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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 Tamil Nadu on 2nd February, 2024 is published together with Statement of Objects and Reasons for general information:—

L.A Bill No. 19 of 2024

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

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

Short title and commencement.

1. (1) This Act may be called the Tamil Nadu Panchayats (Sixth Amendment) Act, 2024.

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

Substitution of section 159.

2. For section 159 of the Tamil Nadu Panchayats Act, 1994 (hereinafter referred to as the principal Act), the following section shall be substituted, namely:

Tamil Nadu Act 21 of 1994.

“159. Grant of trade licence.— (1) No person shall carry on any category of trade or business, as may be notified by the Government, from time to time, in any place, whether public or private, within the panchayat village limit without a trade licence granted by the executive authority subject to such terms and conditions as may be prescribed and such trade licence may be renewed in the manner as may be prescribed:

Provided that no trade licence is necessary in respect of any place in the occupation or under the control of the Government or the Central Government or of a market committee established or deemed to be established under the Tamil Nadu Agricultural Produce Marketing (Regulation) Act, 1987 (Tamil Nadu Act 27 of 1989).

(2) Every application for the trade licence shall be made to the executive authority in such form and in such manner and accompanied by such fee, as may be prescribed.

(3) On receipt of such application, the executive authority shall, if the application is in order, grant trade licence:

Provided that no application for grant of trade licence shall be refused without giving a reasonable opportunity of being heard:

Provided further that if the application for trade licence is not disposed of within a period of thirty days from the date of its receipt, the trade licence applied therein shall be deemed to have been granted on expiry of the said period.

Amendment of Section 160.

3. In section 160 of the principal Act, for the expression “panchayat union council”, the expression “Inspector” shall be substituted.

4. In section 161 of the principal Act,—

Amendment of
Section 161.

(1) sub-section (2) shall be omitted;

(2) in sub-section (4), for the expression “panchayat union council”, the expression “Inspector” shall be substituted.

5. In Schedule II to the principal Act, for the entry in column (3), against section 159 in column (1) thereof, the following entry shall be substituted, namely:—

Amendment of
Schedule II.

“Carrying on any trade or business without trade licence.”.

6. In Schedule III to the principal Act, for the entry in column (3), against section 159 in column (1) thereof, the following entry shall be substituted, namely:—

Amendment of
Schedule III.

“Carrying on any trade or business without trade licence.”.

STATEMENT OF OBJECTS AND REASONS.

The Sixth State Finance Commission has recommended that the nomenclature of the dangerous and offensive trade licence should be modified as trade licence. Further, in order to make the provisions of the Tamil Nadu Panchayats Act, 1994 (Tamil Nadu Act 21 of 1994) in line with the objective of the Tamil Nadu Business Facilitation Act, 2018 (Tamil Nadu Act 7 of 2018) that is, "Ease of Doing Business", the Government have decided to empower the Inspector to give permission under section 160 of the said Tamil Nadu Act 21 of 1994 for the purposes specified therein. Accordingly, the Government have decided to amend the said Tamil Nadu Act 21 of 1994 suitably.

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

I. PERIYASAMY,
Minister for Rural Development.

MEMORANDUM REGARDING DELEGATED LEGISLATION.

Clause 2 of the Bill authorise the Government to issue notification or to make rules, as the case may be, for the purposes specified therein.

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

I. PERIYASAMY,
Minister for Rural Development.

Secretariat,
Chennai-600 009,
22nd February 2024.

K. SRINIVASAN,
Principal 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 22nd February, 2024 is published together with Statement of Objects and Reasons for general information:—

L.A Bill No. 20 of 2024

A Bill 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 Seventy-fifth Year of the Republic of India as follows:—

1. (1) This Act may be called the Tamil Nadu Agricultural Produce Marketing (Regulation) Amendment Act, 2024. Short title and commencement.

(2) It shall be deemed to have come into force on the 30th day of November 2023.

Tamil Nadu Act 27 of 1989.

2. In section 33 of the Tamil Nadu Agricultural Produce Marketing (Regulation) Act, 1987 (hereinafter referred to as the principal Act), in the proviso to sub-section (1), for the expression “twelve years and six months”, the expression “thirteen years and six months” shall be substituted. Amendment of section 33.

3. 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 30th day of November 2023, shall be deemed to have been appointed as such Special Officers 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 30th day of November 2023 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. Validation.

STATEMENT OF OBJECTS AND REASONS.

Sub-section (1) of Section 33 of the Tamil Nadu Agricultural Produce Marketing (Regulation) Act, 1987 (Tamil Nadu Act 27 of 1989) empowers the Government to appoint a Special Officer to manage the affairs of a market committee pending constitution of a new market committee for a period not exceeding three years in the aggregate. By virtue of the said provision, the tenure of Special Officers who were appointed to manage the affairs of the market committees in the State was extended beyond the said three years period, by amending the proviso to sub-section (1) of Section 33 of the said Act, from time to time. The said provision, as amended by Tamil Nadu Act 6 of 2023 enables to Government to extend the tenure of the Special Officers for a period of twelve years and six months in aggregate.

2. Out of the 26 market committees, members were nominated to 24 market committees except Tiruchirappalli and Cuddalore market committees. Of the said 24 Market committees, the Chairman and Vice Chairman were elected in 23 market committees (except Theni Market Committee) and they assumed charge in the said 23 market committees.

3. The tenure of Special Officers of 23 market committees (except Tiruchirappalli, Cuddalore and Theni market committees) was, therefore, extended from 30.11.2020 to the date prior to the assumption of charges of the respective market committees by the members. Further, the tenure of the Special Officers of Tiruchirappalli, Cuddalore and Theni market committees was extended from 30.11.2020 to 29.11.2021.

4. In the mean time, on the 23rd July 2021, the members nominated to the said 24 market committees were withdrawn and Special Officers were appointed for a period of one year i.e. from 23.07.2021 to 22.07.2022 to the aforesaid 23 market committees, except Tiruchirappalli, Cuddalore and Theni market committees. The tenure of the Special Officers of the said 23 market committees was extended from 23.07.2022 to 22.07.2023 and further extended from 23.07.2023 to 22.07.2024.

5. The tenure of Special Officers of Tiruchirappalli, Cuddalore and Theni market committees was extended from 30.11.2022 to 29.11.2023. Inasmuch as the extended tenure of the Special Officers of the market committees of Tiruchirappalli, Cuddalore and Theni has expired on 29.11.2023 and as some more time is required to nominate members to the said market committees, there was a compelling necessity to extend the tenure of the Special Officers of the said three market committees for a further period of one year beyond 29.11.2023 or till the reconstitution of the said market committees, whichever is earlier. The Government therefore, decided to amend the said Tamil Nadu Act 27 of 1989 suitably, for the above purpose.

6. To give effect to the above decision, the Tamil Nadu Agricultural Produce Marketing (Regulation) Act, 1987 to be amended so as to extend the tenure of Special Officers for a period of thirteen years and six months instead of twelve years and six months. The action of having continued the Special Officers of Tiruchirappalli, Cuddalore and Theni market committees beyond the 29th November 2023 till the assent obtained from the Honble Governor has to be validated.

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

M.R.K. PANNEERSELVAM,
Minister for Agriculture-Farmers Welfare.

Secretariat,
Chennai-600 009,
22nd February 2024.

K. SRINIVASAN,
Principal Secretary.