

Tamil Nadu Municipal Laws (Amendment) Act, 2011

2 of 2011

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Tamil Nadu Municipal Laws (Amendment) Act, 2011

2 of 2011

An Act 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-first Year of the Republic of India as follows:-- 1. Received the Assent of the Governor of Tamil Nadu on February 5, 2011 -- Published in Tamil Nadu Government Gazette, Extraordinary, Part IV, Section 2, Iss. No.45, pages 3-8, dated February 8, 2011. Statement of Objects and Reasons : Refer T.N. Bill No.3/2011 -- 2011 (1) CTAR page 1.24

PART 1

PRELIMINARY

1. Short Title And Commencement :-

- (1) This Act may be called the Tamil Nadu Municipal Laws (Amendment) Act, 2011.
- (2) It shall come into force on such date as the State Government may, by notification, appoint.

PART 2

AMENDMENTS TO THE CHENNAI CITY MUNICIPAL CORPORATION ACT, 1919

2. Substitution Of Section 326-A :-

For Section 326-A of the Chennai City Municipal Corporation Act, 1919 (Tamil Nadu Act IV of 1919) (hereafter in this Part referred to as the 1919 Act), the following Section shall be substituted, namely:--

- (a) "hoarding" means any screen of boards other than digital banner and placard, at any place, whether public or private used or intended to be used for exhibiting advertisement, including the frame work or other support, erected, wholly or in part upon or over any land, building, wall or structure, visible to public wholly or partly;

(b) "digital banner" means any screen of boards, at any place, whether public or private used or intended to be used for exhibiting any advertisement or any information in connection with marriage, religious ceremony, birth or death anniversary or meeting or conference of any political, religious or communal organization, designed and printed using electronic printing technology;

(c) "placard" means any screen of boards, the size of which is not exceeding eight feet in height and four feet in breadth, at any place, whether public or private, used or intended to be used for exhibiting any advertisement or any information in connection with marriage, religious ceremony, birth or death anniversary or meeting or conference of any political, religious or communal organization, designed and printed using electronic printing technology."

3. Insertion Of New Section 326-Bb :-

After Section 326-B of the 1919 Act, the following Section shall be inserted, namely:--

"326-BB. Regulation of erection of digital banners and placards.--

(1) No digital banner or placard for exhibiting any advertisement or information for a period not exceeding six days shall be erected by any person without obtaining prior permission from the District Collector.

(2) Every Application for permission under sub-section (1), shall be made, in writing, to the District Collector fifteen days prior to the date of erection of digital banner or placard in such form, containing such particulars and with such fee, as may be prescribed.

(3) The permission for erection of digital banner or placard may be granted for such purpose and for such period, not exceeding six days and subject to such conditions as may be specified by the District Collector.

(4) The District Collector may refuse to grant permission for the reasons to be recorded in writing.

(5) Every person who has erected the digital banner or placard after obtaining the permission, shall, on expiry of such permission remove the same and dispose it, without causing any hazard to health or environment, in such manner as may be prescribed."

4. Substitution Of Section 326-E :-

For Section 326-E of the 1919 Act, the following Section shall be substituted, namely:--

"326-E. Removal of unauthorized hoarding, digital banner or placard.--

Any hoarding erected without a licence or any digital banner or placard erected without a permission, shall be confiscated and removed by the District Collector without giving any notice."

5. Amendment Of Section 326-G :-

In Section 326-G of the 1919 Act, for the expression "hoarding " in four places where it occurs, the expression "hoarding or digital banner or placard" shall be substituted.

6. Amendment Of Section 326-H :-

In Section 326-H of the 1919 Act, in sub-section (1), after the expression "suspending a licence", the expression "or refusing to give permission " shall be inserted.

7. Amendment Of Section 326-I :-

To Section 326-I of the 1919 Act, the following Proviso shall be added, namely:--

"Provided that whoever erects any digital banner or placard without the permission of the District Collector, shall be punished with imprisonment for a term which may extend to one year or with fine which may extend to five thousand rupees or with both."

8. Amendment Of Section 326-J :-

In Section 326-J of the 1919 Act,--

(1) in the marginal heading, for the expression, "hoardings", the expression "hoardings, digital banners or placards" shall be substituted;

(2) Section 326-J, shall be re-numbered as sub-section (1) of that Section;

(3) after sub-section (1) as so re-numbered, the following sub-section shall be added, namely:

(2) Where the District Collector is satisfied that the erection of any digital banner or placard visible to the traffic on the road is hazardous and disturbance to the safe traffic movement so as to adversely affect free and safe flow of traffic, he shall not grant permission under Section 326-BB."

9. Substitution Of Section 410-A :-

For Section 410-A of the Madurai City Municipal Corporation Act, 1971 (Tamil Nadu Act 15 of 1971) (hereafter in this Part referred to as the 1971 Act), the following Section shall be substituted, namely:--

(a) "hoarding" means any screen of boards other than digital banner and placard, at any place, whether public or private used or intended to be used for exhibiting advertisement, including the frame work or other support, erected, wholly or in part upon or over any land, building, wall or structure, visible to public wholly or partly;

(b) "digital banner" means any screen of boards, at any place, whether public or private used or intended to be used for exhibiting any advertisement or any information in connection with marriage, religious ceremony, birth or death anniversary or meeting or conference of any political, religious or communal organization, designed and printed using electronic printing technology;

(c) "placard" means any screen of boards, the size of which is not exceeding eight feet in height and four feet in breadth, at any place, whether public or private, used or intended to be used for exhibiting any advertisement or any information in connection with marriage, religious ceremony, birth or death anniversary or meeting or conference of any political, religious or communal organization, designed and printed using electronic printing technology."

10. Insertion Of New Section 410-Bb :-

After Section 410-B of the 1971 Act, the following Section shall be inserted, namely:--

"410-BB. Regulation of erection of digital banners and placards.--

(1) No digital banner or placard for exhibiting any advertisement or information for a period not exceeding six days shall be erected by any person without obtaining prior permission from the District Collector.

(2) Every Application for permission under sub-section (1) shall be made, in writing to the District Collector fifteen days prior to the date of erection of digital banner or placard in such form, containing such particulars and with such fee, as may be prescribed.

(3) The permission for erection of digital banner or placard may be

granted for such purpose and for such period, not exceeding six days and subject to such conditions as may be specified by the District Collector.

(4) The District Collector may refuse to grant permission for the reasons to be recorded in writing.

(5) Every person who has erected the digital banner or placard after obtaining the permission, shall, on expiry of such permission remove the same and dispose it, without causing any hazard to health or environment, in such manner as may be prescribed."

11. Substitution Of Section 410-E :-

For Section 410-E of the 1971 Act, the following Section shall be substituted, namely:--

"410-E. Removal of unauthorized hoarding, digital banner or placard.-

Any hoarding erected without a licence or any digital banner or placard erected without a permission, shall be confiscated and removed by the District Collector without giving any notice."

12. Amendment Of Section 410-G :-

In Section 410-G of the 1971 Act, for the expression "hoarding " in four places where it occurs, the expression "hoarding or digital banner or placard" shall be substituted.

13. Amendment Of Section 410-H :-

In Section 410-H of the 1971 Act, in sub-section (1), after the expression "suspending a licence", the expression "or refusing to give permission " shall be inserted.

14. Amendment Of Section 410-I :-

To Section 410-I of the 1971 Act, the following Proviso shall be added, namely:--

"Provided that whoever erects any digital banner or placard without the permission of the District Collector, shall be punished with imprisonment for a term which may extend to one year or with fine which may extend to five thousand rupees or with both."

15. Amendment Of Section 410-J :-

In Section 410-J of the 1971 Act,--

(1) in the marginal heading, for the expression, "hoardings", the expression "hoardings, digital banners or placards" shall be substituted;

(2) Section 410-J, shall be re-numbered as sub-section (1) of that Section;

(3) after sub-section (1) as so re-numbered, the following sub-section shall be added, namely:

"(2) Where the District Collector is satisfied that the erection of any digital banner or placard visible to the traffic on the road is hazardous and disturbance to the safe traffic movement so as to adversely affect free and safe flow of traffic, he shall not grant permission under Section 410-BB."

PART 4

AMENDMENTS TO THE COIMBATORE CITY MUNICIPAL CORPORATION ACT, 1981

16. Substitution Of Section 410-A :-

For Section 410-A of the Coimbatore City Municipal Corporation Act, 1981 (T.N. Act 25 of 1981) (hereafter in this Part referred to as the 1981 Act), the following Section shall be substituted, namely:--

"410-A. Definitions.--In this Chapter,--

(a) "hoarding" means any screen of boards other than digital banner and placard, at any place, whether public or private used or intended to be used for exhibiting advertisement, including the frame work or other support, erected, wholly or in part upon or over any land, building, wall or structure, visible to public wholly or partly;

(b) "digital banner" means any screen of boards, at any place, whether public or private used or intended to be used for exhibiting any advertisement or any information in connection with marriage, religious ceremony, birth or death anniversary or meeting or conference of any political, religious or communal organization, designed and printed using electronic printing technology;

(c) "placard" means any screen of boards, the size of which is not exceeding eight feet in height and four feet in breadth, at any place, whether public or private, used or intended to be used for exhibiting any advertisement or any information in connection with marriage, religious ceremony, birth or death anniversary or meeting or conference of any political, religious or communal organization, designed and printed using electronic printing technology."

17. Insertion Of New Section 410-Bb :-

After Section 410-B of the 1981 Act, the following Section shall be inserted, namely:--

"410-BB. Regulation of erection of digital banners and placards.--

(1) No digital banner or placard for exhibiting any advertisement or information for a period not exceeding six days shall be erected by any person without obtaining prior permission from the District Collector.

(2) Every Application for permission under sub-section (1) shall be made, in writing to the District Collector fifteen days prior to the date of erection of digital banner or placard, in such form, containing such particulars and with such fee, as may be prescribed.

(3) The permission for erection of digital banner or placard may be granted for such purpose and for such period, not exceeding six days and subject to such conditions as may be specified by the District Collector.

(4) The District Collector may refuse to grant permission for the reasons to be recorded in writing.

(5) Every person who has erected the digital banner or placard after obtaining the permission, shall, on expiry of such permission remove the same and dispose it, without causing any hazard to health or environment, in such manner as may be prescribed."

18. Substitution Of Section 410-E :-

For Section 410-E of the 1981 Act, the following Section shall be substituted, namely:--

"410-E. Removal of unauthorized hoarding, digital banner or placard.--

Any hoarding erected without a licence or any digital banner or placard erected without a permission, shall be confiscated and removed by the District Collector without giving any notice."

19. Amendment Of Section 410-G :-

In Section 410-G of the 1981 Act, for the expression "hoarding" in four places where it occurs, the expression "hoarding or digital banner or placard" shall be substituted.

20. Amendment Of Section 410-H :-

In Section 410-H of the 1981 Act, in sub-section (1), after the expression "suspending a licence", the expression "or refusing to

give permission " shall be inserted.

21. Amendment Of Section 410-I :-

To Section 410-I of the 1981 Act, the following Proviso shall be added, namely:--

"Provided that whoever erects any digital banner or placard without the permission of the District Collector, shall be punished with imprisonment for a term which may extend to one year or with fine which may extend to five thousand rupees or with both."

22. Amendment Of Section 410-J :-

In Section 410-J of the 1981 Act,--

(1) in the marginal heading, for the expression, "hoardings", the expression "hoardings, digital banners or placards " shall be substituted,

(2) Section 410-J, shall be re-numbered as sub-section (1) of that Section;

(3) after sub-section (1) as so re-numbered, the following sub-section shall be added, namely:

"(2) Where the District Collector is satisfied that the erection of any digital banner or placard visible to the traffic on the road is hazardous and disturbance to the safe traffic movement so as to adversely affect free and safe flow of traffic, he shall not grant permission under Section 410-BB."

PART 5

AMENDMENTS TO THE TAMIL NADU DISTRICT MUNICIPALITIES ACT, 1920

23. Substitution Of Section 285-A :-

For Section 285-A of the Tamil Nadu District Municipalities Act, 1920 (Tamil Nadu Act V of 1920) (hereafter in this Part referred to as the 1920 Act), the following Section shall be substituted, namely:--

"285-A. Definitions.--In this Chapter,--

(a) "hoarding" means any screen of boards other than digital banner and placard, at any place, whether public or private used or intended to be used for exhibiting advertisement, including the frame work or other support, erected, wholly or in part upon or over any land, building, wall or structure, visible to public wholly or partly;

(b) "digital banner" means any screen of boards, at any place,

whether public or private used or intended to be used for exhibiting any advertisement or any information in connection with marriage, religious ceremony, birth or death anniversary or meeting or conference of any political, religious or communal organization, designed and printed using electronic printing technology;

(c) "placard" means any screen of boards, the size of which is not exceeding eight feet in height and four feet in breadth, at any place, whether public or private, used or intended to be used for exhibiting any advertisement or any information in connection with marriage, religious ceremony, birth or death anniversary or meeting or conference of any political, religious or communal organization, designed and printed using electronic printing technology."

24. Insertion Of New Section 285-Bb :-

After Section 285-B of the 1920 Act, the following Section shall be inserted, namely:--

"285-BB. Regulation of erection of digital banners and placards.--

(1) No digital banner or placard for exhibiting any advertisement or information for a period not exceeding six days shall be erected by any person without obtaining prior permission from the District Collector.

(2) Every Application for permission under sub-section (1), shall be made, in writing, to the District Collector fifteen days prior to the date of erection of digital banner or placard in such form, containing such particulars and with such fee, as may be prescribed.

(3) The permission for erection of digital banner or placard may be granted for such purpose and for such period, not exceeding six days and subject to such conditions as may be specified by the District Collector.

(4) The District Collector may refuse to grant permission for the reasons to be recorded in writing.

(5) Every person who has erected the digital banner or placard after obtaining the permission, shall, on expiry of such permission remove the same and dispose it, without causing any hazard to health or environment, in such manner as may be prescribed."

25. Substitution Of Section 285-E :-

For Section 285-E of the 1920 Act, the following Section shall be substituted, namely:--

"285-E. Removal of unauthorized hoarding, digital banner or

placard.--

Any hoarding erected without a licence or any digital banner or placard erected without a permission, shall be confiscated and removed by the District Collector without giving any notice."

26. Amendment Of Section 285-G :-

In Section 285-G of the 1920 Act, for the expression "hoarding" in four places where it occurs, the expression "hoarding or digital banner or placard" shall be substituted.

27. Amendment Of Section 285-H :-

In Section 285-H of the 1920 Act, in sub-section (1), after the expression "suspending a licence", the expression "or refusing to give permission " shall be inserted.

28. Amendment Of Section 285-I :-

To Section 285-I of the 1920 Act, the following Proviso shall be added, namely:--

"Provided that whoever erects any digital banner or placard without the permission of the District Collector, shall be punished with imprisonment for a term which may extend to one year or with fine which may extend to five thousand rupees or with both."

29. Amendment Of Section 285-J :-

In Section 285-J of the 1920 Act,--

(1) in the marginal heading, for the expression, "hoardings", the expression "hoardings, digital banners or placards" shall be substituted;

(2) Section 285-J, shall be re-numbered as sub-section (1) of that Section;

(3) after sub-section (1) as so re-numbered, the following sub-section shall be added, namely:--

"(2) Where the District Collector is satisfied that the erection of any digital banner or placard visible to the traffic on the road is hazardous and disturbance to the safe traffic movement so as to adversely affect free and safe flow of traffic, he shall not grant permission under Section 285-BB."