



TAMIL NADU GOVERNMENT GAZETTE

EXTRAORDINARY

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Part IV—Section 1

Tamil Nadu Bills

BILL 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 State of Tamil Nadu on 6th August 2014 is published together with Statement of Objects and Reasons for general information:—

L.A. Bill No. 13 of 2014

A Bill to provide for removal of restriction imposed by recreation clubs, hotels, theatres, malls, halls, auditoriums and stadiums on persons wearing veshti (dhoti) reflecting Tamil culture or any Indian traditional dress, to enter into such places.

WHEREAS it is brought to the notice of the Government that some clubs are denying entry to persons into public places under their control or management on the ground that they are not wearing dress or apparels in keeping with western culture;

AND WHEREAS it is the fundamental duty of every Indian citizen to value and preserve the rich heritage of our composite culture;

AND WHEREAS imposition of restriction on persons for entry into public places on the ground that their dress does not conform to western culture would amount to continuation of the colonial imperialistic attitude;

AND WHEREAS it has become imperative in the context of happenings in the past to remove such restrictions;

NOW, THEREFORE, in order to preserve our culture, custom and heritage, the Government have decided to remove the restriction imposed on persons wearing veshti (dhoti) reflecting Tamil culture or any Indian traditional dress for entry into public places.

BE it enacted by the Legislative Assembly of the State of Tamil Nadu in the Sixty-fifth Year of the Republic of India as follows:-

Short title and commencement.

1. (1) This Act may be called the Tamil Nadu Entry into Public Places (Removal of Restriction on Dress) Act, 2014.

(2) It shall come into force at once.

Definitions.

2. In this Act, unless the context otherwise requires,-

(a) "Government" means the State Government;

(b) "public places" means recreation clubs, hotels, theatres, malls, halls, auditoriums, stadiums and such other places as may be notified by the Government, where people including members congregate in connection with any function, event, entertainment, sports or other activity.

Removal of restriction of entry.

3. (1) Notwithstanding anything contained in any rule, regulation or bye-law made by, or circular, instruction or guideline issued by, any recreation club, association, trust, company or society, no person, wearing a veshti (dhoti) reflecting Tamil culture or any other Indian traditional dress, shall be denied entry into any public place, by reason only of his dress:

Provided that the dress shall be worn in a decent manner.

(2) No recreation club, association, trust, company or society, whether incorporated or not, shall make any rule, regulation or bye-law or issue any circular, instruction or guideline imposing restriction on entry to any person wearing a veshti (dhoti) reflecting Tamil culture or any other Indian traditional dress, into any public place under its control or management.

(3) Anything contrary to the provision of this Act, contained in any rule, regulation or bye-law made by, or circular, instruction or guideline issued by, any recreation club, association, trust, company or society shall be null and void.

Cancellation of licence/ permission.

4. If any recreation club, association, trust, company or society which violates the provisions of this Act, the licence or permission granted by the Government to that recreation club, association, trust, company or society shall be cancelled after notice to the licensee concerned.

Penalty.

5. Whoever violates the provisions of section 3 shall be punished with imprisonment for a term which may extend to one year and with fine which may extend to Twenty five thousand rupees.

Offences by companies.

6. (1) Where an offence under this Act has been committed by a company, every person who, at the time the offence was committed, was in-charge of, and was responsible to, the company for the conduct of the business of the company, as well as the company, shall be deemed to be guilty of the offence and shall be liable to be proceeded against and punished accordingly:

Provided that nothing contained in this sub-section shall render any such person liable to any punishment, if he proves that the offence was committed without his knowledge or that he had exercised all due diligence to prevent the commission of such offence.

(2) Notwithstanding anything contained in sub-section (1), where any offence under this Act has been committed by a company and it is proved that the offence has been committed with the consent or connivance of, or is attributable to, any neglect on the part of any director, manager, secretary or other officer of the company, such director, manager, secretary or other

officer shall be deemed to be guilty of that offence and shall be liable to be proceeded against and punished accordingly.

Explanation.—For the purposes of this section,—

(a) “company” means any body corporate and includes a firm or other association of individuals; and

(b) “director” in relation to –

(i) a firm, means a partner in the firm;

(ii) a society, a trust or other association of individuals, means the person who is entrusted under the rules of the society, trust or other association with the management of the affairs of the society, trust or other association, as the case may be.

7. (1) The Government may, by notification, make rules for carrying out all or any of the purposes of this Act.

Power to
make rules.

(2) (a) All rules made under this Act shall be published in the Tamil Nadu Government Gazette, and unless they are expressed to come into force on a particular day, shall come into force on the day on which they are so published.

(b) All notifications issued under this Act shall, unless they are expressed to come into force on a particular day, come into force on the day on which they are published.

(3) Every rule made or notification or order issued under this Act shall, as soon as possible, after it is made or issued, be placed on the table of the Legislative Assembly, and if, before the expiry of the session in which it is so placed or the next session, the Legislative Assembly makes any modification in any such rule or notification or order or the Legislative Assembly decides that the rule or notification or order should not be made or issued, the rule or notification or order shall thereafter have effect only in such modified form or be of no effect, as the case may be, so, however, that any such modification or annulment shall be without prejudice to the validity of anything previously done under that rule or notification or order.

8. If any difficulty arises in giving effect to the provisions of this Act, the Government may, by order, make such provision not inconsistent with the provisions of this Act, as appears to them to be necessary or expedient for removing the difficulty:

Power to
remove
difficulties.

Provided that no such order shall be made after the expiry of two years from the date of commencement of this Act.

STATEMENT OF OBJECTS AND REASONS.

During the Assembly session on 16.07.2014, the Hon'ble Chief Minister has announced as follows:-

“It was brought to the notice of the Government that some clubs are denying entry to persons wearing dhoti reflecting Tamil culture or any Indian traditional dress into public places under their control or management on the ground that they are not wearing dress or apparels in keeping with western culture. It has become imperative in the context of happening in the past to remove such restriction. In order to settle the issue permanently, necessary Bill will be introduced and passed in the current session of the Legislative Assembly”.

2. To give effect to the above announcement, the Government have decided to bring out a new legislation for the said purpose.

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

J JAYALALITHAA
Chief Minister

MEMORANDUM REGARDING DELEGATED LEGISLATION

Clauses 2(b), 7(1) and 8 of the Bill authorise the Government to issue notification, make rules and issue orders for the purposes specified therein.

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

J JAYALALITHAA
Chief Minister

A.M.P. JAMALUDEEN,
Secretary.