2) thereof, the entry “three per cent of the value of the subject matter subject to a maximum of rupees one lakh” shall be substituted;

(iv) for item (o) in column (2) and the entries relating thereto in column (3), the following shall be substituted, namely:—

“(o) Revision petition presented to the High Court under section 115 of the Code of Civil Procedure, 1908 or under section 25 of the Provincial Small Cause Courts Act, 1887 or under the provisions of any other Act, arising out of a suit or proceeding. Two hundred rupees.”;

(v) for item (p) in column (2) and the entries relating thereto in column (3), the following shall be substituted, namely:—

“(p) Revision petition presented to a District Court. Two hundred rupees.”;

(vi) for item (r) in column (2) and the entries relating thereto in column (3), the following shall be substituted, namely:—

“(r) (i) Petition to the High Court under Article 226 of the Constitution for a Writ other than Writ of Habeas Corpus. One thousand rupees.

(ii) Petition to the High Court under Article 227 of the Constitution. Five hundred rupees.”;

(vii) for the entry “Ten rupees” in column (3) against item (s) in column (2) thereof, the entry “Twenty rupees” shall be substituted;

(4) for the entries in columns (2) and (3) against Article 16 in column (1) thereof, the following entries shall, respectively, be substituted, namely:—

“Mukhtarnama, Vakalatnama or any paper signed by an advocate signifying or intimating that he is retained for a party, when presented to any Court. Ten rupees.”;

(5) for the entries in columns (2) and (3) against Article 18 in column (1) thereof, the following entries shall, respectively, be substituted, namely:—

“Caveat. Twenty rupees.”;

(6) for the entries in columns (2) and (3) against Article 19 in column (1) thereof, the following entries shall, respectively, be substituted, namely:—

“For each memorandum of appearance in Criminal Courts including High Court. Ten rupees.”;

(7) For the entry “Twenty five rupees for every rupees fifty thousand subject to a maximum of one thousand rupees” in column (3) against Article 20 in column (1) thereof, the entry “Half per cent ad valorem, subject to a maximum of rupees ten thousand” shall be substituted.

(By order of the Governor)

S.S. POOVALINGAM,
*Secretary to Government-in-charge,
Law Department.*

The following Act of the Tamil Nadu Legislative Assembly received the assent of the Governor on the 17th February 2017 and is hereby published for general information:—

ACT No. 7 OF 2017.

An Act to amend the Tamil Nadu Heritage Commission Act, 2012.

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

1. (1) This Act may be called the Tamil Nadu Heritage Commission (Amendment) Act, 2017.

Short title and commencement.

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

2. In the Tamil Nadu Heritage Commission Act, 2012, in section 4, in sub-section (1), clause (n) shall be omitted.

Amendment of section 4.

Tamil Nadu
Act 24 of
2012.

(By order of the Governor)

S.S. POOVALINGAM,
Secretary to Government-in-charge,
Law Department.

The following Act of the Tamil Nadu Legislative Assembly received the assent of the Governor on the 17th February 2017 and is hereby published for general information:—

ACT No. 8 OF 2017.

An Act further to amend the Tamil Nadu Agricultural Produce Marketing (Regulation) Act, 1987.

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

1. (1) This Act may be called the Tamil Nadu Agricultural Produce Marketing (Regulation) Amendment Act, 2017.

Short title and commencement.

(2) Section 6 shall be deemed to have come into force on the 31st May 2015 and all other provisions of this Act shall come into force on such date as the State Government may, by notification, appoint.

2. In section 2 of the Tamil Nadu Agricultural Produce Marketing (Regulation) Act, 1987 (hereinafter referred to as the principal Act), for clause (8), the following clauses shall be substituted, namely:—

Amendment of section 2.

“(8) “Director” means the Director of Agricultural Marketing and Agri Business or the Commissioner or Special Commissioner of Agricultural Marketing and Agri Business, as the case may be, and includes any other person or authority authorised by the Government by notification to perform the functions of Director under this Act for such area as may be specified in the notification;

(8-a) “e-trading” means a virtual platform created using information and communication technology for marketing activities on any notified agricultural produce such as billing, booking, contracting, negotiating, information exchanging, record keeping, online trading, online payment and other connected activities as are done electronically on computer network or internet;”.

3. In section 6 of the principal Act, in sub-section (1), for the expression “providing such facilities”, the expression “providing such facilities including e-trading” shall be substituted.

Amendment of section 6.

4. After section 8 of the principal Act, the following section shall be inserted, namely:—

Insertion of new section 8-A.

“8-A. Trading in agricultural produce in the State.— (1) Notwithstanding anything contained in section 8, the Director or the officer authorised by him in this behalf may grant a licence to a person for buying or selling or operating in any other capacity in relation to buying or selling of any notified agricultural produce in any notified market area and every application for grant of licence shall be made in such form, in such manner and accompanied by such fee, as may be prescribed.

(2) A licence under sub-section (1) may be refused to a person—

(a) whose licence was cancelled by the market committee or the Director or the officer authorised by him and a period of three years has not elapsed since the date of the cancellation; or

(b) who has been convicted of an offence where such offence relates to his business or his integrity as a man of business; or

(c) in regard to whom the Director or the officer authorised by him is satisfied, after such enquiry as he considers adequate, that he is a *benamidar* for, or a partner with, any other person to whom a licence has been refused under clause (a) or clause (b).

(3) If the Director or the officer authorised by him is satisfied, either on a reference made to him in this behalf, or otherwise, that—

(a) a licence granted under sub-section (1) has been obtained by misrepresentation or fraud, or

(b) the holder of a licence has contravened, or failed to comply with, any of the provisions of this Act or the rules or by-laws made under this Act or any of the conditions of the licence,

then, without prejudice to any other penalty to which the holder of the licence may be liable under this Act, the Director or the officer authorised by him may, subject to such rules as may be made in this behalf, cancel or suspend the licence, after giving the holder of the licence a reasonable opportunity of showing cause against such cancellation or suspension.

(4) Any person aggrieved by the decision of the Director or the officer authorised by him,—

(a) refusing to grant, or

(b) cancelling or suspending,

a licence may, within such time as may be prescribed, appeal to the Board and the Board may make such order in the case as it may think fit.

(5) A licence granted under sub-section (1) shall be valid for a period of three years.

(6) Every person to whom a licence is granted under sub-section (1) shall comply with the provisions of this Act, the rules and by-laws made thereunder and the conditions specified in the licence.

(7) Every person to whom a licence is granted under sub-section (1) shall keep and maintain a true and correct account and such other records showing such particulars as may be specified by the Director and shall submit such periodical returns relating to his business transaction including processing as may be prescribed, to the Director in such manner and within such period as may be prescribed, together with the fee or other amount due on the basis of the return.

Amendment of section 24.

5. In section 24 of the principal Act, after the proviso, the following proviso shall be inserted, namely:—

“Provided further that no fee shall be levied more than once on any notified agricultural produce bought or sold in any notified market area within the State.”.

Amendment of section 33.

6. In section 33 of the principal Act, in sub-section (1), in the proviso, for the expression “four years”, the expression “six years” shall be substituted.

Validation.

7. Notwithstanding anything contained in the principal Act, every person exercising the powers and discharging the functions of a Special Officer of the market committees, with effect on and from the 31st day of May 2015, shall be deemed to have been appointed as such Special Officer of the said market committees under sub-section (1) of section 33 of the principal Act, as amended by this Act, and anything done or any action taken by the said Special Officers during the period commencing on the 31st day of May 2015 and ending with the date of publication of this Act in the *Tamil Nadu Government Gazette*, shall be deemed to have been validly done or taken under the principal Act, as amended by this Act.”.

(By order of the Governor)

S.S. POOVALINGAM,
Secretary to Government-in-charge,
Law Department.

The following Act of the Tamil Nadu Legislative Assembly received the assent of the Governor on the 17th February 2017 and is hereby published for general information:—

ACT No. 9 OF 2017.

An Act further to amend the Tamil Nadu Shops and Establishments Act, 1947.

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

1. (1) This Act may be called the Tamil Nadu Shops and Establishments (Amendment) Act, 2017.

Short title and commencement.

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

2. In section 41 of the Tamil Nadu Shops and Establishments Act, 1947 (hereinafter referred to as the principal Act), after sub-section (2), the following sub-sections shall be inserted, namely :-

Amendment of Section 41

“(2-A) The appellate authority may, if it considers that any document or the testimony of any person is relevant or necessary for the discharge of its duties under this Act as appellate authority, call for and inspect such document or summon and examine such person. For the aforesaid purposes, it shall have the same powers as are vested in a civil court while trying a suit under the Code of Civil Procedure, 1908 (Central Act V of 1908), in respect of the following matters, namely:-

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

(ii) compelling the production of documents;

(iii) issuing commissions for the examination of witnesses.

(2-B) The appellate authority, may, after giving notice in the prescribed manner to the employer and the person employed, dismiss the appeal or direct the reinstatement of the person employed, with or without wages for the period he was kept out of employment or direct payment of compensation without reinstatement or grant such other relief as it deems fit in the circumstances of the case.”.

3. For section 45 of the principal Act, the following section shall be substituted, namely :-

Substitution of section 45.

“45. Penalties.—Whoever contravenes any of the provisions of sections 7 to 11, 13 to 23, 25, 26, 29 to 41 and 47 shall be punishable for a first offence, with fine which may extend to five thousand rupees and for a second or subsequent offence, with fine which may extend to ten thousand rupees.”.

(By order of the Governor)

S.S. POOVALINGAM,
Secretary to Government-in-charge,
Law Department.

The following Act of the Tamil Nadu Legislative Assembly received the assent of the Governor on the 17th February 2017 and is hereby published for general information:—

ACT No. 10 OF 2017.

An Act further to amend the Tamil Nadu Payment of Subsistence Allowance Act, 1981.

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

1. (1) This Act may be called the Tamil Nadu Payment of Subsistence Allowance (Amendment) Act, 2017.

Short title and commencement.

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

2. In section 2 of the Tamil Nadu Payment of Subsistence Allowance Act, 1981, in clause (a), in item (ii), for the expression "draws wages exceeding three thousand and five hundred rupees per mensem", the expression "draws wages exceeding fifteen thousand rupees per mensem" shall be substituted.

Amendment of section 2.

Tamil Nadu
Act 43 of
1981.

(By order of the Governor)

S.S. POOVALINGAM,
Secretary to Government-in-charge,
Law Department.

The following Act of the Tamil Nadu Legislative Assembly received the assent of the Governor on the 17th February 2017 and is hereby published for general information:—

ACT No. 11 OF 2017.

An Act to repeal the Annamalai University (Amendment) Act, 2012.

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

1. (1) This Act may be called the Annamalai University (Amendment) Repeal Act, 2017.

Short title and commencement.

(2) It shall be deemed to have come into force on the 8th day of October 2015.

2. The Annamalai University (Amendment) Act, 2012 is hereby repealed.

Repeal

(By order of the Governor)

S.S. POOVALINGAM,
*Secretary to Government-in-charge,
Law Department.*