

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 13th February, 2019 is published together with Statement of Objects and Reasons for general information:—

**L.A. Bill No. 16 of 2019**

***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 Seventieth Year of the Republic of India as follows:—

1. (1) This Act may be called the Tamil Nadu Panchayats (Second Amendment) Act, 2019. Short title and commencement.

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

Tamil Nadu Act  
21 of 1994.

2. In section 243 of the Tamil Nadu Panchayats Act, 1994 (hereinafter referred to as the principal Act), for the expression “one hundred rupees” and “fifteen rupees”, the expression “one thousand rupees” and “two hundred and fifty rupees” shall, respectively, be substituted. Amendment of section 243.

3. In section 244 of the principal Act,—

Amendment of section 244.

(1) in sub-section (1), for the expression “make by-laws for carrying out any of the purposes for which it is constituted”, the following expression shall be substituted, namely:—

“make by-laws,—

(a) for carrying out any of the purposes for which it is constituted;

(b) for the prevention of storage, supply, transport, sale and distribution of use and throwaway plastics.”;

(2) in sub-section (2), for the expression “fifteen rupees” and “five rupees”, the expression “one thousand rupees” and “two hundred and fifty rupees” shall, respectively, be substituted;

(3) after sub-section (2), the following sub-section shall be inserted, namely:—

“(2-A) Notwithstanding anything contained in sub-section (2), in making a by-law under clause (b) of sub-section (1), the panchayat may provide that any person who commits the breach thereof shall be liable to pay by way of penalty such sum as may be fixed by the panchayat not exceeding the amount specified in Schedule III-A. If a person commits the breach for fourth time, the trade licence issued under this Act shall be cancelled.”.

4. After Schedule III of the principal Act, the following Schedule shall be inserted, Insertion of new Schedule.  
namely:—

**"SCHEDULE III-A.*****Penalties for breach of by-laws made under section 244 (2-A).***

<i>Sl. No.</i>	<i>Offences.</i>	<i>fine for first time offence.</i>	<i>fine for second time offence.</i>	<i>fine for third time offence.</i>
(1)	(2)	(3)	(4)	(5)
1.	Storage, supply, transport, sale, and distribution of use and throwaway plastics.	Twenty five thousand rupees.	Fifty thousand rupees.	One lakh rupees.
2.	Use and distribution of use and throwaway plastics in large commercial establishments like malls, textile shops and super markets.	Ten thousand rupees.	Fifteen thousand rupees.	Twenty five thousand rupees.
3.	Use and distribution of use and throwaway plastics in medium commercial establishments like grocery shops and pharmaceuticals shops.	One thousand rupees.	Two thousand rupees.	Five thousand rupees.
4.	Use and distribution of use and throwaway plastics in small commercial vendors.	One hundred rupees.	Two hundred rupees.	Five hundred rupees.".

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**STATEMENT OF OBJECTS AND REASONS**

The Hon'ble Chief Minister has made an announcement under rule 110 of the Tamil Nadu Legislative Assembly Rules on the floor of the Legislative Assembly on the 5th June 2018, to ban manufacture, sale, transport, storage, distribution and usage of disposable plastics across the State under the Environment (Protection) Act, 1986 (Central Act 29 of 1986) with effect from the 1st January 2019 so as to make the State of Tamil Nadu free from the use and throwaway plastics. For this purpose, the Government have issued Notification under section 5 of the said Central Act 29 of 1986 read with the Government of India, Ministry of Environment and Forest Notification No.S.O.152(E), dated the 10th February 1988.

2. In order to implement the banning of use and throwaway plastics in letter and spirit in the area of rural local bodies, the Tamil Nadu Panchayats Act, 1994 (Tamil Nadu Act 21 of 1994) will have to be amended so as to make provisions regarding the prevention of the said plastics items and to enable the council to levy fine for violation of the said provisions. The Government have, therefore, decided to amend the said (Tamil Nadu Act 21 of 1994) so as to achieve the object.

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

**S.P.VELUMANI,**

*Minister for Municipal Administration and  
Rural Development, Implementation of Special Programme.*

K. SRINIVASAN,  
*Secretary.*

