
Tamil Nadu Panchayats (Sixth Amendment) Act, 2008**42 of 2008****CONTENTS**

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Tamil Nadu Panchayats (Sixth Amendment) Act, 2008**42 of 2008**

Statement of Objects & Reasons² Sub-section (1) of Section 245 of the Tamil Nadu Panchayats Act, 1994 (Tamil Nadu Act 21 of 1994) provides for the imposition of penalties as specified in Schedule II to the said Act on any person who contravenes any of the provisions of the said Act specified in that Schedule and sub-section (2) of the said Section 245 provides for imposition of penalties on any person for continuing breaches specified in Schedule III to the said Act 2. The penalty amounts, which were prescribed during the year 1994, have not been revised since then and have lost the deterrent effect. The Government have, therefore, decided to revise the penalties provided in these Schedules by amending the said Schedules suitably. 3. The Bill seeks to give effect to the above decision. PREAMBLE An Act further to amend the Tamil Nadu Panchayats Act, 1994. Be it enacted by the Legislative Assembly of the State of Tamil Nadu in the Fifty-ninth Year of the Republic of India as follows:-- 1. Received the Assent of the Governor of Tamil Nadu on June 2, 2008 -- Published in Tamil Nadu Government Gazette, Extraordinary, Part IV, Section 2, Iss. No. 170, pages 155-158, dated June 2, 2008. 2. Vide L.A. Bill No.21 of 2008 -- Published in T.N. Govt. Gazette, Extra., Part IV, Section 1, Issue No.135, pages 82-85, dated May 6, 2008.

1. Short Title And Commencement :-

(1) This Act may be called the Tamil Nadu Panchayats (Sixth Amendment) Act, 2008.

(2) It shall come into force on such date as the State Government

may, by notification, appoint.1

1. Act came into force w.e.f. June 18, 2008 -- Refer 2008 (2) CTAR page 2.4

2. Substitution Of Schedule Ii :-

For Schedule II to the Tamil Nadu Panchayats Act, 1994 (T.N. Act 21 of 1994) (hereinafter referred to as the principal Act), the following Schedule shall be substituted, namely:--

"SCHEDULE-II

ORDINARY PENALTIES.

[See Section 245(1)]

Section	Subsection or clause	Subject	Fine which may be imposed
(1)	(2)	(3)	(4)
128	(1)	Failure to obey requisition to fence off, take down, secure or repair dangerous structure.	Five thousand rupees.
129	(1)	Failure to obey requisition to secure, lop or cut down dangerous trees.	Five hundred rupees.
130	-	Failure to obey requisition to fence building or land or trim, prune or cut hedges and trees or lower an enclosing wall.	Two hundred rupees.
131	(1)(a)	Unlawful building of wall or erecting of fence, etc., in or over public road.	Two thousand rupees.
131	(1)(b)	Unlawful making of hole or depositing of matter in or upon public road.	Five hundred rupees.
131	(1)(c)	Unlawful quarrying in any place near public road, etc.	Two thousand rupees.
131	(1)(d)	Unlawful erection of building over drain.	Four thousand rupees.
131	(1)(e)	Planting of trees without permission on any public road or other property vested in panchayat or panchayat union council.	Two hundred rupees.
131	(1)(f)	Felling, etc., without permission of trees growing on public road or other property vested in a panchayat or on poramboke land the use of which is regulated by it under Section 134 or Section 135.	Two thousand rupees.
139	-	Failure close place of public entertainment.	Four thousand rupees.
140	-	Sending infected child to school.	One hundred

		One hundred rupees.
142	-	Failure to give information of small pox.	Fifty rupees.
143	(1)	Failure to obey requisition to fill in, etc., tank or other place dangerous to public health or safety.	Five hundred rupees.
144	(1)	Failure to obey requisition to clear or cleanse, etc., building or land in filthy state or overgrown with noxious vegetation.	Five hundred rupees.
148	(1)	Opening a new private market or continuing to keep open a private market without licence or contrary to licence.	Ten thousand rupees.
148	(3)	Levy of fees in private market without a certificate.	Two thousand rupees.
150		Sale or exposure for sale in public or private market of any animal or article without permission.	One hundred rupees.
151		Sale, etc., of articles in public roads or places, after prohibition or without licence or contrary to regulations.	Two hundred rupees.
154	(b)	Using any public place or road-side as a landing or halting place or as a cart-stand within prohibited distance.	Two hundred rupees.
155	(1)	Opening a private cart-stand or continuing to keep open a private cart-stand without licence or contrary to licence.	Five hundred rupees.
157	(a)	Slaughtering, cutting up or skinning, etc., of animals outside public slaughterhouse in contravention of Rules.	One thousand rupees.
157	(b)	Slaughtering of animals for purposes of sale without licence or contrary to licence.	Five hundred rupees.
158	(3)	Unlawful destruction, etc., of number affixed on buildings.	Fifty rupees.
158	(4)	Failure to replace number when required to do so.	One hundred rupees.
159	(1)	Using a place for offensive or dangerous trade without licence or contrary to licence.	Five thousand rupees.
160	-	Unlawful erection of factory, workshop, etc.	One lakh rupees.
236		Obstructing a person in the use or enjoyment of a public road, market, well, tank, etc.	One thousand rupees."

3. Substitution Of Schedule Iii :-

For Schedule III to the principal Act, the following Schedule shall be substituted, namely:--

"SCHEDULE - III

PENALTIES FOR CONTINUING BREACHES.

[See Section 245(2)]

Section	Sub-Section or clause	Subject	Fine which may be imposed
(1)	(2)	(3)	(4)
128	(1)	Failure to obey requisition to fence off, take down, secure or repair dangerous structure.	Five hundred rupees.
129	(1)	Failure to obey requisition to secure, lop or cut down dangerous trees.	One hundred rupees.
130	-	Failure to obey requisition to fence building or land or trim, prune or cut hedges and trees, or lower an enclosing wall.	Fifty rupees.
131	(1)(a)	Unlawful building of wall or erecting of fence, etc., in or over public road.	Two hundred rupees.
131	(1)(b)	Unlawful making of hole or depositing of matter in or upon public road.	Fifty rupees.
131	(1)(c)	Unlawful quarrying in any place near public road, etc.	Two hundred rupees.
131	(1)(d)	Unlawful erection of building over drain.	Four hundred rupees.
139	-	Failure to close place of public entertainment.	Four hundred rupees.
143	(1)	Failure to obey requisition to fill in, etc., tank or other place dangerous to public health or safety.	One hundred rupees.
144	(1)	Failure to obey requisition to clear or cleanse, etc., building or land in filthy state or overgrown with noxious vegetation.	One hundred rupees.
148	(1)	Keeping open a private market without licence or contrary to licence.	One thousand rupees.
148	(3)	Levy of fees in private market without a certificate.	Five hundred rupees.
150		Sale or exposure for sale in public or private market of animal or article without permission.	Twenty rupees.
155	(1)	Keeping open a private cart-stand without licence or contrary to licence.	Fifty rupees.

159	(1)	Using a place for an offensive or dangerous trade without a licence or contrary to licence.	Four hundred rupees.
160	-	Unlawful erection of factory, workshop, etc.	Two thousand rupees."