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## Part IV—Section 1

### Tamil Nadu Bills

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**BILLS 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 14th July 2009 is published together with Statement of Objects and Reasons for general information:—

**L.A. BILL No. 16 OF 2009**

***A Bill further to amend the Tamil Nadu Co-operative Societies Act, 1983.***

BE it enacted by the Legislative Assembly of the State of Tamil Nadu in the Sixtieth Year of the Republic of India as follows:—

Short title and commencement.

**1.** (1) This Act may be called the Tamil Nadu Co-operative Societies (Amendment) Act, 2009.

(2) It shall be deemed to have come into force on the 22nd day of May 2009.

Amendment of section 89.

**2.** In section 89 of the Tamil Nadu Co-operative Societies Act, 1983 (hereinafter referred to as the principal Act), in the proviso to sub-section (1), for the expression "eight years", the expression "eight years and six months" shall be substituted.

Tamil Nadu Act 30 of 1983.

Repeal and saving.

**3.** (1) The Tamil Nadu Co-operative Societies (Amendment) Ordinance, 2009 is hereby repealed.

Tamil Nadu Ordinance 1 of 2009.

(2) Notwithstanding such repeal, anything done or any action taken under the principal Act, as amended by the said Ordinance, shall be deemed to have been done or taken under the principal Act, as amended by this Act.

**STATEMENT OF OBJECTS AND REASONS.**

Special Officers were appointed under sub-section (1) of section 89 of the Tamil Nadu Co-operative Societies Act, 1983 (Tamil Nadu Act 30 of 1983) for a period of one year from 25th May 2001 in respect of primary co-operative societies and from 26th May 2001 in respect of central and apex co-operative societies. Since elections to the said co-operative societies could not be conducted within the above said period, the term of the Special Officers appointed under the said section was last extended beyond 24th November 2008 for a period of six months, by amending the said Act. The period of their appointment was due to expire on 24th May 2009 in respect of primary co-operative societies and on 25th May 2009 in respect of central and apex co-operative societies.

2. As per the schedule for conducting elections to the co-operative societies approved by the Government, elections for the first two stages in the first phase have been conducted on 7th July 2007 and 11th July 2007, respectively. During these polls, occurrences of certain incidents have been brought to the notice of the Government. The Government are of the opinion that these incidents have undermined the very purpose of conducting the elections to the co-operative societies in the State. The Government have, therefore, decided to cancel the elections to the co-operative societies wherever they have been conducted and to hold fresh elections to all the co-operative societies and have ordered accordingly. A new election schedule will be announced by the Government for fresh elections in due course after consultation with the leaders of all political parties in the Legislature.

3. In view of the above fact, elections to the primary co-operative societies could not be conducted on or before 24th May 2009. Elections to the central and apex co-operative societies can be conducted only after the elected boards are constituted in all primary co-operative societies. The Government, therefore, decided to extend the term of office of the Special Officers of the aforesaid co-operative societies for a further period of six months beyond 24th May 2009 in respect of primary co-operative societies and 25th May 2009 in respect of central and apex co-operative societies by amending the said Act suitably for the purpose. Accordingly, the Tamil Nadu Co-operative Societies (Amendment) Ordinance, 2009 (Tamil Nadu Ordinance 1 of 2009) was promulgated by the Governor on the 20th May 2009 and the same was published in the *Tamil Nadu Government Gazette* Extraordinary, dated the 22nd May 2009.

4. The Bill seeks to replace the said Ordinance.

**Ko. Si. MANI,**  
*Minister for Co-operation.*

M. SELVARAJ,  
*Secretary.*



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 14th July 2009 is published together with Statement of Objects and Reasons for general information:—

**L.A. BILL No. 17 OF 2009**

***A Bill further to amend the Registration Act, 1908, in its application to the State of Tamil Nadu.***

BE it enacted by the Legislative Assembly of the State of Tamil Nadu in the Sixtieth Year of the Republic of India as follows:—

1. (1) This Act may be called the Registration (Tamil Nadu Amendment) Act, 2009.

Short title extent and commencement.

(2) It extends to the whole of the State of Tamil Nadu.

(3) It shall come into force on such date as the State Government may, by notification, appoint.

Central Act  
XVI of 1908.

2. In section 89 of the Registration Act, 1908, after sub-section (2A), the following sub-section shall be added, namely:—

Amendment to section 89.

“(2B) The State Government passing an order for effecting or raising an ad-interim attachment of immovable property under the Tamil Nadu Protection of Interest of Depositors (in Financial Establishments) Act, 1997 (Tamil Nadu Act 44 of 1997) shall send a copy of such order together with the memorandum giving the full details of the property to the registering officer within the local limits of whose jurisdiction the whole or any part of the said immovable property is situate and such registering officer shall file the copy of such order in Book No. 1 or get it scanned”.

**STATEMENT OF OBJECTS AND REASONS**

At present *ad-interim* order of attachment passed by the State Government under section 3 of the Tamil Nadu Protection of Interests of Depositors (in Financial Establishments) Act, 1997 (Tamil Nadu Act 44 of 1997) or order raising the said *ad-interim* orders of attachment are not filed in Book No. 1 maintained by the Registering Officer as there is no specific provision in the Registration Act, 1908 (Central Act XVI of 1908) for filing the same. It is, therefore, proposed to amend the said Act so as to enable the State Government to send the order of ad-interim attachment or order raising the ad-interim attachment passed by the State Government for filing the same in Book No. 1 maintained by the Registering Officer. The Government have, therefore, decided to amend the said Act for the above purpose.

2. The Bill Seeks to give effect to the above decision.

**N. SURESH RAJAN,**  
*Minister for Tourism and Registration.*

M. SELVARAJ,  
*Secretary.*

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 14th July 2009 is published together with Statement of Objects and Reasons for general information:—

**L.A. BILL No. 18 OF 2009**

***A Bill to amend the Indian Stamp and the Registration  
(Tamil Nadu Amendment) Act, 2006.***

BE it enacted by the Legislative Assembly of the State of Tamil Nadu in the Sixtieth Year of the Republic of India as follows:—

1. (1) This Act may be called the Indian Stamp and the Registration (Tamil Nadu Amendment) Amendment Act, 2009.

Short title and commencement.

(2) It shall come into force at once.

Tamil Nadu Act  
13 of 2008.

2. In section 1 of the Indian Stamp and the Registration (Tamil Nadu Amendment) Act, 2006, in sub-section (3) after the expression “by notification, appoint”, the expression “and different dates may be appointed for different provisions of this Act.” shall be inserted.

Amendment of section 1.

**STATEMENT OF OBJECTS AND REASONS.**

Section 47-A of the Indian Stamp Act, 1899 (Central Act II of 1899) as amended by the Indian Stamp and the Registration (Tamil Nadu Amendment) Act, 2006 (Tamil Nadu Act 13 of 2008) empowers the registering officer to estimate the market value of the property, as per the market value guidelines of properties prepared by the "Valuation Committee" constituted under section 47-AA, while registering any instrument of conveyance, dissolution of partnership, exchange of property, gift, partition, release or settlement. The said section 47-AA, which was inserted by Tamil Nadu Act 13 of 2008, empowers the State Government to constitute a Valuation Committee under the Chairmanship of the Inspector General of Registration for estimation, publication and revision of market value guidelines of properties in the State and for constitution of sub-committees in each district by the Valuation Committee. The registering officer would be able to estimate the market value of the property under section 47-A of the said Central Act II of 1899, only after the publication of the market value guidelines of properties prepared by the said Valuation Committee. Therefore, it is considered necessary to give effect to the provisions of the said section 47-AA, prior to the date of giving effect of the provisions of the said section 47-A, as amended by the said Tamil Nadu Act 13 of 2008. Accordingly, the Government have decided to amend the said Tamil Nadu Act 13 of 2008, suitably, for the purpose.

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

**N. SURESH RAJAN,**  
*Minister for Tourism and Registration.*

M. SELVARAJ,  
*Secretary.*