



# TAMIL NADU GOVERNMENT GAZETTE

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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 10th November 2010 is published together with Statement of Objects and Reasons for general information:—

**L.A. BILL No. 29 OF 2010**

***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 Sixty-first Year of the Republic of India as follows:—

Short title and  
Commence-  
ment.

**1.** (1) This Act may be called the Tamil Nadu Payment of Salaries (Second Amendment) Act, 2010.

(2) It shall come into force at once.

Amendment of  
section 12.

**2.** In section 12 of the Tamil Nadu Payment of Salaries Act, 1951, in sub-section (2-AA), for the expression “one lakh rupees”, the expression “two lakh rupees” shall be substituted.

Tamil Nadu  
Act  
XX of 1951.

**STATEMENT OF OBJECTS AND REASONS**

The Government have decided to enhance the lump-sum allowance payable to the family of the Member of the Legislative Assembly, who dies before the expiry of the term of his office, from Rs.1,00,000/- to Rs. 2,00,000/-.

2. To give effect to the above decision, 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.

**M. KARUNANIDHI,**  
*Chief Minister.*

**FINANCIAL MEMORANDUM**

The Bill when enacted would involve expenditure from the Consolidated Fund of the State.

2. It is not, however, possible to estimate at this stage with any degree of accuracy of expenditure to be incurred in giving effect to the provisions of the Bill.

**M. KARUNANIDHI,**  
*Chief Minister.*

M. SELVARAJ,  
*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 10th November 2010 is published together with Statement of Objects and Reasons for general information:—

**L.A. BILL No. 30 OF 2010**

***A Bill to amend the Tamil Nadu Duty on Transfers of Property (in Municipal Areas) Act, 2009.***

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

**1.** (1) This Act may be called the Tamil Nadu Duty on Transfers of Property (in Municipal Areas) Amendment Act, 2010.

Short title and Commencement.

(2) It shall be deemed to have come into force on the 13th day of September 2010.

Tamil Nadu Act 32 of 2009.

**2.** The proviso to section 5 of the Tamil Nadu Duty on Transfers of Property (in Municipal Areas) Act, 2009 (hereinafter referred to as the principal Act) shall be omitted.

Amendment of section 5.

Tamil Nadu Ordinance 4 of 2010.

**3.** (1) The Tamil Nadu Duty on Transfers of Property (in Municipal Areas) Amendment Ordinance, 2010 is hereby repealed.

Repeal and saving.

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

**STATEMENT OF OBJECTS AND REASONS.**

The Tamil Nadu Duty on Transfers of Property (in Municipal Areas) Act, 2009 (Tamil Nadu Act 32 of 2009) *inter alia* provides for crediting fifty per cent of the surcharge on Stamp Duty collected in respect of transfers of properties situated in a municipal area other than a Panchayat town to the Tamil Nadu Urban Road Infrastructure Fund for the execution of specific road infrastructure projects. Now, it has been decided to credit fifty per cent of the surcharge on Stamp Duty collected on transfers of properties situated in a Panchayat town also to the Tamil Nadu Urban Road Infrastructure Fund, as in the case of Municipalities and Municipal Corporations, by omitting the proviso to section 5 of the said Act. Accordingly, the Tamil Nadu Duty on Transfers of Property (in Municipal Areas) Amendment Ordinance, 2010 (Tamil Nadu Ordinance 4 of 2010) was promulgated by the Governor on the 13th September 2010 and the same was published in the *Tamil Nadu Government Gazette* Extraordinary, dated the 13th September 2010.

2. The Bill seeks to replace the said Ordinance.

**M.K. STALIN,**  
*Deputy Chief Minister.*

M. SELVARAJ,  
*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 10th November, 2010 is published together with Statement of Objects and Reasons for general information:—

**L.A. BILL No. 31 OF 2010**

***A Bill further to amend the Tamil Nadu Co-operative Societies (Appointment of Special Officers) Act, 1976.***

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

**1.** (1) This Act may be called the Tamil Nadu Co-operative Societies (Appointment of Special Officers) Second Amendment Act, 2010.

Short title and Commencement.

(2) It shall be deemed to have come into force on the 30th day of July 2010.

President's Act 25 of 1976.

**2.** In section 4 of the Tamil Nadu Co-operative Societies (Appointment of Special Officers) Act, 1976 (hereinafter referred to as the principal Act), in sub-section (1), for the expression "thirty four years and two months", the expression "thirty four years and eight months" shall be substituted.

Amendment of section 4.

Tamil Nadu Ordinance 2 of 2010.

**3.** (1) The Tamil Nadu Co-operative Societies (Appointment of Special Officers) Second Amendment Ordinance, 2010 is hereby repealed.

Repeal and saving.

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

**STATEMENT OF OBJECTS AND REASONS.**

Special Officers were appointed under sub-section (1) of section 4 of the Tamil Nadu Co-operative Societies (Appointment of Special Officers) Act, 1976 (President's Act 25 of 1976) for Scheduled Co-operative Societies, for a period of two years in the first instance. The period of their appointment had been extended from time to time and it was due to expire on the 9th August 2010.

2. As per the schedule for conducting elections to the Co-operative Societies approved by the Government, elections for the first two stages in the first phase were conducted on 7th July 2007 and 11th July 2007, respectively. During these polls, occurrences of certain incidents have been brought to the notice of the Government. The Government are of the opinion that these incidents have undermined the very purpose of conducting the elections to the co-operative societies in the State. The Government have, therefore, decided to cancel the elections to the Co-operative Societies wherever they have been conducted and to hold fresh elections to all the Co-operative Societies and have ordered accordingly. A new election schedule will be announced by the Government for fresh elections in due course after consultation with the leaders of all political parties in the Legislature.

3. As such, the conduct of elections to the said Scheduled Co-operative Societies will take some more time. The Government have, therefore, decided to extend the period of appointment of the Special Officers of the said Scheduled Co-operative Societies for a further period of six months beyond the 9th August 2010 and to amend the said Act suitably, for the purpose. Accordingly, the Tamil Nadu Co-operative Societies (Appointment of Special Officers) Second Amendment Ordinance, 2010 (Tamil Nadu Ordinance 2 of 2010) was promulgated by the Governor on the 28th July 2010 and the same was published in the *Tamil Nadu Government Gazette* Extraordinary, dated the 30th July 2010.

4. The Bill seeks to replace the said Ordinance.

**Ko. Si. MANI,**  
*Minister for Co-operation.*

M. SELVARAJ,  
*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 10th November, 2010 is published together with Statement of Objects and Reasons for general information:—

**L.A. BILL No. 32 OF 2010**

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

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

1. (1) This Act may be called the Tamil Nadu Co-operative Societies (Third Amendment) Act, 2010.

Short title and Commencement.

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

2. In section 157 of the Tamil Nadu Co-operative Societies Act, 1983,—

Amendment of section 157.

(1) in sub-section (1), after the expression “information”, the expression “or wilfully fails to aid or assist the completion of audit or wilfully fails to conduct the general meetings or wilfully disobeys or fails to comply with the lawful order or direction of the Registrar” shall be inserted;

(2) in sub-section (2), after the expression “any member of the society who”, the expression “wilfully fails to furnish information required for audit or” shall be inserted.

Tamil Nadu  
Act  
30 of 1983.

**STATEMENT OF OBJECTS AND REASONS.**

At present, there are no penal provisions in the Tamil Nadu Co-operative Societies Act, 1983 (Tamil Nadu Act 30 of 1983) for the following offences, namely:—

(a) for wilful failure to aid or assist the completion of audit or for failure to conduct the general meetings or for wilful dis-obedience or failure to comply with the lawful order or direction of the Registrar, on the part of the board; and

(b) for wilful failure to furnish information required for audit, on the part of any officer, employee or paid servant or any member of the society.

The Government have, therefore, decided to provide penal provisions for the aforesaid offences and to amend the said Tamil Nadu Act 30 of 1983 suitably for the purpose.

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

**Ko. Si. MANI,**  
*Minister for Co-operation.*

M. SELVARAJ,  
*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 10th November, 2010 is published together with Statement of Objects and Reasons for general information:—

**L.A. BILL No. 33 OF 2010**

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

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

1. (1) This Act may be called the Tamil Nadu Co-operative Societies (Fourth Amendment) Act, 2010.

Short title and  
Commence-  
ment.

(2) It shall come into force at once.

Tamil Nadu  
Act  
30 of 1983.

2. In section 89 of the Tamil Nadu Co-operative Societies Act, 1983, in the proviso to sub-section (1), for the expression "nine years and six months", the expression "ten years" shall be substituted.

Amendment of  
section 89.

**STATEMENT OF OBJECTS AND REASONS.**

Special Officers were appointed under sub-section (1) of section 89 of the Tamil Nadu Co-operative Societies Act, 1983 (Tamil Nadu Act 30 of 1983) for a period of one year from the 25th May 2001 in respect of primary co-operative societies and from the 26th May 2001 in respect of central and apex co-operative societies. Since elections to the said co-operative societies could not be conducted within the above said period, the term of the Special Officers appointed under the said section was last extended beyond the 24th May 2010 for a period of six months, by amending the said Act. The period of their appointment is due to expire on the 24th November 2010 in respect of primary co-operative societies and on the 25th November 2010 in respect of central and apex co-operative societies.

2. As per the schedule for conducting elections to the co-operative societies approved by the Government, elections for the first two stages in the first phase have been conducted on the 7th July 2007 and the 11th July 2007, respectively. During these polls, occurrences of certain incidents were brought to the notice of the Government. The Government are of the opinion that these incidents have undermined the very purpose of conducting the elections to the co-operative societies in the State. The Government have, therefore, decided to cancel the elections to the co-operative societies wherever they have been conducted and to hold fresh elections to all the co-operative societies and have ordered accordingly. A new election schedule will be announced by the Government for fresh elections in due course after consultation with the leaders of all political parties in the Legislature.

3. In view of the above fact, elections to the primary co-operative societies could not be conducted on or before the 24th November 2010. Elections to the central and apex co-operative societies can be conducted only after the elected boards are constituted in all primary co-operative societies. The Government have, therefore, decided to extend the term of office of the Special Officers of the aforesaid co-operative societies for a further period of six months beyond the 24th November 2010 in respect of primary co-operative societies and the 25th November 2010 in respect of central and apex co-operative societies by amending the said Act suitably for the purpose.

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

**Ko. Si. MANI,**  
*Minister for Co-operation.*

M. SELVARAJ,  
*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 10th November, 2010 is published together with Statement of Objects and Reasons for general information:—

**L.A. BILL No. 34 OF 2010**

***A Bill to provide preference in appointment in the services under the State to persons who have obtained the educational qualification prescribed for direct recruitment through Tamil Medium of instruction.***

WHEREAS under Article 345 of the Constitution, the Legislature of the State has been given power to adopt any one or more of the languages in use in the State for official purposes;

AND WHEREAS the State of Tamil Nadu enacted the Tamil Nadu Official Language Act, 1956 (Tamil Nadu Act XXXIX of 1956) and adopted Tamil as the official language of the State under Article 345 of the Constitution;

AND WHEREAS the Official Languages Act, 1963 (Central Act 19 of 1963) provides for continuation of English language for all the official purposes of the Union and for the transaction of business in Parliament;

AND WHEREAS the first proviso to Section 3 (1)(b) of Central Act 19 of 1963 provides that English shall be used for purposes of communication between the Union and the States;

AND WHEREAS Article 348 in Chapter III of Part XVII of the Constitution provides that notwithstanding anything contained in the provisions of that Part, until the Parliament by law otherwise provides, all proceedings in the Supreme Court and in every High Court shall be in the English language;

AND WHEREAS Tamil has been used as the language of Courts upto the district level inclusive of drafting of pleadings of parties, taking evidence, arguments of respective counsel for the parties and writing of judgements;

AND WHEREAS those who have studied in Tamil Medium have very little chances of getting selected in the employment of Central Government, other State Governments or in Private Sectors, and therefore preference need be given to them in the State Government Services.

AND WHEREAS under Article 14 of the Constitution, mere differentiation or inequality of treatment does not *per se* amount to differentiation within the inhibition of the equal protection clause and to attract the operation of the clause, it is necessary to show that the selection or differentiation is unreasonable or arbitrary; that it does not rest on any rational basis having regard to the object which the Legislature has in view;

AND WHEREAS the classification between persons who obtained the educational qualification prescribed for direct recruitment through Tamil Medium of instruction and persons studied in other medium has a reasonable relation to the object sought to be achieved;

AND WHEREAS such classification neither crosses the frontiers of Article 16 of the Constitution nor prejudices the reservation policy of the State made thereunder;

AND WHEREAS the equality of opportunity of all citizens with similar qualifications relating to appointment to any services under the State does not get altered in view of such classification;

AND WHEREAS the provisions of 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) are not transgressed;

AND WHEREAS unless employment opportunities are provided for persons studied in Tamil Medium, there is no scope for the populace of the State to pursue school and college career through Tamil Medium;

AND WHEREAS in order to facilitate a conducive environment for the populace to prefer Tamil Medium of instruction at all levels of education, appointment to any services under the State on preferential basis of persons studied in Tamil Medium is a rational classification;

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

Short title and Commencement.

1. (1) This Act may be called the Tamil Nadu Appointment on preferential basis in the Services under the State of Persons Studied in Tamil Medium Act, 2010.

(2) It shall be deemed to have come into force on 7th day of September 2010.

Definitions.

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

(a) “direct recruitment” means first appointment of a person to any service under the State in accordance with the rules or regulations or orders in force;

(b) “Government” means the State Government;

(c) “persons studied in other Medium” means persons who have obtained the educational qualification or qualifications prescribed for direct recruitment in the rules or regulations or orders applicable to any appointment in the services under the State through any Medium of instruction other than Tamil;

(d) “persons studied in Tamil medium” means persons who have obtained the educational qualification or qualifications prescribed for direct recruitment in the rules or regulations or orders applicable to any appointment in the services under the State through Tamil Medium of instruction;

(e) “preferential vacancies” means such vacancies available for persons studied in Tamil medium under sub-section (1) of Section 3;

(f) “services 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; and

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

Preferential appointment.

3. (1) Notwithstanding anything contained in any law for the time being in force and subject to Section 5, twenty per cent of all vacancies in appointment in the services under the State which are to be filled through direct recruitment shall be set apart on preferential basis to persons studied in Tamil Medium.

(2) Selection for appointment under sub-section (1) shall be made in such manner as may be prescribed.

(3) Nothing contained in sub-section (1) shall apply in the case of appointment to the posts in the services under the State for which the educational qualification prescribed in the rules or regulations or orders applicable to the post is a degree or diploma or any academic distinction in a language.

Right to compete for other vacancies not to be affected.

4. Persons studied in Tamil Medium shall also be entitled to compete for the vacancies, other than preferential vacancies in appointment in the services under the State, along with persons studied in other medium.

Reservation to apply.

5. Preferential basis appointments to persons studied in Tamil Medium under Section 3 shall be made following the reservation as per law in force.

6. Notwithstanding anything contained in Section 3, where adequate number of qualified and suitable persons studied in Tamil Medium are not available for appointment in the preferential vacancies, such unfilled vacancies shall be filled up with persons studied in other mediums within the respective category. Filling up of vacancies in preferential allotment.
7. The Government may, by general or special order, for just and equitable reasons, exempt any appointment or post in the services under the State from the provisions of this Act. Power to exempt.
8. (1) The Government may make rules for carrying out the purposes of this Act. Power to make rules.
- (2) 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.
- (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.
9. 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: Power to remove difficulties.
- Provided that no such order shall be made after the expiry of two years from the date of the publication of this Act in the *Tamil Nadu Government Gazette*.
10. (1) The Tamil Nadu Appointment on preferential basis in the Services under the State of Persons Studied in Tamil Medium Ordinance, 2010 is hereby repealed. Repeal and Saving.
- (2) Notwithstanding such repeal, anything done or any action taken under the said Ordinance shall be deemed to have been done or taken under this Act.

**STATEMENT OF OBJECTS AND REASONS**

Tamil being the oldest language dating back to 2500 years, having all the epithets of a classical language, has been declared so by the Government of India on the 12th October 2004.

2. The Government of Tamil Nadu, in a bid to commemorate the classical status attained by Tamil, convened the World Classical Tamil Conference at Coimbatore for a period of five days from the 23rd to 27th June 2010.

3. Tamil scholars from well over fifty countries at the global level attended the said Conference and submitted research papers about the richness of Tamil in literature, grammar, besides being the oldest of the languages of the world.

4. In the valedictory function that took place on the 27th June 2010, one among the several resolutions passed relates to providing preferential appointment to persons studied in Tamil Medium in the services under the State with the prime object of conducting the administration of the State with openness and transparency in the vocal language of the masses of the locale in accordance with the provisions of the Constitution of India and other laws of the land in force.

5. Those who have studied in Tamil Medium have very little chances of getting selected in the employment of Central Government, other State Governments or in private sectors. Therefore, preference need be given to them in the State Government Services.

6. The Government have considered the resolution relating to providing preferential appointment to persons who studied in Tamil Medium taking into account the fact that majority of schools and college courses in the State of Tamil Nadu are through Tamil medium and have decided to set apart twenty per cent of vacancies in appointment in the services under the State which are to be filled through direct recruitment to persons studied in Tamil Medium. The Government have, therefore, decided to bring in a Legislation for the above purpose. Accordingly, the Tamil Nadu Appointment on preferential basis in the Services under the State of Persons Studied in Tamil Medium Ordinance, 2010 (Tamil Nadu Ordinance 3 of 2010) was promulgated by the Governor and the same was published in the *Tamil Nadu Government Gazette* Extraordinary, dated the 7th September 2010.

7. The Bill seeks to replace the said Ordinance.

**DURAIMURUGAN,**

*Minister (Law, Courts and Prisons).*



**MEMORANDUM REGARDING DELEGATED LEGISLATION**

Clauses 3(2),7,8 and 9 of the Bill empower the Government to make rules or to issue orders, as the case may be, for the purposes specified therein.

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

**DURAIMURUGAN,**

*Minister (Law, Courts and Prisons).*

M. SELVARAJ,

*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 10th November, 2010 is published together with Statement of Objects and Reasons for general information:—

**L.A. BILL No. 35 OF 2010**

***A Bill further to amend the Tamil Nadu Motor Vehicles Taxation Act, 1974.***

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

1. (1) This Act may be called the Tamil Nadu Motor Vehicles Taxation (Second Amendment) Act, 2010.

Short title and Commencement.

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

2. In the First Schedule to the Tamil Nadu Motor Vehicles Taxation Act, 1974, in class 8 and the entries relating thereto, the following proviso shall be added, namely:—

Amendment of First Schedule.

“Provided that the educational institution buses and other vehicles granted temporary permit for the purposes referred to in item (a), (b) or (c) under section 87 (1) of the Motor Vehicles Act shall pay separate tax excluding the driver seat at the following rates:—

(i) Educational institution buses when used for the transport of students and staff of the institution concerned.

Rs.30/- per seat for seven days or part there of.

(ii) Other vehicles when used for transport of staff of the institution concerned.

Rs.90/- per seat for seven days or part there of.

(iii) Educational institution buses and other vehicles used for other purposes other than those specified in clauses (i) and (ii) above.

Rs.30/- per seat per day.”.

Tamil Nadu Act 13 of 1974.

**STATEMENT OF OBJECTS AND REASONS**

At present, permits are granted under Motor Vehicles Act, 1988 (Central Act 59 of 1988) for the use of vehicles as private service vehicle or educational Institutions bus for the purpose of carrying persons in connection with the trade or business of the owner of the vehicle or for the purpose of transporting students and staff of the educational institutions and tax is levied under Class 8 of the First Schedule to the Tamil Nadu Motor Vehicles Taxation Act, 1974 (Tamil Nadu Act 13 of 1974).

2. Now, it has been brought to the notice of the Government that the above said vehicles are used for the purposes other than those specified in the permit granted under the said Central Act. In order to curb such misuse of the above said vehicles, it is proposed to levy separate tax in respect of the above said vehicles plying on the roads for the purposes specified in temporary permit for the purposes referred to in item (a), (b) or (c) under sub-section (1) of Section 87 of the said Central Act. The Government have, therefore, decided to amend the said Tamil Nadu Act 13 of 1974 for the purpose in view.

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

**K.N. NEHRU,**  
*Minister for Transport.*

**M. SELVARAJ,**  
*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 10th November 2010 is published together with Statement of Objects and Reasons for general information:—

**L.A. BILL No. 36 OF 2010**

***A Bill to amend the Tamil Nadu Public Premises (Eviction of Unauthorised Occupants) Act, 1975.***

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

**1.** (1) This Act may be called the Tamil Nadu Public Premises (Eviction of Unauthorised Occupants) Amendment Act, 2010.

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 Public Premises (Eviction of Unauthorised Occupants) Act, 1975, in clause (e),—

Amendment of section 2.

(1) in sub-clause (1), in term (ii), the word “and” occurring at the end shall be omitted;

(2) in sub-clause (2), the word “and” shall be added at the end;

(3) after sub-clause (2), the following sub-clause shall be added, namely:—

“(3) any premises belonging to a wakf, registered with the Tamil Nadu Wakf Board;”

**STATEMENT OF OBJECTS AND REASONS**

At present, wakf properties do not fall within the meaning of the term "public premises", as defined in clause (e) of section 2 of the Tamil Nadu Public Premises (Eviction of Unauthorised Occupants) Act, 1975 (Tamil Nadu Act 1 of 1976). The Tamil Nadu Wakf Board has requested the Government to amend the said Tamil Nadu Act 1 of 1976 so as to include the wakf properties within the definition of the term "public premises", in order to protect wakf properties from the hands of unscrupulous encroachers and antisocial elements. The Government have, therefore, decided to amend the said Tamil Nadu Act 1 of 1976 suitably, for the said purpose.

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

**I. PERIASAMY,**  
*Minister for Revenue and Housing.*

M. SELVARAJ,  
*Secretary.*