

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 1st November 2012 is published together with Statement of Objects and Reasons for general information:—

L.A. Bill No. 45 of 2012

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 Sixty-third year of the Republic of India as follows:—

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

2. After section 257-A of the Tamil Nadu Panchayats Act, 1994, the following section shall be inserted, namely:—

Insertion of new section 257-AA.

“257-AA. Permission to construct swimming pool.”—(1) No swimming pool shall be constructed in any place, after the appointed day, without obtaining a permission from the Inspector.

(2) Every application for permission to construct a swimming pool shall be made to the Inspector and shall be accompanied by such fee not exceeding rupees five thousand, as may be prescribed, and shall contain such particulars as may be prescribed.

(3) On receipt of an application under sub-section (2), the Inspector may, after making such enquiry as he deems necessary, either grant or refuse to grant the permission. Every permission granted shall be in such form and subject to such terms and conditions, as may be prescribed.

(4) Where the Inspector refuses to grant permission under sub-section (3), he shall give reasons in writing for such refusal.

(5) No owner or occupier of a building or land in which a swimming pool is located immediately before the appointed day, shall continue the use of such swimming pool unless he obtains a permission under this section in respect of such swimming pool within a period of three months from the appointed day.

(6) Every owner or occupier of a building or land in which a swimming pool is located, shall maintain the swimming pool in such manner and follow such safety norms, as may be prescribed.

(7) Any person authorized by the Inspector in this behalf, may enter into any building or land in which a swimming pool is located, in order to make any enquiry or inspection and may take any measures or do anything which may, in his opinion, be necessary for the purpose of maintenance of the swimming pool or for the safety of the persons using the swimming pool:

Provided that the Government shall authorize, for the purpose of this sub-section, any officer,-

(i) not below the rank of Joint Director in the office of the Director of School Education, in respect of swimming pools located in the premises of schools;

(ii) not below the rank of Joint Director in the office of the Director of Collegiate Education, in respect of swimming pools located in the premises of colleges and Universities.

(8) For the purpose of sub-section (7), the Government may authorize different persons for different classes of buildings or land in which swimming pools are located.

Explanation.— For the purpose of this section, “appointed day” means such date as the Government may, by notification, appoint under sub-section (2) of section 1 of the Tamil Nadu Panchayats (Third Amendment) Act, 2012.”.

STATEMENT OF OBJECTS AND REASONS

It has been brought to the notice of the Government that unfortunate death of a school student has occurred due to lack of safety measures in construction and maintenance of swimming pools. The Government therefore, consider that there is an imperative need to evolve meaningful and comprehensive measures to ensure the safety and security of the users of the swimming pools, particularly in educational institutions. Accordingly, to effectively regulate the construction, maintenance and monitoring of swimming pools, the Government have decided to suitably amend the Tamil Nadu Panchayats Act, 1994 (Tamil Nadu Act 21 of 1994).

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

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

MEMORANDUM REGARDING DELEGATED LEGISLATION

New section 257-AA proposed to be inserted in the Tamil Nadu Panchayats Act, 1994 (Tamil Nadu Act 21 of 1994) by clause 2 of the Bill empowers the Government to make rules, and empowers the Government and the Inspector to authorise an officer or a person to enter into any building or land, for the purpose specified therein.

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

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

A.M.P. JAMALUDEEN,
Secretary.