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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 26th February, 2021 is published together with Statement of Objects and Reasons for general information:—

L.A. Bill No. 11 of 2021

A Bill further to amend the Tamil Nadu Payment of Salaries Act, 1951.

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:—

Short title and commencement.

1. (1) This Act may be called the Tamil Nadu Payment of Salaries (Amendment) Act, 2021.

(2) Sub-sections (1) and (4) of Section 2 and Section 4 shall come into force at once and all the remaining sections shall be deemed to have come into force on the 1st day of April 2020.

Amendment of section 12.

2. In section 12 of the Tamil Nadu Payment of Salaries Act, 1951 (hereinafter referred to as the principal Act),—

Tamil Nadu Act XX of 1951.

(1) sub-section (2-A) shall be omitted.

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

“(2-AA) Where any Member of the Legislative Assembly dies before the expiry of the term of his office, his family shall be paid a lump-sum allowance of five lakh rupees.”.

(3) for sub-section (2-B) excluding the Explanation thereunder, the following sub-section shall be substituted, namely: —

“(2-B) The lump-sum allowance payable under sub-section (2-AA) shall be paid to the members of the family in equal shares.”.

(4) in sub-section (4-A), after clause (a), the following proviso shall be added, namely: —

“Provided that in case of air conditioned sleeper buses, the spouse or companion of such member shall be provided seating facility only.”.

3. In section 12-B of the principal Act, in sub-section (1), for the expression “twenty thousand rupees”, the expression “twenty five thousand rupees” shall be substituted.

Amendment of section 12-B.

4. In section 12-C of the principal Act, after sub-section (1), the following proviso shall be added, namely: —

Amendment of section 12-C.

“Provided that in case of air conditioned sleeper buses, the spouse or companion of such member shall be provided seating facility only.”.

5. Notwithstanding anything contained in the principal Act, all acts done or proceedings taken under the principal Act, for sanctioning of lump-sum allowance or pension during the period commencing on the 1st day of April 2020 and ending with the date of publication of this Act in the *Tamil Nadu government Gazette*, shall be deemed to be 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.

STATEMENT OF OBJECTS AND REASONS

On the 24th March 2020, the Hon'ble Chief Minister made the following announcements on the floor of the Assembly,-

(a) When any sitting member of the Legislative Assembly dies during the term of his office, the lump sum allowance payable to his family will be enhanced from Rs.2,00,000/- (Rupees Two lakhs only) to Rs.5,00,000/- (Rupees Five lakhs only);

(b) Pension payable to former members of the Legislative Assembly and the Legislative Council will be enhanced from Rs.20,000/- (Rupees Twenty thousand only) to Rs.25,000/- (Rupees Twenty five thousand only);

(c) The family pension payable to the legal heir of the deceased members of the Legislative Assembly and the Legislative Council will be enhanced from Rs.10,000/- (Rupees Ten thousand only) to Rs.12,500/- (Rupees Twelve thousand and five hundred only);

(d) The above monetary benefits will be given with effect from the 1st April 2020;

(e) The sitting and former members of the Legislative Assembly and former members of the Legislative Council, while travelling along with his spouse or companion in any air conditioned bus by any Transport Corporation owned by the State Government, a sleeper facility shall be provided to such member and a seating facility shall be provided to the spouse or companion in that bus.

2. To give effect to the above announcements, the Government have decided to amend the Tamil Nadu Payment of Salaries Act, 1951 (Tamil Nadu Act XX of 1951) suitably.

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

EDAPPADI K. PALANISWAMI,
Chief Minister.

Chennai-600 009,
26th 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 26th February, 2021 is published together with Statement of Objects and Reasons for general information:—

L.A. Bill No. 12 of 2021

A Bill to Repeal Certain Enactments.

WHEREAS it is expedient that the enactments specified in the Schedule which are spent or have otherwise become obsolete, or have ceased to be in force otherwise than by expressed specific repeal, should be expressly and specifically repealed;

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. This Act may be called the Tamil Nadu Repealing Act, 2021. | Short title. |
| 2. The enactments specified in the Schedule are hereby repealed. | Repeal of certain enactments. |
| 3. The repeal by this Act of any enactment shall not affect any other enactment in which the repealed enactment has been applied, incorporated or referred to; | Savings. |

and this Act shall not affect the validity, invalidity, effect or consequences of anything already done or suffered, or any right, title, obligation or liability already acquired, accrued or incurred, or any remedy or proceeding in respect thereof, or any release or discharge of or from any debt, penalty, obligation, liability, claim or demand, or any indemnity already granted, or the proof of any past act or thing;

nor shall this Act affect any principle or rule of law, or established jurisdiction, form or course of pleading, practice or procedure, or existing usage, custom, privilege, restriction, exemption, office or appointment, notwithstanding that the same respectively may have been in any manner affirmed or recognised or derived by, in or from any enactment hereby repealed;

nor shall the repeal by this Act of any enactment revive or restore any jurisdiction, office, custom, liability, right, title, privilege, restriction, exemption, usage, practice, procedure or other matter or thing not now existing or in force.

THE SCHEDULE.

REPEALS.

(See section 2)

<i>S.No.</i>	<i>Year</i>	<i>Number</i>	<i>Short Title</i>
<i>(1)</i>	<i>(2)</i>	<i>(3)</i>	<i>(4)</i>
<i>President's Act</i>			
1.	1976	2	The Tamil Nadu Additional Sales Tax (Amendment) Act, 1976.

S.No.	Year	Number	Short Title
(1)	(2)	(3)	(4)
<i>Central Act</i>			
2.	1858	I	The Tamil Nadu Compulsory Labour Act, 1858.
<i>Tamil Nadu Acts</i>			
3.	1866	II	The Tamil Nadu Cattle Disease Act, 1866.
4.	1953	XIX	The Tamil Nadu Co-operative Societies (Amendment) Act, 1953.
5.	1954	XXVII	The Tamil Nadu Hindu Religious and Charitable Endowments (Amendment) Act, 1954.
6.	1958	XX	The Tamil Nadu Weights and Measures (Enforcement) Act, 1958.
7.	1961	19	The Tamil Nadu Wakf (Supplementary) Act, 1961.
8.	1962	6	The Tamil Nadu Betting Tax (Amendment) Act, 1962.
9.	1963	18	The Tamil Nadu District Police (Amendment) Act, 1963.
10.	1964	19	The Tamil Nadu Compulsory Labour (Amendment) Act, 1964.
11.	1964	23	The Tamil Nadu Maternity Benefit (Repeal) Act, 1964.
12.	1964	37	The Tamil Nadu General Sales Tax (Special Provisions) Act, 1964.
13.	1965	7	The Tamil Nadu General Sales Tax (Amendment) Act, 1965.
14.	1965	21	The Tamil Nadu Agricultural Produce Markets (Amendment) Act, 1965.
15.	1965	27	The Tamil Nadu Sales of Motor Spirit Taxation (Amendment) Act, 1965.
16.	1965	28	The Tamil Nadu Sales of Motor Spirit Taxation (Second Amendment) Act, 1965.
17.	1965	30	The Tamil Nadu General Sales Tax (Second Amendment) Act, 1965.
18.	1966	3	The Tamil Nadu General Sales Tax (Amendment) Act, 1966.
19.	1966	8	The Tamil Nadu Co-operative Societies (Amendment) Act, 1966.
20.	1966	18	The Tamil Nadu General Sales Tax (Second Amendment) Act, 1966.
21.	1967	5	The Tamil Nadu General Sales Tax (Amendment) Act, 1967.
22.	1967	11	The Tamil Nadu General Sales Tax (Second Amendment) Act, 1967.
23.	1967	18	The Tamil Nadu Sales of Motor Spirit Taxation (Amendment) Act, 1967.
24.	1967	19	The Tamil Nadu General Sales Tax (Third Amendment) Act, 1967.
25.	1968	2	The Tamil Nadu General Sales Tax (Amendment) Act, 1968.
26.	1968	7	The Tamil Nadu General Sales Tax (Second Amendment) Act, 1968.
27.	1968	12	The Tamil Nadu General Sales Tax (Third Amendment) Act, 1968.
28.	1969	2	The Tamil Nadu General Sales Tax (Amendment) Act, 1969.
29.	1969	3	The Tamil Nadu General Sales Tax (Second Amendment) Act, 1969.
30.	1969	20	The Tamil Nadu General Sales Tax (Third Amendment) Act, 1969.
31.	1970	2	The Tamil Nadu General Sales Tax (Amendment) Act, 1970.
32.	1970	3	The Tamil Nadu Sales of Motor Spirit Taxation (Amendment) Act, 1970.
33.	1970	12	The Tamil Nadu Sales of Motor Spirit Taxation (Second Amendment) Act, 1970.
34.	1970	13	The Tamil Nadu General Sales Tax (Second Amendment) Act, 1970.
35.	1970	20	The Tamil Nadu Buildings (Lease and Rent Control) Amendment Act, 1970.

<i>S.No.</i>	<i>Year</i>	<i>Number</i>	<i>Short Title</i>
<i>(1)</i>	<i>(2)</i>	<i>(3)</i>	<i>(4)</i>
36.	1970	23	The Tamil Nadu Payment of Salaries (Amendment) Act, 1970.
37.	1970	26	The Tamil Nadu General Sales Tax (Third Amendment) Act, 1970.
38.	1970	27	The Tamil Nadu General Sales Tax (Fourth Amendment) Act, 1970.
39.	1971	7	The Tamil Nadu General Sales Tax (Amendment) Act, 1971.
40.	1971	13	The Tamil Nadu General Sales Tax (Second Amendment) Act, 1971.
41.	1971	25	The Tamil Nadu General Sales Tax (Third Amendment) Act, 1971.
42.	1971	35	The Tamil Nadu General Sales Tax (Fourth Amendment) Act, 1971.
43.	1971	44	The Tamil Nadu Betting and Entertainments Tax (Amendment) Act, 1971.
44.	1971	45	The Tamil Nadu Payment of Salaries (Amendment) Act, 1971.
45.	1971	46	The Tamil Nadu Legislature (Prevention of Disqualification) Amendment Act, 1971.
46.	1971	47	The Tamil Nadu Entertainments Tax (Amendment) Act, 1971.
47.	1972	8	The Tamil Nadu Sales of Motor Spirit Taxation (Amendment) Act, 1972.
48.	1972	9	The Tamil Nadu Betting Tax (Amendment) Act, 1972.
49.	1972	11	The Tamil Nadu General Sales Tax (Amendment) Act, 1972.
50.	1972	19	The Public Wakfs (Extension of Limitation) Tamil Nadu Amendment Act, 1972.
51.	1972	31	The Tamil Nadu General Sales Tax (Second Amendment) Act, 1972.
52.	1973	3	The Tamil Nadu Betting Tax (Second Amendment) Act, 1972.
53.	1973	9	The Tamil Nadu Co-operative Societies (Amendment) Act, 1973.
54.	1973	16	The Tamil Nadu General Sales Tax (Amendment) Act, 1973.
55.	1973	21	The Public Wakfs (Extension of Limitation) Tamil Nadu Amendment Act, 1973.
56.	1973	26	The Tamil Nadu Sales of Motor Spirit Taxation and Entertainments Tax (Amendment) Act, 1973.
57.	1973	28	The Tamil Nadu Payment of Salaries (Amendment) Act, 1973.
58.	1973	39	The Tamil Nadu General Sales Tax (Second Amendment) Act, 1973.
59.	1973	40	The Tamil Nadu Payment of Salaries (Second Amendment) Act, 1973.
60.	1974	1	The Tamil Nadu Entertainments Tax (Amendment) Act, 1973.
61.	1974	23	The Tamil Nadu General Sales Tax (Amendment) Act, 1974.
62.	1974	24	The Tamil Nadu Additional Sales Tax (Amendment) Act, 1974.
63.	1974	35	The Tamil Nadu Sales of Motor Spirit Taxation (Amendment) Act, 1974.
64.	1974	36	The Tamil Nadu General Sales Tax (Second Amendment) Act, 1974.
65.	1974	37	The Tamil Nadu General Sales Tax (Third Amendment) Act, 1974.
66.	1974	43	The Tamil Nadu Payment of Salaries (Amendment) Act, 1974.

<i>S.No.</i>	<i>Year</i>	<i>Number</i>	<i>Short Title</i>
<i>(1)</i>	<i>(2)</i>	<i>(3)</i>	<i>(4)</i>
67.	1975	45	The Tamil Nadu Additional Sales Tax and Sales Tax (Surcharge) Amendment Act, 1975.
68.	1981	7	The Tamil Nadu Sales Tax Laws (Amendment and Repeal) Act, 1981.
69.	1986	35	The Tamil Nadu Additional Sales Tax (Amendment) Act, 1986.
70.	1989	21	The Tamil Nadu Additional Sales Tax (Amendment) Act, 1989.
71.	1993	23	The Tamil Nadu Additional Sales Tax (Amendment) Act, 1993.
72.	1996	31	The Tamil Nadu Additional Sales Tax (Amendment) Act, 1996.
73.	1998	23	The Tamil Nadu Additional Sales Tax (Amendment) Act, 1998.
74.	1999	37	The Tamil Nadu Additional Sales Tax (Amendment) Act, 1999.
75.	2001	13	The Tamil Nadu Additional Sales Tax (Amendment) Act, 2001.
76.	2002	23	The Tamil Nadu Additional Sales Tax (Amendment) Act, 2002.
77.	2005	14	The Tamil Nadu Additional Sales Tax (Amendment) Act, 2005.

STATEMENT OF OBJECTS AND REASONS.

The State Law Commission, Tamil Nadu has recommended in its various Reports to repeal certain enactments, as the said enactments have become obsolete and redundant. Further, the Legislative Department, Ministry of Law and Justice, Government of India has requested to examine and take necessary action for repeal of, among others, the Tamil Nadu Compulsory Labour Act, 1858 (Central Act I of 1858). The Government considered the said recommendations of the State Law Commission and the request of the Government of India and have decided to repeal the obsolete and redundant laws.

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

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

Chennai-600 009,
26th 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 26th February, 2021 is published together with Statement of Objects and Reasons for general information:—

L.A. Bill No. 13 of 2021

A Bill further to amend the Registration Act, 1908 in its application to 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:—

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

(2) It extends to the whole of the State of Tamil Nadu.

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

Central Act XVI of 1908.

2. To section 32 of the Registration Act, 1908 (hereinafter referred to as the principal Act), the following proviso shall be added, namely:— Amendment of section 32.

“Provided that the State Government may, by notification, specify such documents which may be presented through electronic means.”.

3. For section 32-A of the principal Act, the following sections shall be substituted, namely:— Substitution of section 32-A.

“32-A. Registration by electronic means.— In cases, where the document is presented for registration by electronic means, the procedure for its presentation, appearance for admission, endorsements, manner of fixing signature and seal, mode of payment of registration fees and other fees and such other process, shall be such as may be prescribed by rules made in this behalf.

32-AA. Compulsory affixing of photograph, etc.— Every person presenting any document at the proper registration office under section 32 shall affix his passport size photograph and fingerprints to the document:

Provided that where such document relates to the transfer of ownership of immovable property, the passport size photograph and fingerprints of each buyer and seller of such property mentioned in the document shall also be affixed to the document.”.

4. In section 52 of the principal Act, in sub-section (1), in clause (a), for the expression “under section 32A”, the expression “under section 32-AA” shall be substituted. Amendment of section 52.

5. In section 69 of the principal Act, in sub-section (1), after clause (gg), the following clause shall be inserted, namely:— Amendment of section 69.

“(ggg) regulating the procedure for presentation of documents, appearance for admission, endorsements, manner of fixing signature and seal, mode of payment of registration fees and other fees and such other process, when the document is presented by electronic means.”.

STATEMENT OF OBJECTS AND REASONS.

According to section 17 of the Registration Act, 1908, the instruments of agreements relating to Deposit of Title Deeds has to be registered Compulsorily. The Industrial Sector experiences much difficulty in physically presenting instruments of agreements relating to Deposit of Title Deeds for registration before the respective Sub Registrar's for availing Industrial Loans from the banks within the stipulated time. The State Government is promoting, through its entire means, the revival of Industrial Sector more particularly, the Micro, Small and Medium Enterprises Sector using the stimulus announced by the Central Government. It is considered that, dispensing with the requirement of physical presentation of documents such as agreements relating to Deposit of Title Deeds, for registration, will facilitate ease of doing business. The Government have therefore, decided to amend the Registration Act, 1908 (Central Act XVI of 1908) suitably for said purpose.

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

K.C.VEERAMANI,
Minister for Commercial Taxes.

Chennai-600 009,
26th 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 26th February, 2021 is published together with Statement of Objects and Reasons for general information:—

L.A. Bill No. 14 of 2021

A Bill to provide for special reservation of seats in educational institutions including private educational institutions in the State and of appointments or posts in the services under the State, in the State of Tamil Nadu within the twenty per cent reservation for Most Backward Classes and Denotified Communities.

WHEREAS the policy of reservation for the social and educational advancement of the people belonging to the Backward Classes of citizens in admissions to educational institutions in the State and for appointments in the services under the State has been under implementation in the State of Tamil Nadu for a long time;

AND WHEREAS the State of Tamil Nadu is a pioneer State in providing reservation for the underprivileged and the first Government Order providing communal reservation was passed in the year 1921 and the proportional representation for communities was made in the year 1927 in this State;

AND WHEREAS a large percentage of population in Tamil Nadu who were suffering from social and educational backwardness for many years have started enjoying the benefits of the reservation policy and have been able to improve their lot and attain a higher standard of living;

AND WHEREAS the Tamil Nadu Legislature passed the Tamil Nadu Backward Classes, Scheduled Castes and Scheduled Tribes (Reservation of seats in Educational Institutions and of appointments or posts in the Services under the State) Act, 1993 (Tamil Nadu Act 45 of 1994);

AND WHEREAS the Constitution (Seventy-sixth Amendment) Act, 1994, added the said Tamil Nadu Act 45 of 1994, enacted by the Tamil Nadu Legislature, to the Ninth Schedule so as to give protection to the State Act, under Article 31-B of the Constitution;

AND WHEREAS under Article 14 of the Constitution, equals and unequals cannot be treated equally and a differential treatment, if made, cannot at all be stated to be discriminatory, if it is having a rational nexus to the object sought to be achieved;

AND WHEREAS the Constitution (Ninety-third Amendment) Act, 2005 incorporating clause (5) of Article 15 of the Constitution enables the making of any special provision, by law, for the advancement of any socially and educationally Backward Classes of citizens or for the Scheduled Castes or Scheduled Tribes in so far as such special provisions relate to their admission to educational institutions including private educational institutions whether, aided or unaided by the State, other than minority educational institutions referred to in clause (1) of Article 30 of the Constitution;

AND WHEREAS by virtue of clause (5) of Article 15 of the Constitution and also, after taking a policy decision that the existing level of sixty-nine per cent reservation in admission to educational institutions other than minority educational institutions referred to in clause (1) of Article 30 of the Constitution in the State for the Backward Classes of citizens and for the persons belonging to the Scheduled Castes and Scheduled Tribes, should be continued for ensuring the advancement of the majority of the people of the State of Tamil Nadu, the Tamil Nadu Legislature passed the Tamil Nadu Backward Classes, Scheduled Castes and Scheduled Tribes (Reservation of Seats in Private Educational Institutions) Act, 2006 (Tamil Nadu Act 12 of 2006);

AND WHEREAS clause (4) of Article 16 of the Constitution enables the making of reservation to those Backward Classes of citizens which are not adequately represented in the services under the State;

AND WHEREAS under clause (1) of Article 38 of the Constitution, the State shall strive to promote the welfare of the people by securing and protecting as effectively as it may a social order in which justice, social, economic and political, shall inform all the institutions of the national life;

AND WHEREAS under clause (2) of Article 38 of the Constitution, the State shall, in particular, strive to minimize the inequalities in income, and endeavour to eliminate inequalities in status, facilities and opportunities, not only amongst individuals but also amongst groups of people residing in different areas or engaged in different vocations;

AND WHEREAS under clause (b) of Article 39 of the Constitution, the State shall, in particular, direct its policy towards securing that the ownership and control of the material resources of the community are so distributed as best to subserve the common good;

AND WHEREAS under clause (c) of Article 39 of the Constitution, the State shall, in particular, direct its policy towards securing that the operation of the economic system does not result in the concentration of wealth and means of production to the common detriment;

AND WHEREAS Vanniakula Kshatriya including Vanniyar, Vanniya, Vannia Gounder, Gounder or Kander, Padayachi, Palli and Agnikula Kshatriya notified as Most Backward Classes, among other classes, under the said Tamil Nadu Act 45 of 1994, requested for a separate quota of reservation for them, as they could not compete with the other communities in the list of Most Backward Classes and Denotified Communities in view of their large population, so as to get their legitimate share in admissions to educational institutions and of appointments or posts in the services under the State;

AND WHEREAS, the Tamil Nadu Backward Classes Commission which was earlier consulted on the issue of providing internal reservation for Vanniakula Kshatriya Community had recommended to the Government that separate quota may be provided to the extent of ten and a half per cent for Vanniakula Kshatriya including Vanniyar, Vanniya, Vannia Gounder, Gounder or Kander, Padayachi, Palli and Agnikula Kshatriya listed as Most Backward Classes from out of the twenty per cent reservation provided for the Most Backward Classes and Denotified Communities in educational institutions including private educational institutions as well as, in appointments or posts in the services under the State;

AND WHEREAS, on a reference made to the Chairman, Tamil Nadu Backward Classes Commission in regard to the possibility of providing internal reservation amongst communities listed as Most Backward Classes and Denotified Communities within the twenty per cent available for them under the said Tamil Nadu Act 45 of 1994, the Chairman, by referring to the recommendation of the then Chairman of the said Commission for providing ten and a half per cent reservation to Vanniyakula Kshatriya Community within the said twenty per cent, has stated that to facilitate distributive social justice, there can be no bar to group the other communities notified as Most Backward Classes and Denotified Communities on the proportion of their population and accordingly has suggested that apart from the ten and a half per cent recommended to Vanniyakula Kshatriya Community, the remaining may be grouped into two categories, one with Denotified Communities and the Most Backward Class Communities having similarity with Denotified Communities; and another with other Most Backward Classes not included in the above category and provided with seven per cent and two and a half per cent reservation, respectively, within the overall twenty per cent provided under the said Tamil Nadu Act 45 of 1994;

AND WHEREAS, the State Government, after careful consideration, in order to ensure that the benefit of the twenty per cent reservation provided to the Most Backward Classes and Denotified Communities under the said Tamil Nadu Act 45 of 1994, is equitably distributed among all of them, has taken a policy decision to categorise them and provide each such category with such percentage of reservation within the twenty per cent as suggested above by the Chairman, Tamil Nadu Backward Classes Commission;

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 Special Reservation of seats in Educational Institutions including Private Educational Institutions and of appointments or posts in the services under the State within the Reservation for the Most Backward Classes and Denotified Communities Act, 2021.

Short title, extent and commencement.

(2) It extends to the whole of the State of Tamil Nadu.

(3) It shall come into force at once.

2. In this Act, unless the context otherwise requires,—

Definitions.

(a) “competent authority” means the competent authority appointed under section 6;

(b) “Denotified Communities” means the community or communities which are socially and educationally backward and notified as Denotified Communities by the Government under the Tamil Nadu Backward Classes, Scheduled Castes and Scheduled Tribes (Reservation of seats in Educational Institutions and of appointments or posts in the Services under the State) Act, 1993 (hereinafter referred to as the 1994 Act);

(c) “educational institution” shall have the same meaning as defined in the 1994 Act;

(d) "Government" means the State Government;

(e) "Most Backward Classes of citizens" means the class or classes of citizens who are socially and educationally backward and notified as Most Backward Classes by the Government under the 1994 Act;

(f) "Part-MBC (V) Communities" means the community or communities mentioned in Part-MBC (V) of the Schedule, which are notified as Most Backward Classes by the Government under the 1994 Act;

(g) "Part-MBC and DNC Communities" means the community or communities mentioned in Part-MBC and DNC of the Schedule, which are notified as Most Backward Classes and Denotified Communities by the Government under the 1994 Act;

(h) "Part-MBC Communities" means the community or communities mentioned in Part-MBC of the Schedule, which are notified as Most Backward Classes by the Government under the 1994 Act;

(i) "private educational institution" shall have the same meaning as defined in the Tamil Nadu Backward Classes, Scheduled Castes and Scheduled Tribes (Reservation of seats in Private Educational Institutions) Act, 2006 (hereinafter referred to as the 2006 Act);

(j) "Schedule" means the Schedule appended to this Act.

Tamil Nadu Act 12 of 2006.

Reservation of Seats in Educational Institutions including Private Educational Institutions.

3. Notwithstanding anything contained in the 1994 Act or the 2006 Act or in any other law for the time being in force or in any judgment, decree or order of any court or other authority, having regard to the social and educational backwardness of the communities notified as Most Backward Classes and Denotified Communities under the 1994 Act, the reservation in respect of annual permitted strength in each branch or faculty for admission into educational institutions including private educational institutions, for Part-MBC (V) Communities, Part-MBC and DNC Communities and Part-MBC Communities shall be ten and a half per cent, seven per cent and two and a half a per cent, respectively, within the twenty per cent reservation for the Most Backward Classes and Denotified Communities as provided in the 1994 Act and in the 2006 Act.

Reservation in appointments or posts in the services under the State.

4. Notwithstanding anything contained in the 1994 Act or the 2006 Act or in any other law for the time being in force or in any judgment, decree or order of any Court or other authority, having regard to the inadequate representation in the services under the State, of the communities notified as Most Backward Classes and Denotified Communities under the 1994 Act, the reservation for appointments or posts in the services under the State for Part-MBC (V) Communities, Part-MBC and DNC Communities and Part-MBC Communities shall be ten and a half per cent, seven per cent and two and a half per cent, respectively, within the twenty per cent reservation for Most Backward Classes and Denotified Communities as provided in the 1994 Act and in the 2006 Act.

Explanation.— For the purposes of this Act, "service under the State" includes the services under—

(i) the Government;

(ii) the Legislature of the State;

(iii) any local authority;

(iv) any Corporation or Company owned or controlled by the Government; or

(v) any other authority in respect of which the State Legislature has power to make laws.

5. Notwithstanding anything contained in sections 3 and 4 of this Act, the claims of the students or members belonging to the communities notified as Most Backward Classes and Denotified Communities under the 1994 Act shall also be considered for the unreserved seats, appointments, or posts which shall be filled up on the basis of merits and where a student or member belonging to a Part-MBC (V) Community or Part-MBC and DNC Community or Part-MBC Community, if selected on the basis of merits, the number of seats, appointments or posts reserved for Part-MBC (V) Communities or Part-MBC and DNC Communities or Part-MBC Communities, as the case may be, shall not in any way be affected.

Reservation not to be affected.

6. (1) The Government may, by notification, appoint any officer not below the rank of District Backward Class Officer to be the competent authority for the purpose of carrying out the provisions of this Act and the rules made thereunder in respect of private educational institutions.

Competent authority.

(2) The competent authority shall exercise such powers and perform such functions as may be prescribed.

7. (1) The Government may, in the public interest, by order, direct the competent authority to make an enquiry or to take appropriate proceedings under this Act in any case specified in the order, and the competent authority shall report to the Government the result of the enquiry made or the proceedings taken by him within such period as may be prescribed.

Power of Government to give direction.

(2) On receipt of the report from the competent authority under sub-section (1), the Government shall give such direction as they deem fit and such direction shall be final and binding.

8. The competent authority appointed under section 6 shall be deemed to be a public servant within the meaning of section 21 of the Indian Penal Code.

Competent authority to be public servant.

9. No suit, prosecution or other legal proceedings shall lie against the competent authority, Government or its Officers for anything, which is in good faith done or intended to be done under this Act or any rule or order made thereunder.

Protection of action taken in good faith.

10. (1) The Government may make rules for carrying out the purposes of this Act.

Power to make rules.

(2) (a) All rules made 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.

(b) All notifications or orders issued under this Act shall, unless they are expressed to come into force on a particular day, come into force on the day on which they are so published.

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

Power to remove difficulties.

11. 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 may appear to them to be necessary or expedient for removing the difficulty:

Provided that no such order shall be made after the expiry of two years from the date of the publication of the Act in the *Tamil Nadu Government Gazette*.

THE SCHEDULE

[See section 2(f), (g) and (h)]

PART – MBC (V)

Sl. No.

Community Name

1. Vanniakula Kshatriya (including Vanniyar, Vanniya, Vannia Gounder, Gounder or Kander, Padayachi, Palli and Agnikula Kshatriya)

PART – MBC AND DNC

(A) MOST BACKWARD CLASSES

Sl. No.

Community Name

1. Ambalakarar
2. Arayar (in Kanniyakumari District)
3. Bestha, Siviari
4. Bhatraju (other than Kshatriya Raju)
5. Boyar, Oddar
6. Dasari
7. Dommara
8. Jambuvanodai
9. Jogi
10. Koracha
11. Latin Catholic Christian Vannar (in Kanniyakumari District)

Sl. No.	Community Name
12	Mond Golla
13	Mutlakampatti
14	Nokkar
15	Paravar (except in Kanniyakumari District and Shencottah Taluk of Tenkasi District where the Community is a Scheduled Caste)
16	Paravar converts to Christianity including the Paravar converts to Christianity of Kanniyakumari District and Shencottah Taluk of Tenkasi District.
17	Meenavar (Parvatharajakulam, Pattanavar, Sembadavar) (including converts to Christianity).
18	Mukkuvar or Mukayar (including converts to Christianity)
19	Punnan Vettuva Gounder
20	Telugupatty Chetty
21	Thottia Naicker (including Rajakambalam, Gollavar, Sillavar, Thockalavar, Thozhuva Naicker and Erragollar)
22	Valaiyar (including Chettinad Valayars)
23	Vannar (Salavai Thozhilalar) (including Agasa, Madivala, Ekali, Rajakula, Veluthadar and Rajaka) (except in Kanniyakumari District and Shencottah Taluk of Tenkasi District where the community is a Scheduled Caste)
24	Vettaikarar
25	Vettuva Gounder

(B) DENOTIFIED COMMUNITIES

Sl. No.	Community Name
1	Attur Kilnad Koravars (Salem, Namakkal, Cuddalore, Villupuram, Kallakurichi, Ramanathapuram, Sivaganga and Virudhunagar Districts)
2	Attur Melnad Koravars (Salem and Namakkal Districts)
3	Appanad Kodayam kottai Maravar (Sivaganga, Virudhunagar, Ramanathapuram, Madurai, Theni and Dindigul Districts)
4	Ambalakarar (Thanjavur, Nagapattinam, Mayiladuthurai, Tiruvarur, Tiruchirapalli, Karur, Perambalur, Ariyalur and Pudukottai Districts)
5	Ambalakarar (Suriyanur, Tiruchirapalli District)
6	Boyas (Tiruchirapalli, Karur, Perambalur, Ariyalur, Pudukottai, The Nilgiris, Salem, Namakkal, Dharmapuri and Krishnagiri Districts)
7	Battu Turkas
8	C.K. Koravars (Cuddalore, Villupuram and Kallakurichi Districts)
9	Chakkala (Sivaganga, Virudhunagar, Ramanathapuram, Thanjavur, Nagapattinam, Mayiladuthurai, Tiruvarur, Pudukottai Tiruchirapalli, Karur, Perambalur, Ariyalur, Madurai, Theni, Dindigul and The Nilgiris Districts)
10	Changyampudi Koravars (Tirupattur, Ranipet, Vellore and Tiruvannamalai Districts)
11	Chettinad Valayars (Sivaganga, Virudhunagar and Ramanathapuram Districts)
12	Dombs (Pudukottai, Tiruchirapalli, Karur, Perambalur and Ariyalur Districts)
13	Dobba Koravars (Salem and Namakkal Districts)
14	Dommas (Thanjavur, Nagapattinam, Mayiladuthurai, Tiruvarur, Pudukottai, Tirupattur, Ranipet, Vellore and Tiruvannamalai Districts)

Sl. No.	Community Name
15	Donga Boya
16	Donga Ur.Korachas
17	Devagudi Talayaris
18	Dobbai Korachas (Tiruchirapalli, Karur, Perambalur, Ariyalur and Pudukottai Districts)
19	Dabi Koravars (Thanjavur, Nagapattinam, Mayiladuthurai, Tiruvarur, Tiruchirapalli, Karur, Perambalur, Ariyalur, Pudukottai, Tirupattur, Ranipet, Vellore and Tiruvannamalai Districts)
20	Donga Dasaris (Chengalpattu, Kancheepuram, Tiruvallur, Tiruchirapalli, Karur, Perambalur, Ariyalur, Pudukottai, Chennai, Salem and Namakkal Districts)
21	Gorrela Dodda Boya
22	Gudu Dasaris
23	Gandarvakottai Koravars (Thanjavur, Nagapattinam, Mayiladuthurai, Tiruvarur, Tiruchirapalli, Karur, Perambalur, Ariyalur, Pudukottai, Cuddalore, Villupuram and Kallakurichi Districts)
24	Gandarvakottai Kallars (Thanjavur, Nagapattinam, Mayiladuthurai, Tiruvarur and Pudukottai Districts)
25	Inji Koravars (Thanjavur, Nagapattinam, Mayiladuthurai, Tiruvarur, Tiruchirapalli, Karur, Perambalur, Ariyalur and Pudukottai Districts)
26	Jogis (Chengalpattu, Kancheepuram, Tiruvallur, Chennai, Cuddalore, Villupuram, Kallakurichi, Tirupattur, Ranipet, Vellore and Tiruvannamalai Districts)
27	Jambavanodai
28	Kaladis (Sivaganga, Virudhunagar, Ramanathapuram, Madurai, Theni, Dindigul, Thanjavur, Nagapattinam, Mayiladuthurai, Tiruvarur, Pudukottai, Tiruchirapalli, Karur, Perambalur and Ariyalur Districts)
29	Kal Oddars (Chengalpattu, Kancheepuram, Tiruvallur, Ramanathapuram, Sivaganga, Virudhunagar, Madurai, Theni, Dindigul, Pudukottai, Thanjavur, Nagapattinam, Mayiladuthurai, Tiruvarur, Tiruchirapalli, Karur, Perambalur, Ariyalur, Tirunelveli, Tenkasi, Thoothukudi, Salem and Namakkal Districts)
30	Koravars (Chengalpattu, Kancheepuram, Tiruvallur, Ramanathapuram, Sivaganga, Virudhunagar, Pudukottai, Thanjavur, Nagapattinam, Mayiladuthurai, Thiruvarur, Tiruchirapalli, Karur, Perambalur, Ariyalur, Tirunelveli, Tenkasi, Thoothukudi, Chennai, Madurai, Theni, Dindigul and The Nilgiris Districts)
31	Kalinji Dabikoravars (Thanjavur, Nagapattinam, Mayiladuthurai, Tiruvarur and Pudukottai Districts)
32	Kootappal Kallars (Tiruchirapalli, Karur, Perambalur, Ariyalur and Pudukottai Districts)
33	Kala Koravars (Thanjavur, Nagapattinam, Mayiladuthurai, Tiruvarur, Tiruchirapalli, Karur, Perambalur, Ariyalur and Pudukottai Districts)
34	Kalavathila Boyas
35	Kepmaris (Chengalpattu, Kancheepuram, Tiruvallur, Pudukottai, Tiruchirapalli, Karur, Perambalur and Ariyalur Districts)
36	Maravars (Thanjavur, Nagapattinam, Mayiladuthurai, Tiruvarur, Pudukottai, Ramanathapuram, Sivaganga, Virudhunagar, Tirunelveli, Tenkasi and Thoothukudi Districts)
37	Monda Koravars
38	Monda Golla (Salem and Namakkal Districts)
39	Mutlakampatti (Tiruchirapalli, Karur, Perambalur, Ariyalur and Pudukottai Districts)
40	Nokkars (Tiruchirapalli, Karur, Perambalur, Ariyalur and Pudukottai Districts)
41	Nellorepet Oddars (Tirupattur, Ranipet, Vellore and Tiruvannamalai Districts)

Sl. No.	Community Name
42	Oddars (Thanjavur, Nagapattinam, Mayiladuthurai, Tiruvarur, Tiruchirapalli, Karur, Perambalur, Ariyalur, Pudukottai, Madurai, Theni and Dindigul Districts)
43	Pedda Boyas (Tiruchirapalli, Karur, Perambalur, Ariyalur and Pudukottai Districts)
44	Ponnai Koravars (Tirupattur, Ranipet, Vellore and Tiruvannamalai Districts)
45	Piramalai Kallars (Sivaganga, Virudhunagar, Ramanathapuram, Madurai, Theni, Dindigul, Pudukottai, Thanjavur, Nagapattinam, Mayiladuthurai and Tiruvarur Districts)
46	Peria Suriyur Kallars (Tiruchirapalli, Karur, Perambalur, Ariyalur and Pudukottai Districts)
47	Padayachi (Vellayan Kuppam in Cuddalore District and Tennore in Tiruchirapalli District)
48	Punnan Vettuva Gounder (Tiruchirapalli, Karur, Perambalur, Ariyalur and Pudukottai Districts)
49	Servai (Tiruchirapalli, Karur, Perambalur, Ariyalur and Pudukottai Districts)
50	Salem Melnad Koravars (Madurai, Theni, Dindigul, Coimbatore, Tiruppur, Erode, Pudukottai, Tiruchirapalli, Karur, Perambalur, Ariyalur, Salem, Namakkal, Tirupattur, Ranipet, Vellore and Tiruvannamalai Districts)
51	Salem Uppu Koravars (Salem and Namakkal Districts)
52	Sakkaraithamada Koravars (Tirupattur, Ranipet, Vellore and Tiruvannamalai Districts)
53	Saranga Palli Koravars
54	Sooramari Oddars (Salem and Namakkal Districts)
55	Sembanad Maravars (Sivaganga, Virudhunagar and Ramanathapuram Districts)
56	Thalli Koravars (Salem and Namakkal Districts)
57	Telungapatti Chettis (Tiruchirapalli, Karur, Perambalur, Ariyalur and Pudukottai Districts)
58	Thottia Naickers (Sivaganga, Virudhunagar, Ramanathapuram, Chengalpattu, Kancheepuram, Tiruvallur, Thanjavur, Nagapattinam, Mayiladuthurai, Tiruvarur, Tiruchirapalli, Karur, Perambalur, Ariyalur, Pudukottai, Tirunelveli, Tenkasi, Thoothukudi, Salem, Namakkal, Tirupattur, Ranipet, Vellore, Tiruvannamalai, Coimbatore, Tiruppur and Erode Districts)
59	Thogamalai Koravars or Kepmaris (Tiruchirapalli, Karur, Perambalur, Ariyalur and Pudukottai Districts)
60	Uppukoravars or Settipalli Koravars (Thanjavur, Nagapattinam, Mayiladuthurai, Tiruvarur, Pudukottai, Madurai, Theni, Dindigul, Tirupattur, Ranipet, Vellore and Tiruvannamalai Districts)
61	Urali Gounders (Tiruchirapalli, Karur, Perambalur, Ariyalur and Pudukottai Districts)
62	Wayalpad or Nawalpet Korachas
63	Vaduarpatti Koravars (Madurai, Theni, Dindigul, Ramanathapuram, Sivaganga, Virudhunagar, Tirunelveli, Tenkasi, Thoothukudi, Tiruchirapalli, Karur, Perambalur, Ariyalur and Pudukottai Districts)
64	Valayars (Madurai, Theni, Dindigul, Tiruchirapalli, Karur, Perambalur, Ariyalur, Pudukottai, Erode, Coimbatore and Tiruppur Districts)
65	Vettaikarar (Thanjavur, Nagapattinam, Mayiladuthurai, Tiruvarur and Pudukottai Districts)
66	Vetta Koravars (Salem and Namakkal Districts)
67	Varagneri Koravars (Tiruchirapalli, Karur, Perambalur, Ariyalur and Pudukottai Districts)
68	Vettuva Gounder (Tiruchirapalli, Karur, Perambalur, Ariyalur and Pudukottai Districts)

PART - MBC

Sl. No.	Community Name
1	Andipandaram
2	Eravallar (except in Kanniyakumari District and Shencottah Taluk of Tenkasi District where the community is a Scheduled Tribe)
3	Isaivellalar
4	Jangam
5	Kongu Chettiar (in Coimbatore, Tiruppur and Erode Districts only)
6	Kulala (including Kuyavar and Kumbarar)
7	Kunnuvar Mannadi
8	Kurumba, Kurumba Gounder
9	Kuruhini Chetty
10	Maruthuvar, Navithar, Mangala, Velakattalavar, Velakatalanair and Pronopakari
11	Moundadan Chetty
12	Mahendra, Medara
13	Narikoravar (Kuruvikars)
14	Panisaivan/Panisivan
15	Pannayar (other than Kathikarar in Kanniyakumari District)
16	Sathatha Srivaishnava (including Sathani, Chattadi and Chattada Srivaishnava)
17	Sozhia Chetty
18	Thondaman
19	Thoraiyar (Nilgiris)
20	Thoraiyar (Plains)
21	Transgender/Eunuch (Thirunangai / Aravani)
22	Yogeeswarar

STATEMENT OF OBJECT AND REASONS

The Tamil Nadu Second Backward Classes Commission headed by Thiru J.A.Ambasankar, I.A.S.(Retired) submitted its report in the year 1985. The said Commission estimated the population of Backward Classes, Most Backward Classes and Denotified Communities in the State of Tamil Nadu. A survey of the entire populace of the State was taken by the said Commission for finding out the backwardness of all such castes and communities then existing in the State of Tamil Nadu.

Under the Tamil Nadu Backward Classes, Scheduled Castes and Scheduled Tribes (Reservation of seats in Educational Institutions and of appointments or posts in the services under the State) Act, 1993 (Tamil Nadu Act 45 of 1994), the Backward Classes and the Most Backward Classes as well as Denotified Communities have been availing of the reservation of 30% and 20%, respectively, in admission to educational institutions including private educational institutions and in appointments or posts in the services under the State.

There had been consistent representations from the Most Backward Class of Vanniakula Kshatriya for providing separate reservation for them in admission to such educational institutions and in appointments or posts in the services under the State as they could not compete with the other castes and communities included in the list of Most Backward Classes and Denotified Communities so as to get their due and legitimate share of such reservation benefits. The Chairman of the Tamil Nadu Backward Classes Commission examined the demand made by various communities to provide for internal reservation within Most Backward Classes and Denotified Communities for various categories and recommended to the Government that internal reservation may be given for three categories, namely, Most Backward Classes (V) - 10.5%, Most Backward Classes and Denotified Communities - 7% and Most Backward Classes - 2.5% within the Most Backward Classes and Denotified Communities for providing these better access to various benefits and to promote equitable development of the Most Backward Classes and Denotified Communities in the State of Tamil Nadu. The Government have decided to accept the said recommendation of the said Commission and implement the reservation policy accordingly.

The Bill seeks to give effect to the above decision.

EDAPPADI K. PALANISAMY,
Chief Minister.

Chennai-600 009,
26th February 2021.

K. SRINIVASAN,
Secretary.