

Tamil Nadu Village Panchayats (Form and Contents of Licence and Permission, Etc.) Rules, 1999

TAMILNADU

India

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Rule

TAMIL-NADU-VILLAGE-PANCHAYATS-FORM-AND-CONTENTS-OF-LIC of 1999

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Tamil Nadu Village Panchayats (Form and Contents of Licence and Permission, Etc.) Rules, 1999Published vide Notification No. G.O. Ms. No. 221, Rural Development (C-4), dated the 20th October 1999 - No. SRO A-75 (a-2)/99G.O. Ms. No. 221. - In exercise of the powers conferred by clause (xxv) of sub-section (2) of section 242 of the Tamil Nadu Panchayats Act, 1994 (Tamil Nadu Act 21 of 1994) and in supersession of the rules relating to Form and contents of licence, permissions, etc., the Governor of Tamil Nadu hereby makes the following Rules: -

1. Short title.

(1)These rules may be called the Tamil Nadu Village Panchayats (Form and Contents of Licence and Permission, etc.) Rules, 1999.

2. Definitions.

- In these rules, unless the context otherwise requires, "Act" means the Tamil Nadu Panchayats Act, 1994 (Tamil Nadu Act 21 of 1994).

3. Licence to be in writing.

- Every licence, permission or notice granted or issued under the Act, any rule or bye-law made thereunder shall be in writing.

4. Specification of period for licence and permission.

- Every licence or permission granted under the Act or any rule or bye-law made thereunder shall specify the period, if any, for which, and the restrictions, limitations and conditions subject to which, the same is granted, and shall be signed by the Executive Authority. Every order granting such licence or permission shall be displayed on the notice board of the Village Panchayat.

5. Suspension or cancellation of licence and permission.

(1) Any licence or permission granted under the Act or any rule or bye-law made thereunder may, at any time, be modified, suspended or cancelled by the Executive Authority, if any of its restrictions, limitations or conditions are violated or infringed or if the grantee is convicted of a breach of any of the provisions of the Act, or of any rule, bye-law or regulation made thereunder in any matter to which such licence or permission relates, or if the grantee has obtained the same by misrepresentation or fraud. (2) An appeal shall lie to the Village Panchayat against any order of the Executive Authority under this rule modifying, suspending or cancelling a licence and no such appeal shall be heard unless it is received in the office of the Village Panchayat within ten days from the date of receipt by the grantee of the order appealed against. The Village Panchayat shall pass a final order within thirty days, after the receipt of such appeals, failing which the appeal shall be deemed to have been allowed. (3) A second appeal shall lie to the Assistant Director (Panchayats) against the orders of the Village Panchayat under sub-rule (2) within fifteen days from the date of receipt by the grantee of the order appealed against. The Assistant Director (Panchayat) shall pass final orders within thirty days after the receipt of such second appeal, failing which the appeal shall be deemed to have been allowed. (4) Every order of the authority competent under the Act or any rule or bye-law made thereunder to pass an order refusing, modifying, suspending or cancelling a licence or permission shall be in writing and shall state the grounds on which such order is passed. (5) When any licence or permission is suspended or cancelled or when the period for which it was granted or within which application for renewal should be made, has expired, the grantee, shall, for all purposes of the Act, or any rule or bye-law made thereunder, be deemed to be without a licence or permission until the order suspending or altering the licence or permission is cancelled or until the licence's permission is renewed, as the case may be. (6) The grantee of every licence or permission shall, at all reasonable times, while such licence or permission remains in force, produce the same at the request of the Executive Authority or any persons authorised by it in this behalf.

6. Procedure for sending of notice.

(1) When any notice is required by the Act or by any rule, bye-law, regulation or order made thereunder to be served on, or sent to any person, the service or sending thereof may be effected - (i) by giving or tendering the said notice to such person; or (ii) if such person is not found, by leaving such notice at his last known place of abode or business, or by giving or tendering the same to some adult member or servant of his family or place of business; or (iii) if such person does not reside in the village and his address elsewhere is known to the Executive Authority by sending the same to him in such address by registered post; or (iv) if none of the modes of service is available, by affixing the notice in any conspicuous part of such place, abode or business of the person concerned in the

address last known.(2)When the person is an owner or occupier of any building or land, it shall not be necessary to name the owner or occupier in the notice and in the case of joint owners or occupiers, it shall be sufficient to serve it on, or send it to, one of such owners or occupiers.(3)Whenever any bill, notice, form or other document is served or sent, and a period is fixed within which any tax or other sum is to be paid or any work to be executed, or anything to be provided, such period shall, in the absence of any provision to the contrary in the Act or the rules framed thereunder, be calculated from the date of receipt of such bill, notice, form or other document, as the case may be.(4)Whoever fails to produce a licence or permission on demand under sub-rule (6) of rule 5, shall be punishable with fine which may extend to hundred rupees or in case of a continuing breach, with fine not exceeding fifteen rupees for every day during which the breach continues after convictions for the first breach.