TAMIL NADU LEGISLATIVE ASSEMBLY

COMMITTEE ON DELEGATED LEGISLATION

(2012-2013)

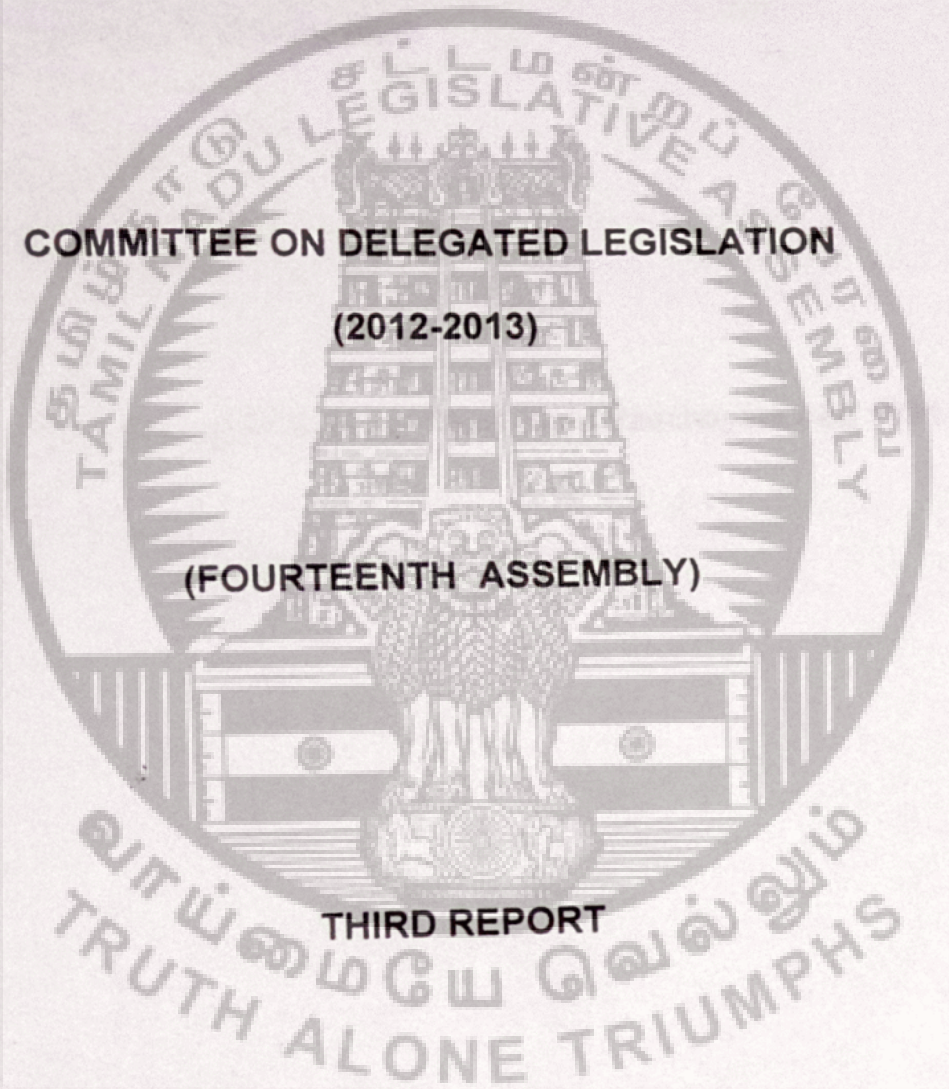
(FOURTEENTH ASSEMBLY)

THIRD REPORT

(Presented to the Assembly on 1 NOV 2012)

Legislative Assembly Secretariat,
Chennai- 600 009.

TAMIL NADU LEGISLATIVE ASSEMBLY



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TAMIL NADU LEGISLATIVE ASSEMBLY

COMMITTEE ON DELEGATED LEGISLATION (2012-2013)

(CONSTITUTED ON 19th May 2012)

CHAIRMAN

1. Thiru. G. Senthamizhan

MEMBERS

2. Thiru. M.K. Selvaraju
3. Thiru. U. Thaniyarasu
4. Thiru M. Thiravidamani
5. Thiru. V.P. Nagai Maali
6. Thiru. R.M. Babu Murugavel
7. Thiru. M.K. Muthukaruppannasamy
8. Thiru. N. Murugumaran
9. Thiru. S. Michael Rayappan
10. Thiru. S. Ravi
11. Thiru K. Lingamuthu
12. Thiru. P.K. Vairamuthu

SECRETARIAT

Thiru. A.M.P. Jamaludeen	-	Secretary
Tmt. R. Amirthavalli	-	Additional Secretary
Thiru. B. Anbalagan	-	Deputy Secretary
Thiru. M. Gopalakrishnan	-	Under Secretary

REPORT OF THE COMMITTEE ON DELEGATED LEGISLATION

PART- I

INTRODUCTION

I, the Chairman of the Committee on Delegated Legislation having been authorised by the Committee to present this Third Report on its behalf.

This Report includes some of the observations and decisions of the Committee for the years 2008-2009 and 2009-2010 based on the consideration of the Memoranda that were placed before it. The present Committee for 2012-2013 after having carefully perused the Memoranda and the proceedings thereon, endorses those observations and decisions without any modifications.

The Committee for the year 2012-2013 was constituted on the 19th May 2012.

SITTINGS OF THE COMMITTEE

The Committee for 2008-2009 was constituted on 15.5.2008 and the Committee for the year 2009-2010 was constituted on 12.8.2009. The Committee for the years 2008-2009 and 2009-2010 met for 15 days.

ITEMS CONSIDERED BY THE COMMITTEE

The Committee for 2008-2009 and 2009-2010 have considered 96 Memoranda and 6 Notes for Committee covering Rules, amendments to rules, notifications etc., laid on the Table of the House and Statement of action taken on the recommendations of the Committee contained in First Report (Eleventh Assembly) and Fourth Report (Thirteenth Assembly).

This Report exclusively deals with notifications and amendments to the rules issued under the Tamil Nadu Panchayats Act, 1994 which have been considered by the Committee. Extract of the proceedings of the meetings of the Committee are appended to this Report.

The Committee for the year 2012-2013 considered and approved this Report on the 8th August, 2012.

Part-II

1. Notification issued under Tamil Nadu Panchayats Act, 1994

G.O.Ms.No.273, Rural Development (C4) Department, dated 28.12.1999.

Tamil Nadu Panchayat's(Regulation of use of communal Lands by Panchayat's in Estates) Rules, 1999

In exercise of powers conferred by Section 135 and 242 (1) of the Tamil Nadu Panchayats Act, 1994 (T.N. Act 21 of 1994) and in supersession of the relevant Rules, the Government had issued the Tamil Nadu Panchayat's (Regulation of the use of communal land by Panchayat's in Estates) Rules,1999.

The Committee observed that in Rule 7 of the said Rules, that it has conferred right on the village Panchayat to use the land set apart for any purpose referred in class 16(b) of section 3 of the Tamil Nadu Estates Land Act, 1908 which are no longer required for the purpose by obtaining the sanction of the Collector under clause (b) section 135 (1) of the Act.

The Committee decided to seek clarification from the Rural Development and Panchayat Raj Department as to "Specified Communal Purpose" referred to section 135 (1) (b) of the Act in order to appreciate the intention in issuing the above notification keeping in view the time taken for prescribing the above Rules since the enactment during, 1994.

The Rural Development and Panchayat Raj Department has clarified in the U.O Note No. : 31253/C4/2002-4 dated14.12.2006 as follows:

The word "Specified Communal Purpose" means "A Community Purpose" or common purpose and not communal in the sense of Sectarian purpose "(benefiting a particular religion or caste)" and further clarified that "communal means pertaining to a commune or community and characterised by common sharing and use of property by all group members".

The committee considered the clarification above and recommended that in order to avoid any ambiguity the word "Community Purpose" be substituted for the word "Communal Purpose" in the notification.

2. Notification issued under Tamil Nadu Panchayats Act, 1994

G.O.Ms.No.184, Rural Development and Panchayat Raj (C4) Department, dated 12.11.2007

Sub-section (3) of Section 239 of the Tamil Nadu Panchayats Act, 1994, empowers the Government to frame the conditions of Service and the tenure of office of the Commissioner of State Election Commissioner.

Rule 4 of Tamil Nadu State Election Commissioner (conditions of service Rules, 1994) describes about the tenure of Office of the State Election Commissioner.

Accordingly, the Government had omitted the Rule 4 of Tamil Nadu State Election Commissioner (condition of service) Rules, 1994.

The Committee is of the opinion that the papers placed on the Table of the House are of high authentic value and therefore the notifications should contain the original rule as well as the amended rule printed side by side.

The Committee had decided to hear the Secretary to Government Rural Development and Panchayat Raj Department at its next meeting.

The Committee in its First Report (First Assembly) had recommended that whenever a rule is amended and the amendment of the rule is placed on the Table of the House, the respective original rule and the rules as amended should be printed side by side and placed as Annexure as is being done in the case of amending bills.

The present Committee, however, decided to reiterate its earlier recommendation that whenever amendment to Rules are issued the "Rule as existing" and the rule "Proposed to Amend" should be printed in the notification.

The Committee also reiterates its earlier recommendation that whenever notifications are laid on the Table of the House, a brief explanatory note be appended to the notification in order to appreciate the intention behind those notifications.

3. Amendment issued to the Tamil Nadu Village Panchayats (Receipt and Expenditure and Maintenance of the Accounts of Village Panchayats) Rules, 2000

G.O.Ms.No.14, Rural Development and Panchayat Raj Department, dated: 14.1.2008

In exercise of the powers conferred by Sections 90 and Sub-section (1) of Section 191 and Sub-section (1) of Section 242 of the Tamil Nadu Panchayats Act, 1994 (TN Act 21 of 1994) the Government had issued amendments to the Tamil Nadu Village Panchayats (Receipt and Expenditure and Maintenance of the Accounts of Village Panchayats) Rules, 2000 and omitted the Rules 18, 19 and 20 of the said Rules.

The Committee observed that the Department had Omitted to include the comparative statement containing the "Rule as existing" and the "rule proposed to amend" in the notification and also observed that the explanatory note had not been included in the notification as the Committee is not aware of the rules which have been omitted.

The Committee is of the opinion that whenever amendments to rules are issued by the Department, the details of "Existing Rule" and "Rule Amended" to be printed side by side in the notification, so that the Members could understand clearly what are all the amendments made to the relevant rules.

The Committee decided to reiterate its earlier recommendation that whenever amendment to Rules are issued the "Rule as exists" and "Rule as Proposed" and also an explanatory note thereon may be printed in the notification.

4. Amendment issued to Tamil Nadu Village Panchayats (Assessments and Collection of Taxes) Rules, 1999

G.O.Ms.No.38, Rural Development and Panchayat Raj (PR1) Department, dated 5.3.2008

In exercise of the powers conferred by Sections 171, 172, 174, 176 and sub-section (1) of Section 242 of the Tamil Nadu Panchayats Act 1994 (TN Act 21 of 1994), the Government had issued amendments to the Tamil Nadu Village Panchayats (Assessments and Collection of Taxes) Rules, 1999.

In the said Rules, clause (c) of the rule 15 had been substituted as follows:-

"(c) buildings used for educational purposes including hostels and libraries run by the Government or Local Bodies and institutions aided by the Government and public buildings used for charitable purpose of sheltering the destitutes (or) animals.

In the said Rules, the first proviso to rule 15 the expression of "clauses (a) and (c)" have been substituted as "clause (a)"

In the said rules the following new proviso had been inserted after the second proviso:-.

"Provided also that the buildings used for educational purposes by Government aided institutions for conducting self financing unaided courses shall be subject to levy of house tax".

The Committee observed that the Department had not furnished in the notification the explanatory notes both in English and Tamil and the details of "Rule as existing" and "Rule as proposed to Amend".

The Committee had decided to hear the Secretary to Government in Rural Development and Panchayat Raj Department at its next meeting at Chennai.

The Committee in its First Report (First Assembly) had recommended that whenever a rule is amended and the amendment of the rule is placed on the Table of the House, the respective original rule and the rule as amended should be printed side by side and placed as Annexure as is being done in the case of amending bills.

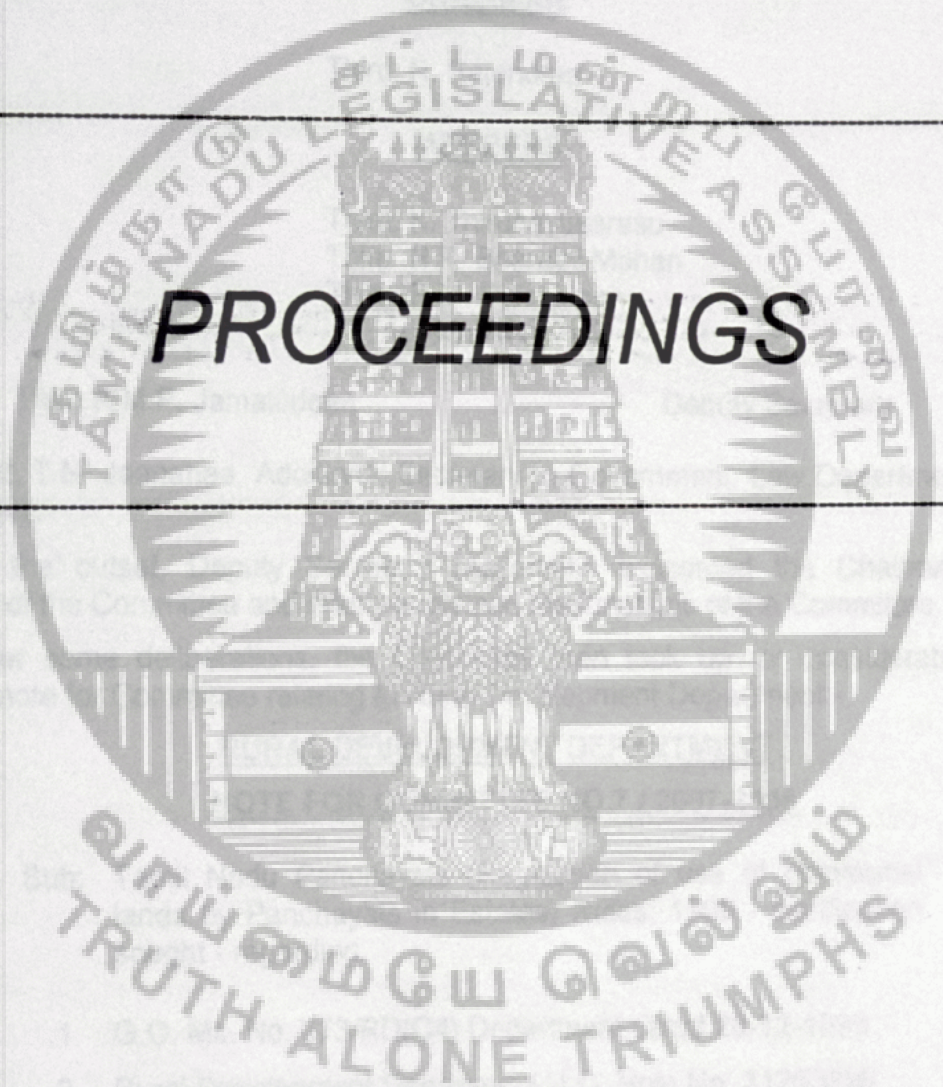
The Committee, however, reiterates its earlier recommendation that whenever amendments to rule are issued, the "Rule as exists" -- "Rule as proposed" and explanatory note should be printed in the notification in order to have more clarity.

G. SENTHAMIZHAN
CHAIRMAN

Coimbatore,
8th August, 2012,
Aadi 24,
Thiruvalluvar Aandu, 2043.


தமிழ்நாடு சட்டமன்றப் பேரவை
TAMIL NADU LEGISLATIVE ASSEMBLY
வாய்மையே வெல்லும்
TRUTH ALONE TRIUMPHS

PROCEEDINGS




தமிழ்நாடு சட்டமன்றப் பேரவை
TAMIL NADU LEGISLATIVE ASSEMBLY
வாய்மையே வெல்லும்
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TAMIL NADU LEGISLATIVE ASSEMBLY

PROCEEDINGS OF THE MEETING OF THE COMMITTEE ON

DELEGATED LEGISLATION

THURSDAY, THE 3rd JULY 2008

The Committee on Delegated Legislation met at 11-00 a.m. on Thursday, the 3rd July 2008 in the Conference Hall of "TAMIZHAGAM" Udhagamandalam.

The following were present:

CHAIRMAN

Thiru. R. Rajendran

MEMBERS

Thiru. K. Thirunavukarasu
Thiru R.K. Bharathi Mohan
Thiru. R.M. Palanisamy

SECRETARIAT

Thiru A.M.P. Jamaludeen .. Deputy Secretary

Tmt. T.N. Jaanahee, Additional Secretary to Government, Law Department was also present.

At the outset, Deputy Secretary (Assembly) welcomed the Chairman and Members of the Committee and briefly explained the functions of the Committee.

After some deliberations, the Committee then took up for consideration the following note for Committee relating to Rural Development Department:-

RURAL DEVELOPMENT DEPARTMENT

NOTE FOR COMMITTEE NO.7 / 2007-2008

Sub: Tamil Nadu Panchayats (Regulation of use of communal lands by Panchayats in Estates) Rules, 1999 - clarification sought - regarding.

1. G.O. Ms. No. 273/RD(C4) Department,dated 28-12-1999.
2. Rural Development Department U.O. Note No. 31253/04/ 2002-4, dated 14-12-2006

- - - -

Deputy Secretary (Assembly): The Rural Development Department has clarified to the Committee that the words "specified communal purpose" referred to in Section 135(1)(b) of the Panchayats Act, 1994 means "a community purpose" or common purpose and not 'communal' in the sense of sectarian purpose and that Department has also clarified that "communal" means "pertaining to a commune or community". இதில் கொஞ்சம் ambiquity இருப்பதால் இதை community purpose என்று மாற்றினால்தான் சரியாக இருக்கும்.

After some discussion, the committee decided to recommend that in order to avoid any ambiguity, the word "Community Purpose" be substituted for the word "Communal Purpose" in the notification.

Wednesday , THE 15th October 2008

The Committee on Delegated Legislation met at 11-00 a.m. on Wednesday, the 15th October 2008 at Committee Room of Legislator's Residential Quarters, Omanthoorar Government Estate, Chennai-2.

The following were present:

CHAIRMAN

Thiru. R. Rajendran

MEMBERS

Thiru. K. Thirunavukkarasu
Thiru R. Manickam
Thiru S. Jeyapaul
Thiru N. Ramakrishnan

SECRETARIAT

Thiru A.M.P. Jamaludeen .. Deputy Secretary
Thiru P.S.K. Singaravelu .. Under Secretary

Tmt. T.N. Jaanahee, Additional Secretary to Government, Law Department, was also present.

At the outset, Deputy Secretary (Assembly) welcomed the Chairman and Members of the Committee.

After some deliberations, the Committee then took up the following memoranda for consideration:

MEMORANDUM NO.89/2008-2009

Sub: Amendment issued to Tamil Nadu Panchayats Act, 1994 - Notification issued.

(G.O.Ms.No.101, Rural Development and Panchayat Raj (C1) Department, dated 28.08.2006)

- - - -

No modifications were recommended.

MONDAY, THE 12TH OCTOBER 2009

The Committee on Delegated Legislation met at 11-00 a.m. on Monday, the 12th October 2009 in the Conference Hall, Collectorate, Coimbatore.

The following were present:

CHAIRMAN

Thiru. T. Mahesh Krishnasamy

MEMBERS

Thiru. A. Soundarapandian
Thiru H. Abdul Basith
Thiru. R.M. Palanisamy
Thiru T.A. Meganathan

SECRETARIAT

Thiru A.M.P. Jamaludeen .. Joint Secretary

Thiru R. Vivekanandan, Joint Secretary to Government, Law Department was also present.

Dr. B. Umanath, Collector, Coimbatore District also participated.

At the outset, Joint Secretary (Assembly) welcomed the Chairman and Members and stated that the Committee to consider Memoranda Nos. 1 to 10 relating to Commercial Taxes, Home, Prohibition and Excise and Rural Development and Panchayat Raj Departments.

The deliberations are summarised as under:

மாவட்ட **ஆட்சித்** தலைவர்: வணக்கம். இந்தச் சட்டவிதிகள் ஆய்வுக் குழுக் கூட்டத்திற்கு வருகை தந்திருக்கும் குழுத் தலைவர் அவர்களையும், குழு உறுப்பினர்களையும், சட்டமன்றப் பேரவைச் செயலகத்தின் இணைச் செயலாளர் அவர்களையும், சட்டத் துறையின் இணைச் செயலாளர் அவர்களையும் மாவட்டத்தின் சார்பாக வரவேற்பதில் மகிழ்ச்சியடைகிறேன்.

இன்றையதினம் சட்டவிதிகள் ஆய்வுக் குழுவானது வணிகவரிகள் துறை, உள் (போக்குவரத்து, மதுவிலக்கு மற்றும் ஆயத்தீர்வைத்) துறை மற்றும் ஊரக வளர்ச்சி மற்றும் ஊராட்சித் துறை குறித்த குறிப்பாணைகளை ஆய்வு செய்யவுள்ளது. குழு கோரும் விவரங்களுக்கு துறையின் அதிகாரிகள் தேவையான விவரங்களையும், தகவல்களையும் அளிக்குமாறு கேட்டுக்கொண்டு, தலைவர் அவர்களை இக்கூட்டத்தினை தொடங்கி வைக்குமாறு கேட்டுக்கொள்கிறேன்.

தலைவர்: அனைவருக்கும் வணக்கம். இந்தச் சட்டவிதிகள் ஆய்வுக் குழுவினுடைய நோக்கம் என்ன என்பது நாம் அனைவரும் அறிந்த ஒன்று. அதாவது, அரசுத் துறைகள் மூலம் அவைமுன் வைக்கப்பெறுகின்ற ஆவணங்களில் அல்லது அறிவிக்கைகளில் வெளியிடப்படுகின்ற விதிகள், ஆணைகள், ஒழுங்குமுறை விதிகள், துணை விதிகள் ஒப்படைவு அதிகாரத்திற்குட்பட்டு அரசுத் துறைகளால் சரியான முறையில் இயற்றப்பட்டுள்ளனவா என்பதை ஆராய்ந்து உறுதி செய்துகொள்வதுதான் இக்குழுவின் முக்கிய வேலையாகும். அவ்வாறு ஆராய்ந்து குழு எடுக்கும் முடிவுகள், பரிந்துரைகள் அறிக்கை வடிவில் சட்டமன்றத்தின்முன் வைக்கப்படுகின்றன என்பதைத் தெரிவித்து இந்த ஆய்வுக்குழுக் கூட்டத்தினை தொடங்கி வைக்கிறேன். நன்றி.

இணைச் செயலாளர் (சட்டமன்றம்): வணக்கம். குழுத் தலைவர் அவர்களையும், குழுவினுடைய உறுப்பினர்களையும், மாவட்ட ஆட்சித் தலைவர் அவர்களையும், அரசுத் துறை அதிகாரிகளையும் சட்டமன்றப் பேரவைச் செயலகத்தின் சார்பாக வரவேற்பதில் மகிழ்ச்சியடைகிறேன். இந்தக் குழு அமைக்கப்பட்டு, இன்றையதினம் இரண்டாவது கூட்டம் நடைபெறுகிறது.

அரசினுடைய கொள்கை முடிவுகள் சட்டமுன்வடிவுகளாக சட்டமன்றத்தில் கொண்டுவரப்பட்டு சட்டமாக்கப்படுகின்றன. இந்தச் சட்டங்களைச் செயல்படுத்துவதற்கு நடைமுறை விதிகள் தேவைப்படுகின்றன. இந்த நடைமுறை விதிகளை சம்பந்தப்பட்ட அரசுத் துறை அதிகாரிகள் இயற்றுகிறார்கள். மேலும், துணை விதிகளை இயற்றுவதற்குரிய அதிகாரம் துறை அதிகாரிகளுக்குச் சட்டமன்றம் வழங்கியிருக்கிறது. இவ்வாறு விதிகள் இயற்றப்படும்பொழுது அவை சட்டமன்றத்தால் நிறைவேற்றப்பட்ட சட்டத்திற்கு உட்பட்டதாக இருக்க வேண்டும். இந்திய அரசமைப்புச் சட்டத்திற்குட்பட்டதாகவும் இருக்க வேண்டும்.

மேலும், அவ்வாறு வெளியிடப்படுகிற அறிவிக்கைகள் மற்றும் துணை விதிகள் ஆகியவை அவர்களுக்குக் கொடுக்கப்பட்ட ஒப்படைவு அதிகாரத்திற்குட்பட்டுச் செய்திருக்கிறார்களா அல்லது அந்த அதிகாரத்தை மீறியிருக்கிறார்களா என்பதனையும் இக்குழு ஆய்வு செய்து குழுவின் பரிந்துரைகள் சட்டமன்றத்தில் அறிக்கையாக வைக்கப்படுகின்றன என்பதைத் தெரிவித்துக்கொள்கிறேன்.

குழு, இன்றையதினம் வணிக வரிகள் துறை, உள், மதுவிலக்கு மற்றும் ஆயத்தீர்வைத் துறை மற்றும் ஊரக வளர்ச்சி மற்றும் ஊராட்சித் துறை குறித்த குறிப்பாணைகளையும், மேலும் உள், மதுவிலக்கு மற்றும் ஆயத் தீர்வைத் துறை குறித்த குழுவிற்கான குறிப்பினையும் ஆய்வு செய்யவுள்ளது.

The Committee then took up the following memoranda for consideration:

MEMORANDUM NO. 9 / 2009-2010

Sub: Notifications issued Under Tamil Nadu Panchayats (Second Amendment) Act, 2008.

(G.O. Ms. No.12, Rural Development and Panchayat Raj (C4) Department, Dated 9-2-2007).

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Joint Secretary (Assembly) stated that sub-section (1) of Section 24 of the Tamil Nadu Panchayats Act, 1994 (Tamil Nadu Act 21 of 1994) empowered the Government to constitute in every District a District Planning Committee to consolidate the plans prepared by the Districts Panchayat Union Councils and Municipal Corporations in the District and to prepare a draft Development Plan for the District and that in exercise of the powers conferred under the above Section of the said Act, the Government had constituted a District Planning Committee to the Krishnagiri District.

தலைவர்: District Planning Committee–ல் சட்டமன்ற உறுப்பினர்கள் அனைவரும் உறுப்பினர்கள்தானே?

திட்ட அலுவலர்: சட்டமன்ற உறுப்பினர்கள் அனைவரும் அதில் உறுப்பினர்களாக ஆகமாட்டார்கள். ஆனால், they are permanent special invitees to the Committee. They are entitled to take part in the proceedings of the meeting.

The Committee decided not to recommend any modification.

MEMORANDUM NO. 10 / 2009-2010

Sub: Amendment to Rule 4 of Tamil Nadu State Election Commissioner (conditions of service) Rules, 1994

G.O. Ms. No.184, Rural Development and Panchayat Raj Department, Dated 12-11-2007

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Joint Secretary (Assembly) stated that sub-section (3) of Section 239 of the Tamil Nadu Panchayats Act, 1994 empowered the Government to frame the conditions of Service and the tenure of office of the Commissioner of State Election Commissioner.

"Rule 4" of Tamil Nadu State Election Commissioner (conditions of service Rules, 1994) described about the tenure of Office of the State Election Commissioner.

Accordingly, the Government had omitted Rule 4 of the Tamil Nadu State Election Commissioner (condition of service) Rules, 1994.

Chairman opined that the papers placed on the Table of the House are of high authentic value and therefore the notifications should contain the original rule as well as the amended rule printed side by side.

After some discussion, the Committee decided to reiterate its earlier recommendation that whenever amendment to Rules are issued the Rule as existing and as proposed to amend and also explanatory notes may be printed in the Notifications.

The Committee also decided to take up the matter with the Secretary to Government, Rural Development and Panchayat Raj Department in the next meeting.

WEDNESDAY, THE 14TH OCTOBER 2009

The Committee on Delegated Legislation met at 10-00 a.m. on Wednesday, the 14th October, 2009 in the Conference Hall, "TAMIZHAGAM" Udagamandalam.

The following were present:

CHAIRMAN

Thiru. T. Mahesh Krishnasamy

MEMBERS

Thiru. A. Soundarapandian
Thiru H. Abdul Basith
Thiru G. Senthamizhan
Thiru O.K. Chinnaraj
Thiru. R.M. Palanisamy
Thiru T.A. Meganathan

SECRETARIAT

Thiru A.M.P. Jamaludeen .. Joint Secretary

Thiru R. Vivekanandan, Joint Secretary to Government, Law Department was also present.

At the outset, Joint Secretary (Assembly) welcomed the Chairman and Members and stated that the Committee would consider 5 Memoranda (Memorandum Nos. 11 to 15) relating to Rural Development and Panchayat Raj Department and Tamil Development, Religious Endowments and Information Department.

The following officials were present:

RURAL DEVELOPMENT DEPARTMENT

1. Thiru D. Mani,
   Assistant Director,
   (Panchayat Accounts and Audit),
   The Nilgiris District.

2. Thiru Thirumalaisamy,
   Personal Assistant to Collector (Panchayat Development)
   O/o Collector, The Nilgiris District.

The Committee took up for consideration the following Memoranda:

MEMORANDUM NO.11 / 2009 - 2010

Sub : Amendment to the Tamil Nadu Village Panchayats (Receipt and Expenditure and Maintenance of the Accounts of Village Panchayats) Rules, 2000.

(G.O.Ms.No.14, Rural Development and Panchayat Raj Department, dated 14.1.2008).

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Joint Secretary (Assembly) stated that in exercise of the powers conferred by Sections 90 and Sub-section (1) of Section 191 and Sub-section (1) of the 242 of the Tamil Nadu Panchayats Act, 1994 (TN Act 21 of 1994) the Government had issued amendments to the Tamil Nadu Village Panchayats (Receipt and Expenditure and Maintenance of the Accounts of Village Panchayats) Rules, 2000 and accordingly the Government had omitted the Rules 18, 19 and 20 of the above said Rules.

இணைச் செயலாளர் (சட்டமன்றம்): இது போன்ற திருத்தங்கள் கொண்டுவரும்போது, திருத்தப்படுவதற்கு முன்பு இருந்த விதி என்ன, திருத்தப்பட்ட விதி என்ன என்பது குறித்து அறிவிக்கையில் தெரிவிக்கப்பட வேண்டும் என்று ஏற்கெனவே குழு பரிந்துரை செய்திருக்கிறது. அதையும் மீறி தற்போது வெளியிடப்பட்டுள்ள அறிவிக்கையில், 'in the said Rules, Rules 18, 19 and 20 of the above said Rules have been omitted' என்று மட்டும் இருக்கிறது. ஆனால், என்னென்ன விதிகள் நீக்கப்பட்டிருக்கின்றன என்பது குழுவிற்குத் தெரியவில்லை. சட்டமன்றத்திற்கே தெரிய வாய்ப்பில்லை.

தலைவர்: துறைகள் விதிகளுக்குத் திருத்தங்கள் வெளியிடும்போது, 'Rules as exist' and 'as proposed to amend' மற்றும் explanatory note என்று சொல்லப்படுகின்ற விளக்கக் குறிப்பும் இடம் பெற்றிருக்க வேண்டும். அந்த விளக்கக் குறிப்பும் இந்த அறிவிக்கையில் இடம்பெறவில்லை. இனிமேல் இந்தத் தவறுகள் நடைபெறாமல் அறிவிக்கைகள் வெளியிடப்பட வேண்டும்.

இந்த இரண்டும் மேற்கண்ட அறிவிக்கையில் இடம் பெறாததால், இதுகுறித்து அரசுச் செயலாளர் அளவில்தான் பேசி முடிவு எடுக்கப்பட வேண்டும்.

The Committee then decided that the matter be dealt with at the Secretary level and to hear in the next meeting.

MEMORANDUM NO. 12 /2009 - 2010

Sub: Amendments to Tamil Nadu Village Panchayats (Assessments and collection of Taxes) Rules, 1999.

(G.O.Ms.No.38, Rural Development and Panchayat Raj (PRI) Department, dated 5.3.2008).

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Joint Secretary (Assembly) stated that in exercise of the powers conferred by Sections 171, 172, 174, 176 and sub-section (1) of Section 242 of the Tamil Nadu Panchayats Act, 1994 (TN Act 21 of 1994), the Government had issued amendments to the Tamil Nadu Village Panchayats (Assessments and collection of Taxes) Rules, 1999.

He pointed out that in the said Rules clause (c) to the rule 15 had been substituted. According to the amended rules

"(c) buildings used for educational purposes including hostels and libraries run by the Government or Local Bodies and institutions aided by the Government and public buildings used for charitable purpose of sheltering the destitutes (or) animals.

In the said Rules the first proviso to rule 15 the expression of clauses (a) and (c) had been substituted as "clause (a)"

In the said Rule a new proviso has been inserted after the second proviso. According to the new proviso,

"Provided also that the buildings used for educational purposes by Government aided institutions for conducting self financing unaided courses shall be subject to levy of house tax.

தலைவர்: இந்தக் அறிவிக்கைகள் எல்லாம் சட்டமன்றத்தில் வைக்கப்படுகின்ற அறிவிக்கைகள். எனவே, இத்தகைய அறிவிக்கைகளில் insufficient particulars இருந்தால், சட்டமன்றத்தில் உள்ள உறுப்பினர்களால் உரிமைப் பிரச்சினை கொண்டுவரப்படக்கூடிய நிலைமைகள்கூட வரலாம். எனவே, இதுகுறித்து நாம் சென்னையில் நடைபெறுகின்ற கூட்டத்தில் செயலாளரை அழைத்துப் பேசி முடிவெடுக்கலாம்.

The Committee decided to hear the Secretary to Government in Rural Development and Panchayat Raj Department in the next meeting.

MEMORANDUM NO.13 / 2009 - 2010

Sub: Notifications issued Under Tamil Nadu Panchayats (Second Amendment) Act 2008 - Regarding.

(G.O.Ms.No.43, Rural Development and Panchayat Raj (PR) Department, dated 12.3.2008).

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No modification was recommended.

MEMORANDUM NO. 14 / 2009 - 2010

Sub: Tamil Nadu State Election Commission - Commissioner, Tamil Nadu State Election Commission reappointment as Tamil Nadu State Election Commissioner for another term of two year - Regarding.

G.O.Ms.No.82, Rural Development and Panchayat Raj (PRI) Department, dated 22.5.2008.

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No modification was recommended.

A.M.P. JAMALUDEEN,
Secretary.