



# TAMIL NADU GOVERNMENT GAZETTE

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## Part IV—Section 1

### Tamil Nadu Bills

#### CONTENTS

	<i>Pages.</i>
<b>BILLS:</b>	
No. 32 of 2018— <del>The Tamil Nadu Regulation of Rights and Responsibilities of Landlords and Tenants (Amendment) Act, 2018</del> .. .. .	<del>150-162</del>
No. 33 of 2018— <del>The Tamil Nadu Private Schools (Regulation) Act, 2018</del> .. .. .	<del>163-184</del>
No. 34 of 2018— <del>The Tamil Nadu Establishment of Private Law Colleges (Regulation) Act, 2018</del> ..	<del>185-190</del>
No. 35 of 2018— <del>The Shiv Nadar University Act, 2018</del> .. .. .	<del>191-206</del>
No. 36 of 2018— <del>The Sai University Act, 2018</del> .. .. .	<del>207-222</del>
No. 37 of 2018— <del>The Tamil Nadu Sugarcane (Regulation of Purchase Price) Act, 2018</del> ..	<del>223-234</del>
<b>No. 38 of 2018—The Tamil Nadu Land Reforms (Fixation of Ceiling on Land) Amendment Act, 2018</b> ..	<b>235-238</b>
No. 39 of 2018— <del>The Tamil Nadu Vanniyakula Kshatriya Public Charitable Trusts and Endowments (Protection and Maintenance) Act, 2018</del> .. .. .	<del>239-276</del>

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 5th July, 2018 is published together with Statement of Objects and Reasons for general information:—

**L.A. Bill No. 38 of 2018**

***A Bill further to amend the Tamil Nadu Land Reforms  
(Fixation of Ceiling on Land) Act, 1961.***

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

1. (1) This Act may be called the Tamil Nadu Land Reforms (Fixation of Ceiling on Land) Amendment Act, 2018. Short title and commencement.

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

Tamil Nadu Act 58 of 1961. Amendment of section 3.

2. In section 3 of the Tamil Nadu Land Reforms (Fixation of Ceiling on Land) Act, 1961 (hereinafter referred to as the principal Act), after clause 21, the following clause shall be inserted, namely:—

“(21-A) “investment” means the investment as defined in the Tamil Nadu Industrial Policy, from time to time;”.

3. In section 5 of the principal Act, in sub-section (1),— Amendment of section 5.

(1) in clause (a), for the expression “sub-sections (3-A), (3-B), (3-C), (4) and (5)”, the expression “clause (e), sub-sections (3-A), (3-B), (3-C), (4) and (5)” shall be substituted;

(2) after clause (d), the following clause shall be added, namely:—

“(e) the ceiling area in the case of every industrial or commercial undertaking, which invests more than twenty crores of rupees, shall be thirty standard acres:

Provided that such land shall be dry land and the industrial or commercial undertaking shall utilise the land for industrial or commercial purposes within such period as may be prescribed and shall continue to use the said land for industrial or commercial purpose.”.

**STATEMENT OF OBJECTS AND REASONS.**

Under the Tamil Nadu Land Reforms (Fixation of Ceiling on Land) Act, 1961 (Tamil Nadu Act 58 of 1961) as amended by the Tamil Nadu Land Reforms (Reduction of Ceiling on Land) Act, 1970 (Tamil Nadu Act 17 of 1970), the ceiling area under section 5 for every person is 15 Standard Acres. 'Person' as defined under section 3(34) includes any company, family, firm, society or association of individuals, whether incorporated or not. Under section 37-A of the Act, no industrial or commercial undertaking which has been approved by the Government under clause (iv) of section 73 before the date of the publication of the Tamil Nadu Land Reforms (Fixation of Ceiling on Land) Second Amendment Act 1972 (Tamil Nadu Act 20 of 1972) in the Tamil Nadu Government Gazette, shall be entitled to hold or acquire land in excess of the ceiling area unless such industrial or commercial undertaking has obtained the permission of the Government under that section in respect of such excess land. Further the exemption would be applicable only in respect of those lands specified in the order granting permission. Consequent to this, the ceiling of lands of an Industrial or Commercial undertaking is 15 Standard Acres and for holding lands over and above this for Industrial or Commercial purpose, the permission of Government is required under section 37-A.

2. The Water (Prevention and Control of Pollution) Act, 1974 (Central Act 6 of 1974), the Air (Prevention and Control of Pollution) Act, 1981 (Central Act 14 of 1981), the Environment Protection Act, 1986 (Central Act 29 of 1986) and related Rules seek to prevent, control and abate the pollution of air, water, soil and protect natural resources including flora and fauna. The importance of preserving ecology, environment, and dealing with issues of climate change has brought greater focus on the necessity to provide green area, appropriate waste water treatment, with maximum possible reuse and recycle by Industries. Industries have to necessarily set up such facilities and provide such area in order to be permitted to operate as per the provisions of Acts, Rules and Government guidelines thereunder. There is increased requirement of land for such provision.

3. The existing ceiling area applicable to an industry examined in this current context is found to require an increase. While there is provision under section 37-A, under which Industries can be permitted by the Government to hold lands in excess of ceiling, it would be in the interest of promoting industry in the State, if the ceiling limit is increased. This increase would also be in line with the ease of doing business, as it would obviate the necessity for such industries to obtain permission on the land owned by them. The Government also seeks to preserve the wet lands for agriculture purpose and better utilise dry lands (punjai) to provide greater returns to the people.

4. The Government have decided to increase the ceiling area for an Industrial or Commercial undertaking from 15 Standard Acres to 30 Standard Acres and the entire 30 Standard Acres shall be only of dry land (punjai). The Industrial or Commercial undertaking to be covered would be that which has an investment of not less than Rs. 20 Crores and the ceiling area must be put to industrial use. The Government have, therefore, decided to amend the said Tamil Nadu Act 58 of 1961 suitably for the purpose.

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

**R.B. UDHAYAKUMAR,**  
*Minister for Revenue and  
Disaster Management Department.*

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**MEMORANDUM REGARDING DELEGATED LEGISLATION**

Clause 1 (2) and clause (e) of sub-section (1) of section 5 proposed to be inserted by clause 3 of the Bill authorise the Government to issue notification or make rules, as the case may be, for the purposes specified therein.

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

**R.B. UDHAYAKUMAR,**  
*Minister for Revenue and  
Disaster Management Department.*

**K. SRINIVASAN,**  
*Secretary.*