

**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 9th December, 2024 is published together with Statement of Objects and Reasons for general information:—

L.A Bill No. 35 of 2024

**A Bill further to amend the Tamil Nadu Public Buildings
(Licensing) Act, 1965.**

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 Public Buildings (Licensing) Amendment Act, 2024.

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

Amendment of
section 2.

2. In section 2 of the Tamil Nadu Public Buildings (Licensing) Act, 1965 (hereinafter referred to as the principal Act),—

Tamil Nadu
Act 13 of 1965.

(1) for clause (2), the following clause shall be substituted, namely:—

“(2) “competent authority” means the District Collector;”;

(2) clause (4) shall be omitted;

(3) for clause (6), the following clause shall be substituted, namely:—

“(6) “*licence*” means a licence granted or renewed under this Act;”.

Substitution of
sections 3, 4
and 5.

3. For sections 3, 4 and 5 of the principal Act, the following sections shall be substituted, namely:—

“3. Public buildings to be licensed.— No building shall be used as a public building without a licence and except in accordance with the terms and conditions specified therein.

4. Grant of licence.— (1) Any owner, who intends to use any building as a public building, shall make an application for licence in such electronic form as may be prescribed, through the online portal as may be notified by the Government in the *Tamil Nadu Government Gazette*.

(2) Every application under sub-section (1) shall be accompanied by such fee as may be prescribed along with a Certificate of Structural Soundness of the building concerned issued by an engineer in such form as may be prescribed and such Certificate shall be validated in such manner as may be prescribed.

(3) Subject to the validation of the Certificate of Structural Soundness, the licence shall be auto generated and granted online in such form and in such manner as may be prescribed. The period specified in the Certificate of Structural Soundness shall be the period of validity of the licence, subject to the fulfillment of the terms and conditions relating to the maintenance of the structural soundness of the building and the precautions to be taken for the safety of the public as specified therein.

(4) Notwithstanding anything contained in sub-sections (1) to (3), any application for the grant of a licence or renewal of a licence or any appeal or revision against refusal to the grant or renewal of the licence, pending on the date of commencement of the Tamil Nadu Public Buildings (Licensing) Amendment Act, 2024, shall be disposed of in accordance with the provisions of this Act, as in force immediately before the commencement of the Tamil Nadu Public Buildings (Licensing) Amendment Act, 2024:

Provided that the owner of the building may withdraw such pending application for grant or renewal of licence or appeal or revision, as the case may be, in such manner as may be prescribed and may make a fresh application for licence through the online portal referred to in sub-section (1).

5. Inspection.— (1) The competent authority, in the event of doubt on the structural soundness of a public building, shall cause the inspection of such public building by a technical committee to be constituted by the competent authority in such manner as may be prescribed.

(2) After such inspection, the technical committee shall submit a report to the competent authority in such form, within such time and in such manner as may be prescribed.

(3) Based on the report of the technical committee, the competent authority may impose such other terms and conditions relating to the maintenance of the structural soundness of the building and the precautions to be taken for the safety of the public or pass such other orders as it may deem fit.”.

4. Sections 6 and 7 of the principal Act shall be omitted.

Omission of sections 6 and 7.

5. In section 9 of the principal Act, the second proviso to sub-section (1) shall be omitted.

Amendment of section 9.

6. In section 10 of the principal Act, in sub-section (1), in clause (iv), after the expression, “the licence was granted”, the expression, “ based on the report of the technical committee referred to under section 5 or otherwise” shall be added.

Amendment of section 10.

7. In section 11 of the principal Act,—
 (1) for the marginal heading, the following marginal heading shall be substituted, namely:—
“Appeal against order under section 10.—”;
 (2) for sub-section (1), the following sub-section shall be substituted, namely:—
 “(1) Any person aggrieved by an order of the competent authority under section 10 may, within such time as may be prescribed, appeal to the Commissioner of Revenue Administration:
 Provided that the appellate authority may, in its discretion, allow further time not exceeding one month for the filing of any such appeal, if it is satisfied that the appellant had sufficient cause for not filing the appeal in time.”.
- Amendment of section 11.
8. Section 12 of the principal Act shall be omitted.
- Omission of section 12.
9. In section 13 of the principal Act, for the expression “Board of Revenue”, wherever it occurs, the expression “Government” shall be substituted.
- Amendment of section 13.
10. In section 14 of the principal Act, the expression “mentioned in sub-section (1) of section 5” shall be omitted.
- Amendment of section 14.
11. In section 15 of the principal Act, in sub-section (4), for the expression “Board of Revenue”, the expression “Government” shall be substituted.
- Amendment of section 15.
12. In section 16 of the principal Act, after sub-section (2), the following sub-section shall be added, namely:—
 “(3) If it is found that any engineer has issued a Certificate of Structural Soundness without proper inspection of the building or has knowingly given an incorrect certification about the structural soundness of a building based on inadequate or false data,—
 (i) such engineer shall be liable to a penalty of not exceeding two lakh rupees;
 (ii) the registration of such engineer shall be cancelled immediately from the panel of Registered Engineers maintained by the competent authority in the district concerned; and
 (iii) such engineer shall be debarred from taking up any works under the Government or any local bodies:
 Provided that no order under this sub-section shall be made without giving an opportunity of being heard to such engineer.”.
- Amendment of section 16.
13. In section 21 of the principal Act, for the expression “section 21 of the Indian Penal Code (Central Act XLV of 1860)”, the expression “clause (28) of section 2 of the Bharatiya Nyaya Sanhita, 2023 (Central Act 45 of 2023)” shall be substituted.
- Amendment of section 21.
14. In section 25 of the principal Act, in sub-section (3), in clause (a), for the expression “*Fort St. George Gazette*”, the expression “*Tamil Nadu Government Gazette*” shall be substituted.
- Amendment of section 25.

STATEMENT OF OBJECTS AND REASONS.

The Government of Tamil Nadu is making all efforts to ensure transparency and accountability by promoting e-Governance and providing substantially enhanced access to Government Services through online mode. In order to enable online open access from anywhere and to ensure that “Any Time Any Place Services” are made available to the general public, processes are being simplified by reducing complexity. The Empowered Committee constituted for the purpose of promoting Simple Governance has recommended to amend the Tamil Nadu Public Buildings (Licensing) Act, 1965 (Tamil Nadu Act 13 of 1965) for simplifying the procedure for grant of licence to the public buildings.

2. The Government have accepted the said recommendations and accordingly decided to amend the said Tamil Nadu Act 13 of 1965 suitably for the said purpose.

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

K.N. NEHRU,
Minister for Municipal Administration.

MEMORANDUM REGARDING DELEGATED LEGISLATION.

Clauses 1(2), 3 and 7 of the Bill authorise the Government to issue notification or make rules to carry out the purposes specified therein.

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

K.N. NEHRU,
Minister for Municipal Administration.

Secretariat,
Chennai-600 009,
9th December 2024.

K. SRINIVASAN,
Principal Secretary.