

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 2nd May, 2012 is published together with Statement of Objects and Reasons for general information:—

L.A. Bill No. 16 OF 2012

A Bill further to amend the laws relating to the Municipal Corporations and the Municipalities in the State of Tamil Nadu.

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

PART-I.

PRELIMINARY.

1. (1) This Act may be called the Tamil Nadu Municipal Laws (Third Amendment) Act, 2012.

Short title and Commencement.

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

PART-II.

AMENDMENT TO THE CHENNAI CITY MUNICIPAL CORPORATION ACT, 1919.

Tamil Nadu
Act
IV of 1919.

2. In section 138-H of the Chennai City Municipal Corporation Act, 1919, for clause (c), the following clause shall be substituted, namely:—

Amendment of section 138-H.

“(c) persons with disability, suffering from not less than forty per cent of such disability, as certified by a Registered Medical Practitioner in the service of the Government not below the rank of a Civil Surgeon.

Explanation.—For the purpose of this clause, “disability” shall have the same meaning assigned to it under clause (i) of section 2 of the Persons with Disabilities (Equal Opportunities, Protection of Rights and Full Participation) Act, 1995 (Central Act 1 of 1996) and also includes dumbness.”.

PART-III.

AMENDMENT TO THE MADURAI CITY MUNICIPAL CORPORATION ACT, 1971.

Tamil Nadu
Act
15 of 1971.

3. In section 169-H of the Madurai City Municipal Corporation Act, 1971, for clause (c), the following clause shall be substituted, namely:—

Amendment of section 169-H.

“(c) persons with disability, suffering from not less than forty per cent of such disability, as certified by a Registered Medical Practitioner in the service of the Government not below the rank of a Civil Surgeon.

Explanation.—For the purpose of this clause, “disability” shall have the same meaning assigned to it under clause (i) of section 2 of the Persons with Disabilities (Equal Opportunities, Protection of Rights and Full Participation) Act, 1995 (Central Act 1 of 1996) and also includes dumbness.”.

PART-IV.

AMENDMENT TO THE COIMBATORE CITY MUNICIPAL CORPORATION ACT, 1981.

Tamil Nadu
Act
25 of 1981.

4. In section 169-H of the Coimbatore City Municipal Corporation Act, 1981, for clause (c), the following clause shall be substituted, namely:—

Amendment of section 169-H.

“(c) persons with disability, suffering from not less than forty per cent of such disability, as certified by a Registered Medical Practitioner in the service of the Government not below the rank of a Civil Surgeon.

Explanation.—For the purpose of this clause, “disability” shall have the same meaning assigned to it under clause (i) of section 2 of the Persons with Disabilities (Equal Opportunities, Protection of Rights and Full Participation) Act, 1995 (Central Act 1 of 1996) and also includes dumbness.”.

PART-V.

AMENDMENT TO THE TAMIL NADU DISTRICT MUNICIPALITIES ACT, 1920.

Amendment
of section
124-J.

5. In section 124-J of the Tamil Nadu District Municipalities Act, 1920, for clause (c), the following clause shall be substituted, namely:—

Tamil Nadu
Act
V of 1920.

“(c) persons with disability, suffering from not less than forty per cent of such disability, as certified by a Registered Medical Practitioner in the service of the Government not below the rank of a Civil Surgeon.

Explanation.—For the purpose of this clause, “disability” shall have the same meaning assigned to it under clause (i) of section 2 of the Persons with Disabilities (Equal Opportunities, Protection of Rights and Full Participation) Act, 1995 (Central Act 1 of 1996) and also includes dumbness.”.

STATEMENT OF OBJECTS AND REASONS.

At present, differently abled persons with total disability in one or both the hands or legs, spastics, totally dumb or deaf persons or totally blind persons alone are exempted from the payment of profession tax, as per the provisions of the Urban Local Bodies Acts. In the absence of specific definition of disability in the said Acts, all the differently abled persons are not in a position to avail the said benefit. The Government have, therefore, decided that all differently abled persons shall be exempted from the payment of profession tax and in order to achieve the same, the Government have decided to amend the Urban Local Bodies Acts so as to exempt the persons with disability as defined in the Persons with Disabilities (Equal Opportunities, Protection of Rights and Full Participation) Act, 1995 (Central Act 1 of 1996) and also dumb persons from the tax on profession.

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

K.P. MUNUSAMY,
*Minister for Municipal Administration
and Rural Development.*

A.M.P. JAMALUDEEN,
Secretary.