

**Tamil Nadu Municipal Laws (Second Amendment)
Ordinance, 2003**

4 of 2003

[19 July 2003]

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An Ordinance further to amend the Laws relating to the Municipal Corporations and Municipalities in the State of Tamil Nadu. WHEREAS the Legislative Assembly of the State is not in session and the Governor of Tamil Nadu is satisfied that circumstances exist which render it necessary for him to take immediate action for the purpose hereinafter appearing; NOW, THEREFORE, in exercise of

the powers conferred by clause (1) of Article 213 of the Constitution, the Governor hereby promulgates the following Ordinance:-

CHAPTER 1
PRELIMINARY

1. Short Title And Commencement :-

(1) This Ordinance may be called the Tamil Nadu Municipal Laws (Second Amendment) Ordinance, 2003.

(2) It shall come into force at once.

CHAPTER 2

AMENDMENT TO THE CHENNAI CITY MUNICIPAL CORPORATION ACT, 1919.(Act IV of 1919)

2. Insertion Of New Section 255-A :-

After section 255 of the Chennai City Municipal Corporation Act, 1919, the following section shall be inserted, namely:-

"255-A Provision of Rain Water Harvesting Structure.- (1) In every building owned or occupied by the Government or a statutory body or a company or an institution owned or controlled by the Government, rain water harvesting structure shall be provided by the Government or by such statutory body or company or other institution, as the case may be, in such manner and within such time as may be prescribed.

(2) Subject to the provisions of sub-section (1), every owner or occupier of a building shall provide rain water harvesting structure in the building in such manner and within such period as may be prescribed.

Explanation.- Where a building is owned or occupied by more than one person, every such person shall be liable under this sub-section.

(3) Where the rain water harvesting structure is not provided as required under sub-section (2), the Commissioner or any person authorised by him in this behalf may, after giving notice to the owner or occupier of the building, cause rain water harvesting structure to be provided in such building and recover the cost of such provision along with the incidental expense thereof in the same manner as property tax.

(4) Notwithstanding any action taken under sub-section (3), where the owner or occupier of the building fails to provide the rain water harvesting structure in the building before the date as may be

prescribed, the water supply connection provided to such building shall be disconnected till rain water harvesting structure is provided.

CHAPTER 3

AMENDMENT TO THE TAMIL NADU DISTRICT MUNICIPALITIES ACT, 1920.(Act V of 1920)

3. Insertion Of New Section 215-A :-

After section 215 of the Tamil Nadu District Municipalities Act, 1920, the following section shall be inserted, namely:-

"215-A Provision of Rain Water Harvesting Structure.- (1) In every building owned or occupied by the Government or a statutory body or a company or an institution owned or controlled by the Government, rain water harvesting structure shall be provided by the Government or by such statutory body or company or other institution, as the case may be, in such manner and within such time as may be prescribed.

(2) Subject to the provisions of sub-section (1), every owner or occupier of a building shall provide rain water harvesting structure in the building in such manner and within such period as may be prescribed.

Explanation.- Where a building is owned or occupied by more than one person, every such person shall be liable under this sub-section.

(3) Where the rain water harvesting structure is not provided as required under sub-section (2), the Executive Authority or any person authorised by him in this behalf may, after giving notice to the owner or occupier of the building, cause rain water harvesting structure to be provided in such building and recover the cost of such provision along with the incidental expense thereof in the same manner as property tax.

(4) Notwithstanding any action taken under sub-section (3), where the owner or occupier of the building fails to provide the rain water harvesting structure in the building before the date as may be prescribed, the water supply connection provided to such building shall be disconnected till rain water harvesting structure is provided.

CHAPTER 4

AMENDMENT TO THE MADURAI CITY MUNICIPAL CORPORATION ACT, 1971.(Act 15 of 1971)

4. Insertion Of New Section 295-A :-

After section 295 of the Madurai City Municipal Corporation Act, 1971, the following section shall be inserted, namely:-

"295-A Provision of Rain Water Harvesting Structure.- (1) In every building owned or occupied by the Government or a statutory body or a company or an institution owned or controlled by the Government, rain water harvesting structure shall be provided by the Government or by such statutory body or company or other institution, as the case may be, in such manner and within such time as may be prescribed.

(2) Subject to the provisions of sub-section (1), every owner or occupier of a building shall provide rain water harvesting structure in the building in such manner and within such period as may be prescribed.

Explanation.- Where a building is owned or occupied by more than one person, every such person shall be liable under this sub-section.

(3) Where the rain water harvesting structure is not provided as required under sub-section (2), the Commissioner or any person authorised by him in this behalf may, after giving notice to the owner or occupier of the building, cause rain water harvesting structure to be provided in such building and recover the cost of such provision along with the incidental expense thereof in the same manner as property tax.

(4) Notwithstanding any action taken under sub-section (3), where the owner or occupier of the building fails to provide the rain water harvesting structure in the building before the date as may be prescribed, the water supply connection provided to such building shall be disconnected till rain water harvesting structure is provided.

CHAPTER 5

AMENDMENT TO THE COIMBATORE CITY MUNICIPAL CORPORATION ACT, 1981. (Act 25 of 1981)

5. Insertion Of New Section 295-A :-

After section 295 of the Coimbatore City Municipal Corporation Act, 1981, the following section shall be inserted, namely:-

"295-A Provision of Rain Water Harvesting Structure.- (1) In every building owned or occupied by the Government or a statutory body or a company or an institution owned or controlled by the Government, rain water harvesting structure shall be provided by

the Government or by such statutory body or company or other institution, as the case may be, in such manner and within such time as may be prescribed.

(2) Subject to the provisions of sub-section (1), every owner or occupier of a building shall provide rain water harvesting structure in the building in such manner and within such period as may be prescribed.

Explanation.- Where a building is owned or occupied by more than one person, every such person shall be liable under this sub-section.

(3) Where the rain water harvesting structure is not provided as required under sub-section (2), the Commissioner or any person authorised by him in this behalf may, after giving notice to the owner or occupier of the building, cause rain water harvesting structure to be provided in such building and recover the cost of such provision along with the incidental expense thereof in the same manner as property tax.

(4) Notwithstanding any action taken under sub-section (3), where the owner or occupier of the building fails to provide the rain water harvesting structure in the building before the date as may be prescribed, the water supply connection provided to such building shall be disconnected till rain water harvesting structure is provided.

P.S. RAMAMOHAN RAO,
Governor of Tamil Nadu.

EXPLANATORY STATEMENT

In order to augment ground water resources, it has been decided to make it mandatory to provide rain water harvesting structure in all building. As rain water harvesting structures will have to be put up before the ensuing monsoon, it has also been proposed to give a time limit to be specified in the Rules, to provide rain water harvesting structure by the owner or occupier of every building and in case they do not provide rain water harvesting structure within the above said period, the authorities of the local body concerned will provide the rain water harvesting structure in those buildings and recover the cost of provision of rain water harvesting structure with the incidental expense from such owner or occupier as property tax.

2. It has also been decided that if such owner or occupier of the building fails to provide rain water harvesting structure on or before the date to be specified in the Rules, the water supply connection provided to such building shall be disconnected.

3. The Ordinance seeks to give effect to the above decisions.

By order of the Governor

A. KRISHNANKUTTY NAIR,
Secretary to Government.