TAMIL NADU LEGISLATIVE ASSEMBLY

# COMMITTEE ON DELEGATED LEGISLATION

(2007-2008)

(THIRTEENTH ASSEMBLY)

## SEVENTH REPORT

**Report on action taken by the Government on the recommendations of the committee contained in the Seventh Report ( Twelfth Assembly)**

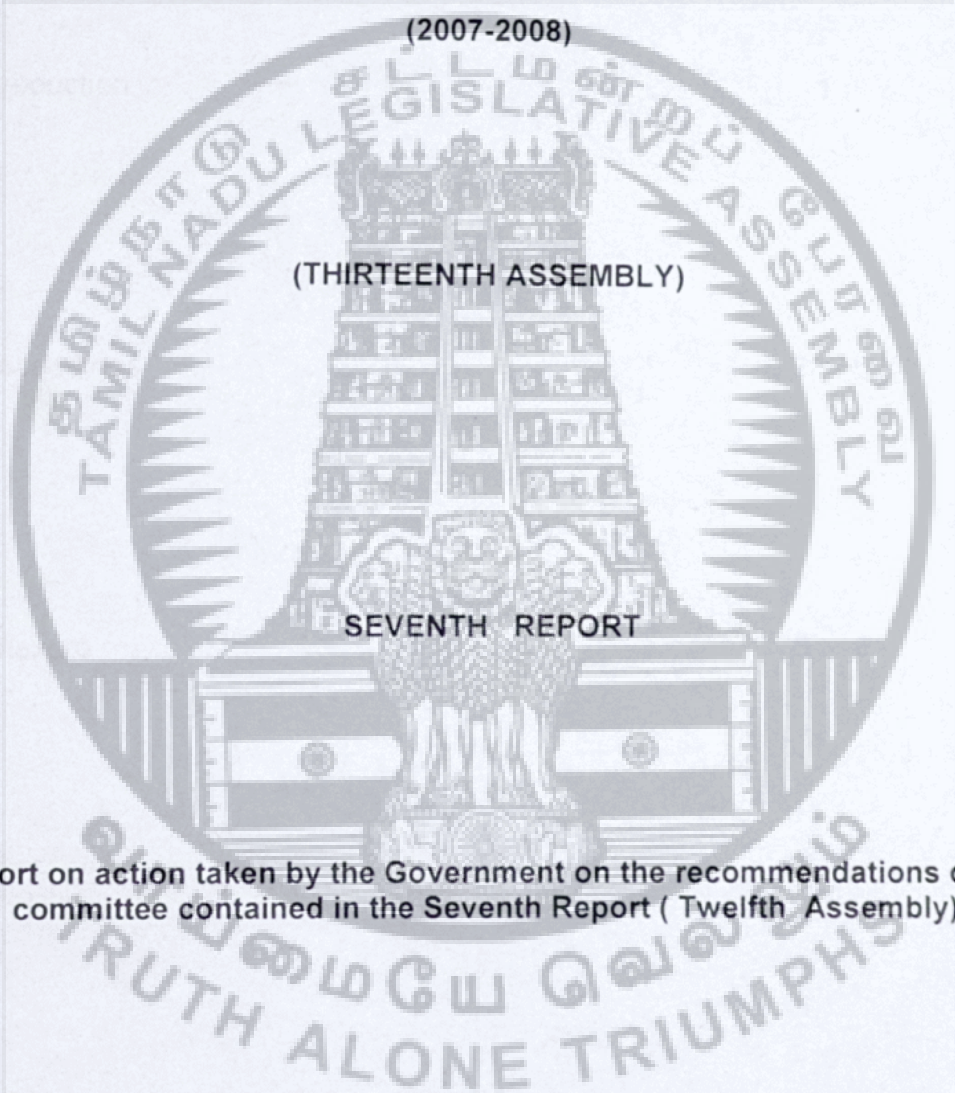
(Presented to the Assembly on 17 APR 2008)

Legislative Assembly Secretariat
Chennai- 600 009.

TAMIL NADU LEGISLATIVE ASSEMBLY

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TAMIL NADU LEGISLATIVE ASSEMBLY
வாய்மையே வெல்லும்
TRUTH ALONE TRIUMPHS

# TAMIL NADU LEGISLATIVE ASSEMBLY

## COMMITTEE ON DELEGATED LEGISLATION

## (CONSTITUTED ON 15 TH MAY 2007)

CHAIRMAN

1. Thiru Durai Chandrasekaran

MEMBERS

2. Thiru O. Subramaniam
3. Thiru M. Anbazhagan
4. Thiru P.N. Periyannan
5. Dr.M. Tambidurai
6. Thiru G. Senthamizhan
7. Thiru R. Nedunchezhian
8. Thiru P. Veldurai
9. Thiru R.M. Palanisamy
10. Thiru T.A. Meganathan
11. Thiru D. Moorthy
12. Thiru G. John Joseph

SECRETARIAT

Thiru M. Selvaraj - Secretary

Thiru A.M.P. Jamaludeen - Deputy Secretary

Thiru P.S.K. Singaravelu - Under Secretary

# REPORT OF THE COMMITTEE ON DELEGATED LEGISLATION ON THE ACTION TAKEN BY THE GOVERNMENT ON THE RECOMMENDATIONS OF THE COMMITTEE CONTAINED IN THE SEVENTH REPORT (TWELFTH ASSEMBLY)

## INTRODUCTION

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

2. This Report relates to action taken by the Government on the recommendations of the Committee contained in the Seventh Report (Twelfth Assembly) presented to the Assembly on 5-11-2003.

3. The Committee for the year 2007-2008 was constituted on the 15th May,2007.

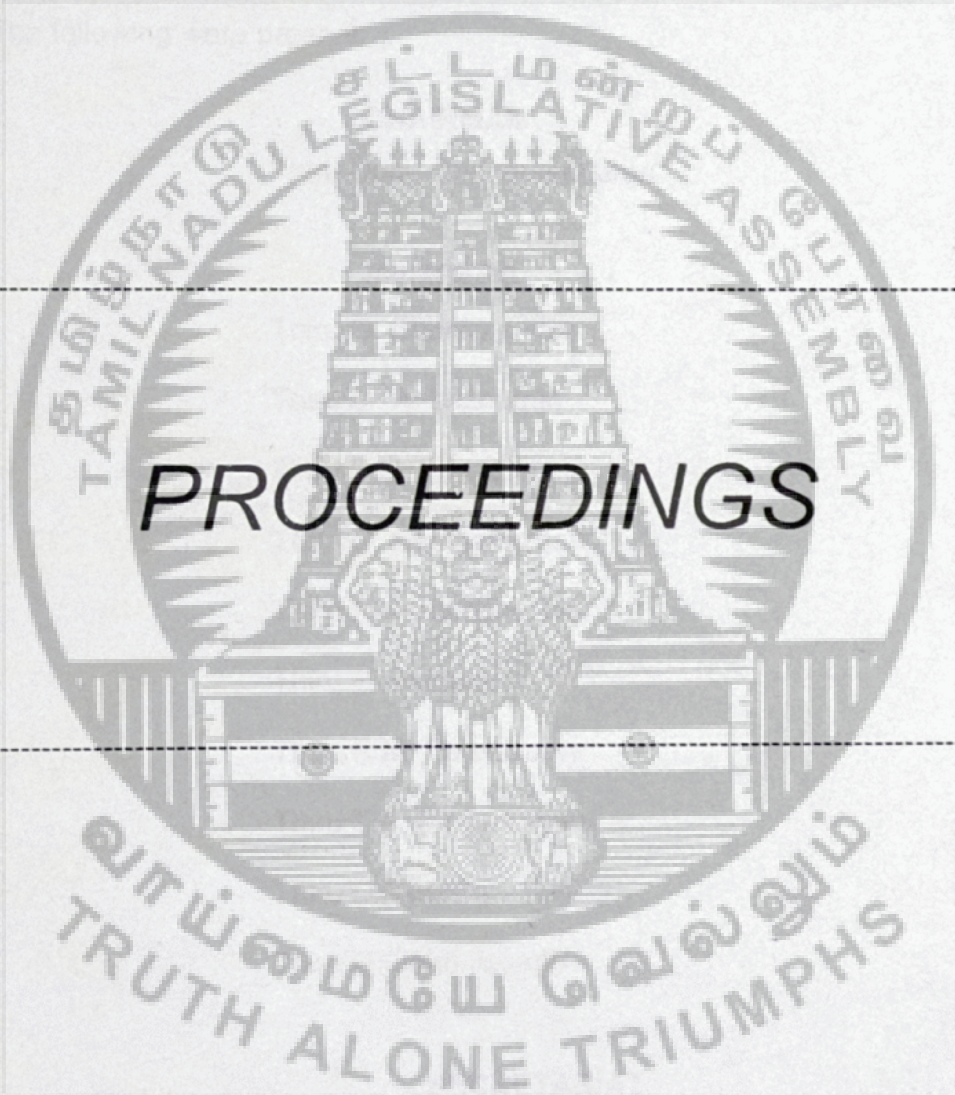
4. The Committee considered the statement of action taken by the Government on the recommendations of the Committee contained in the said Report at its meeting held on the 3rd April 2008 at Chennai-9.

5. Detailed statement showing the subject matter of the notification considered and recommendations made in the said Report and the statement of action taken on them by the Government and the decision of the Committee thereon are appended to this Report as Annexure

6. The Committtee approved this Report at its meeting held at Chennai on the 3rd April 2008.

Chennai - 600 009
3rd April, 2008
Panguni,21
Thiruvalluvar Aandu,2039.

**DURAI CHANDRA SEKARAN**
**CHAIRMAN**




# PROCEEDINGS

Confidential

## TAMIL NADU LEGISLATIVE ASSEMBLY

## THURSDAY, THE 3RD APRIL 2008

The Committee on Delegated Legislation met at 12-00 noon on Thursday, the 3rd April 2008 in the Committee Hall, Legislative Assembly Secretariat, Chennai 600 009.

The following were present.

### CHAIRMAN

Thiru Durai Chandrasekaran

### MEMBERS

Thiru O. Subramaniam

Thiru M. Anbazhagan

Thiru P.N. Periyannan

Thiru G. Senthamizhan

Thiru R. Nedunchezhian

Thiru P. Veldurai

Thiru R.M. Palanisamy

Thiru T.A. Meganathan

Thiru D.Moorthy

Thiru G. John Joseph

### 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 and stated that the Committee was to consider the 3 draft Main Reports and a draft Action Taken Report.

The Committee took up for consideration the draft Main Reports relating to Tamil Nadu General Sales Tax Act, 1959, Tamil Nadu Panchayats Act, 1994 and Tamil Nadu Regulatory Laws and a draft Action Taken Report relating to Tamil Nadu Prohibition Act, 1937.

The Committee, then, approved the three draft Main Reports and a draft Action Taken Report without any modification and authorised the Chairman to sign and present the Reports to the Assembly on its behalf.

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## THE STATEMENT OF ACTION TAKEN BY THE GOVERNMENT ON THE RECOMMENDATIONS OF THE COMMITTEE CONTAINED IN ITS SEVENTH REPORT (TWELFTH ASSEMBLY)

The Committee then took up for consideration the Statement of action taken by the government on the recommendations of the Committee contained in its Seventh Report (Twelfth Assembly)

Deputy Secretary briefed the Committee the reply furnished by the Home, (Prohibition and Excise (VIII)) Department,

Sl. No. 1 Paragraph No.1

Subject:-

G.O. Ms. NO.269, Prohibition and Excise (VIII) Department, dated:12.11.1997

The committee read and recorded the statement of action taken by the Government.

Sl. No. 2 Paragraph No.1

G.O. Ms. NO.88, Prohibition and Excise Department, dated:20.4.2008
G.O. Ms. NO.184, Prohibition and Excise (VIII) Department, dated:7.9.1992.
G.O. Ms. NO.31, Prohibition and Excise (VIII) Department, dated:4.2.1993
G.O. Ms. NO.39, Prohibition and Excise (VIII) Department, dated:18.2.1993
G.O. Ms. NO.247, Prohibition and Excise (VIII) Department, dated:25.11.1993

The committee read and recorded the statement of action taken by the Government.

The Committee then adjourned.


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

# ANNEXURE

# STATEMENT OF ACTION TAKEN BY THE GOVERNMENT ON THE RECOMMENDATIONS OF THE COMMITTEE CONTAINED IN ITS SEVENTH REPORT (XII ASSEMBLY)

| Sl. No. | Item No. in Part-II in the Main Report | Subject | Recommendations of the Committee | Action Taken by the Government | Remarks |
|---|---|---|---|---|---|
| (1) | (2) | (3) | (4) | (5) | (6) |
| 1 | 1 | Notifications issued under Tamil Nadu Prohibition Act 1937<br>G.O. Ms. NO.269, Prohibition and Excise (VIII) Department, dated:12.11.1997 | The Committee recommends that the expression be suitably modified so as to be specific and authentic and strictly correlated to the purpose for which it is intended. | According to the provisions of Packaged Commodities (Regulation) Order 1975 and also Standards of Weights and Measures (Packaged Commodities) Rules 1977 which are applicable to whole of India, no declaration as to the retail price shall be required to be made on any bottle containing alcoholic beverages of spirituous liquor or the like. Further the other two Rules, viz., Tamil Nadu Indian Made Foreign Spirit (Manufacture) rules 1981, and Tamil Nadu Brewery Rules 1983 already contain this general provision permitting the Commissioner to issue instructions in regard to contents of the Brand Lables as he considers necessary and based on these provisions only, the amendment on the same lines to other Rule, viz., Tamil Nadu Indian Made Foreign Spirit (Supply by Wholesale) Rules 1983, under which the lables of the brands imported by the Tamil Nadu State Marketing Corporation Limited are approved by the Commissioner was inserted.<br><br>After issue of the above said G.O. a letter has been sent to the Managing Director Tamil Nadu State Marketing Corporation Limited by the Commissioner of Prohibition and Excise on 24.11.97 requesting him to advise the Indian made foreign Spirit/Beer manufacturers to print the following in the Brand Lables.<br><br>அதிகபட்ச விலை ரூ..... (வரிகள் உட்பட) | The committee read and recorded the statement of action taken by the Government. |

| | | | | | |
|---|---|---|---|---|---|
| | | | | The Managing Director Tamil Nadu Marketing Corporation Ltd. has also issued instructions to all Local Manufacturers / Import Suppliers in this regard in his letter dated 28.11.97 to ensure that Maximum Retail Price on the trade/Brand Labels is affixed on the bottles of Indian Made Foreign Spirit which were produced from 1.12.1997.<br><br>In view of the above such, "other matters as may be specified by the Commissioner" need not be modified.<br>(U.O. Note No.37032/P&E(VIII)/03 dt.23-9-2000) | |
| 2 | 1 | Notifications issued under Tamil Nadu Prohibition Act 1937<br>G.O. Ms. NO.88, Prohibition and Excise Department, dated:20.4.1992<br><br>G.O. Ms.NO.184, Prohibition and Excise (VIII) Department, dated:7.9.1992.<br><br>G.O. Ms. NO.31, Prohibition and Excise (VIII) Department, dated:4.2.1993<br><br>G.O. Ms. NO.39, Prohibition and Excise (VIII) Department, dated:18.2.1993<br><br>G.O. Ms. NO.247, Prohibition and Excise (VIII) Department, dated:25.11.1993 | The Committee however reiterates its earlier recommendations contained in the First Report (Fifth Assembly) that Departments of Secretariat should give immediate attention to the clarification sought by the Committee and at the latest they should send their replies within one month. | Reply not received. | The committee is unhappy to note that the clarification sought has not so for been furnished. The Committee however reiterates its earlier recommendations contained in the First Report (Fifth Assembly) that Departments of Secretariat should give immediate attention to the clarification sought by the Committee and at the latest they should send their replies within one month. |

M. SELVARAJ,
SECRETARY.




N.T.P. SUPPLIED BY THE DEPARTMENT
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