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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 26th February, 2009 is published together with Statement of Objects and Reasons for general information:—

L.A. BILL No. 3 OF 2009

A Bill to provide for reservation of seats in educational institutions including private educational institutions in the State and of appointments or posts in the services under the State to Arunthathiyars in the State of Tamil Nadu within the eighteen per cent reservation for Scheduled Castes.

WHEREAS the policy of reservation for the social and educational advancement of the people belonging to the Backward Classes of citizens in admissions to educational institutions in the State and for appointments in the services under the State has been under implementation in the State of Tamil Nadu for a long time;

AND WHEREAS the State of Tamil Nadu is a pioneer State in providing reservation for the underprivileged and the first communal Government Order was passed in the year 1921 and the proportional representation for communities was made in the year 1927 in the State of Tamil Nadu;

AND WHEREAS a large percentage of population of Tamil Nadu suffering from social and educational backwardness for many years have started enjoying the fruits of the reservation policy and have been able to improve their lot and attain a higher standard of living;

AND WHEREAS the Tamil Nadu Legislature passed the Tamil Nadu Backward Classes, Scheduled Castes and Scheduled Tribes (Reservation of seats in Educational Institutions and of appointments or posts in the Services under the State) Act, 1993 (Tamil Nadu Act 45 of 1994);

AND WHEREAS the Constitution (Seventy-sixth Amendment) Act, 1994, added the Tamil Nadu Backward Classes, Scheduled Castes and Scheduled Tribes (Reservation of seats in Educational Institutions and of appointments or posts in the Services under the State) Act, 1993 (Tamil Nadu Act 45 of 1994), enacted by the Tamil Nadu Legislature, to the IX Schedule so as to give protection to the State Act, under Article 31-B of the Constitution;

AND WHEREAS under Article 14 of the Constitution, equals and unequals cannot be treated equally and a differential treatment, if made, cannot at all be stated to be discriminatory, if it is having a rational nexus to the object sought to be achieved;

AND WHEREAS the Constitution (First Amendment) Act, 1951 incorporating clause (4) of Article 15 of the Constitution enables the making of special provisions for the advancement of any socially and educationally Backward Classes of citizens or for the Scheduled Castes and the Scheduled Tribes;

AND WHEREAS the Constitution (Ninety-third Amendment) Act, 2005 incorporating clause (5) of Article 15 of the Constitution enables the making of any special provisions, by law, for the advancement of any socially and educationally Backward Classes of citizens or for the Scheduled Castes or Scheduled Tribes in so far as such special provisions relate to their admission to educational institutions including private educational institutions whether, aided or unaided by the State, other than minority educational institutions referred to in clause (1) of Article 30 of the Constitution;

AND WHEREAS by virtue of clause (5) of Article 15 of the Constitution and also after taking a policy decision that the existing level of sixty-nine per cent reservation, in admission to educational institutions other than minority educational institutions referred to in clause (1) of Article 30 of the Constitution in the State for the Backward Classes of citizens and for the persons belonging to the Scheduled Castes and Scheduled Tribes, should be continued for ensuring the advancement of the majority of the people of the State of Tamil Nadu, the Tamil Nadu Legislature passed the Tamil Nadu Backward Classes, Scheduled Castes and Scheduled Tribes (Reservation of Seats in Private Educational Institutions) Act, 2006 (Tamil Nadu Act 12 of 2006);

AND WHEREAS clause (4) of Article 16 of the Constitution enables the making of reservation to those Backward Classes of citizens which are not adequately represented in the services under the State;

AND WHEREAS clause (4-A) of Article 16 of the Constitution enables the making of any provision for reservation in the matter of promotion with consequential seniority to any class or classes of posts in the services under the State in favour of Scheduled Castes which in the opinion of the State are not adequately represented in the services under the State;

AND WHEREAS under clause (1) of Article 38 of the Constitution, the State shall strive to promote the welfare of the people by securing and protecting as effectively as it may a social order in which justice, social, economic and political, shall inform all the institutions of the national life;

AND WHEREAS under clause (2) of Article (38) of the Constitution, the State shall, in particular, strive to minimize the inequalities in income, and endeavour to eliminate inequalities in status, facilities and opportunities, not only amongst individuals but also amongst groups of people residing in different areas or engaged in different vocations;

AND WHEREAS under clause (b) of Article (39) of the Constitution, the State shall, in particular, direct its policy towards securing that the ownership and control of the material resources of the community are so distributed as best to subserve the common good;

AND WHEREAS under clause (c) of Article 39 of the Constitution, the State shall, in particular, direct its policy towards securing that the operation of the economic system does not result in the concentration of wealth and means of production to the common detriment;

AND WHEREAS the view of the Supreme Court is, that Article 335 which prescribes that the "claims of the members of the Scheduled Castes and the Scheduled Tribes shall be taken into consideration, consistently with the maintenance of efficiency of administration, in the making of appointments to services and posts in connection with the affairs of the Union or of a State" - should be read with Article 46 which provides (as a directive principle) that the State shall promote with special care the educational and economic interests of the weaker sections of the people and, in particular, of the Scheduled Castes and Scheduled Tribes, and shall protect them from social injustice and all forms of exploitation;

AND WHEREAS Article 341 of the Constitution empowers the President to enumerate the Scheduled Castes with reference to the State / Union Territory and make a notification of such castes;

AND WHEREAS the representatives of the various political parties and social forums representing the Scheduled Castes have requested the State Government to consider providing a special provision for reservation for the group of Arunthathiyars within the reservation provided for the Scheduled Castes as they are in the lowest rung in the social and educational fronts in the society regarding reservations under clauses (4) and (5) of Article 15 and clauses (4) and (4-A) of Article 16 of the Constitution and take steps to protect their interests adequately;

AND WHEREAS the One Man Committee appointed to inquire comprehensively and to recommend to the Government the list of communities coming under Arunthathiyar and the percentage of reservation to be provided for them based on their population

within the reservation provided for Scheduled Castes, has recommended to the State Government that Arunthathiyars are in the last rung of the Scheduled Castes, who constituted nearly sixteen per cent of the total population of Scheduled Castes in the State and are socially and educationally backward and also not adequately represented in the services under the State in proportion to their population in the State of Tamil Nadu;

AND WHEREAS the said One Man Committee has recommended that preferential allotment of seats for admission into educational institutions or appointment or posts in the services under the State within the reservation for Scheduled Castes be provided for Arunthathiyars and also recommended that the term "Arunthathiyar" includes in its fold not only Arunthathiyar, but also Chakkiliyan, Madari, Madiga, Pagadai, Thoti and Adi Andhra;

AND WHEREAS the State Government have, after careful consideration, taken a policy decision to accept the recommendations of the said One Man Committee to provide for preferential allotment, of seats for admission in educational institutions or appointments or posts in the services under the State within the reservation for Scheduled Castes, be provided for the group of Arunthathiyars and also to classify the castes comprising of Arunthathiyar, Chakkiliyan, Madari, Madiga, Pagadai, Thoti and Adi Andhra in the group of Arunthathiyars;

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
extent and
commence-
ment.

1. (1) This Act may be called the Tamil Nadu Arunthathiyars (Special Reservation of seats in educational Institutions including Private Educational Institutions and of appointments or posts in the services under the State within the Reservation for the Scheduled Castes) Act, 2009.

(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.

Definitions.

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

(a) "Arunthathiyars" means the castes, Arunthathiyar, Chakkiliyan, Madari, Madiga, Pagadai, Thoti and Adi Andhra within the list of 76 Scheduled Castes notified by the President of India under Article 341 of the Constitution of India by the Constitution (Scheduled Castes) Order, 1950 as amended from time to time;

(b) "Competent authority" means the competent authority appointed under section 8;

(c) "educational institutions" shall have the same meaning as defined in the Tamil Nadu Backward Classes, Scheduled Castes and Scheduled Tribes (Reservation of seats in Educational Institutions and of appointments, or posts in the Services under the State) Act, 1993 (hereinafter referred to as the 1994 Act);

Tamil Nadu Act
45 of 1994.

(d) "Government" means the State Government;

(e) "private educational institution" shall have the same meaning as defined in the Tamil Nadu Backward Classes, Scheduled Castes and Scheduled Tribes (Reservation of seats in Private Educational Institutions) Act, 2006 (hereinafter referred to as the 2006 Act);

Tamil Nadu Act
12 of 2006.

(f) "Scheduled Castes" shall have the same meaning as in Article 366 (24) read with Article 341 of the Constitution of India.

Reservation of
Seats in
Educational
Institutions
including
Private
Educational
Institutions.

3. Notwithstanding anything contained in the 1994 Act or the 2006 Act or in any other law for the time being in force or in any judgment, decree or order of any court or other authority, having regard to the social and educational backwardness of Arunthathiyars included in the Scheduled Castes, sixteen per cent of seats reserved for the Scheduled Castes shall be offered to Arunthathiyars, if available, in respect of annual permitted strength in each branch or faculty for admission into educational institutions including private educational institutions, on preferential basis amongst Scheduled Castes, in such manner, as may be prescribed.

4. Notwithstanding anything contained in the 1994 Act or the 2006 Act or in any other law for the time being in force or in any judgment, decree or order of any Court or other authority, having regard to the social and educational backwardness of Arunthathiyars included in the Scheduled Castes, sixteen per cent of the appointments or posts reserved for the Scheduled Castes shall be offered to Arunthathiyars, if available, in appointments or posts in the services under the State, on preferential basis amongst the Scheduled Castes, in such manner as may be prescribed.

Reservation in appointments or posts in the services under the State.

Explanation.—For the purposes of this Act, "service under the State" includes the services under—

- (i) the Government;
- (ii) the Legislature of the State;
- (iii) any local authority;
- (iv) any Corporation or Company owned or controlled by the Government;
or
- (v) any other authority in respect of which the State Legislature has power to make laws.

5. Notwithstanding anything contained in the 1994 Act or the 2006 Act or in any other law for the time being in force or in any judgment, decree or order of any court or other authority, having regard to the social and educational backwardness of Arunthathiyars, where more number of qualified Arunthathiyars are available, even after filling up of the required percentage of reservation for Arunthathiyars on preferential basis, such excess number of candidates of Arunthathiyars shall be entitled to compete with Scheduled Castes other than Arunthathiyars in the *inter-se* merit among them in the case of appointments or posts in the services under the State or admission into educational institutions including private educational institutions.

Right to compete for non-preferential seats, appointments or posts not to be affected.

6. Notwithstanding anything contained in the provisions of this Act or in the 1994 Act or the 2006 Act or in any other law for the time being in force, or in any judgment, decree or order of any court or other authority having regard to the social and educational backwardness of Arunthathiyars, where seats, appointments or posts reserved for Arunthathiyars remain unfilled for want of adequate number of qualified candidates, it shall be filled up by Scheduled Castes other than Arunthathiyars with no carry forward of vacancies for Arunthathiyars and the entire reservation of eighteen per cent for Scheduled Castes shall be filled up in the year of actual vacancy subject to the availability of Scheduled Castes candidates and the preference given to Arunthathiyars shall not, in any way, affect the existing principle of carry forward of vacancies for Scheduled Castes in general.

Right to carry forward of vacancies for Scheduled Castes not to be affected.

7. A candidate who claims to be a member of the Arunthathiyars as defined under this Act shall support his candidature as such by a certificate of caste identification issued under the Constitution (Scheduled Castes) Order, 1950 notified by the President of India for the State of Tamil Nadu, from time to time.

Certificate of identification.

8. Notwithstanding anything contained in sections 3,4,5 and 6 of this Act, the claims of the students or members belonging to Arunthathiyars shall be considered for the unreserved seats, appointments, or posts which shall be filled up on the basis of merit and where a student or member belonging to Arunthathiyars, if selected on the basis of merit, the number of seats, appointments or posts reserved for the Arunthathiyars shall not in any way be affected.

Reservation not to be affected.

9. (1) The Government may, by notification, appoint any officer not below the rank of District Adi Dravidar Welfare Officer to be the competent authority for the purpose of carrying out the provisions of this Act and the rules made thereunder in respect of private educational institutions.

Competent authority.

(2) The competent authority shall exercise such powers and perform such functions as may be prescribed.

Power of Government to give direction.

10. (1) The Government may, in the public interest, by order, direct the competent authority to make an enquiry or to take appropriate proceedings under this Act in any case specified in the order, and the competent authority shall report to the Government the result of the enquiry made or the proceedings taken by him within such period as may be prescribed.

(2) On receipt of the report from the competent authority under sub-section (1), the Government shall give such direction as they deem fit and such direction shall be final and binding.

Competent authority to be public servant.

11. The Competent authority appointed under section 8 shall be deemed to be a public servant within the meaning of section 21 of the Indian Penal Code.

Central Act
XLV of
1860.

Protection of action taken in good faith.

12. No suit, prosecution or other legal proceedings shall lie against the competent authority, Government or its Officers for anything, which is in good faith done or intended to be done under this Act or any rule or order made thereunder.

Power to make rules.

13. (1) The Government may make rules for carrying out the purposes of this Act.

(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 so 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 Assembly makes any modification in any such rule or notification or order, or the 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.

Power to remove difficulties.

14. If any difficulty arises in giving effect to the provisions of this Act, the Government may, by an order, published in the *Tamil Nadu Government Gazette*, make such provisions not inconsistent with the provisions of this Act as may appear to them to be necessary or expedient for removing the difficulty:

Provided that no such order shall be made after the expiry of two years from the date of the publication of the Act in the *Tamil Nadu Government Gazette*.

STATEMENT OF OBJECTS AND REASONS.

The report of the One Man Committee of Inquiry, headed by Justice Thiru M.S.Janarthanam, was submitted on the 22nd November 2008.

2. The Committee recorded its findings, after tracing the origin and evolution of Scheduled Castes, that, out of the 76 castes of Scheduled castes, notified by the President of India under Article 341 of the Constitution of India by the Constitution (Scheduled Castes) Order, 1950 as amended from time to time, seven castes viz., Arunthathiyar, Chakkiliyan, Madari, Madiga, Pagadai, Thoti and Adi Andhra from among the said 76 Scheduled Castes are to be found and termed as "Arunthathiyars" whose population is 18,61,457 from out of the total population of Scheduled Castes amounting to 1,18,57,504 as per 2001 Census report. The respective population percentage of Arunthathiyars is 15.70%.

3. The Scheduled Castes are availing the benefit of 18% reservation in admission to educational institutions including private educational institutions and appointments in services under the State under the provisions of the Tamil Nadu Backward Classes, Scheduled Castes and Scheduled Tribes (Reservation of Seats in educational institutions and of appointments or posts in the services under the State) Act, 1993 [Tamil Nadu Act 45 of 1994] and the Tamil Nadu Backward Classes, Scheduled Castes and Scheduled Tribes (Reservation of seats in private educational institutions) Act, 2006 [Tamil Nadu Act 12 of 2006].

4. There has been a consistent representation from the representatives of various political parties and social forums representing the Scheduled Castes, requesting the State Government to consider providing special provisions for reservation for the "group of Arunthathiyars" within the reservation provided for the scheduled Castes as they are in the lowest rung in social, educational and economic fronts in the society regarding reservation under clauses (4) and (5) of Article 15 and clauses (4) and (4-A) of Article 16 of the Constitution of India and e steps to protect their interests separately as they could not compete with other Scheduled Castes in getting their legitimate share of the quantum of reservation proportionate to their population and the quota was benefiting only a few upper crust of the castes in the hierarchy of castes of the Scheduled Castes in the sense of snatching away more or less the entirety of the benefit of reservation Quota to themselves, leaving a negligible quantum of the quota of reservation for Arunthathiyars" notwithstanding the fact that the quota of reservation for scheduled Castes had been in existence for well over 58 years or thereabouts.

5. The issue of providing for special reservation for Arunthathiyars within quota of reservation for Scheduled Castes was considered by the One Man Committee headed by Justice Thiru M.S.Janarthanam and the Committee submitted its report, after making a comprehensive inquiry regarding matters factual legal and constitutional - providing for reservation of 16% of the seats available for Scheduled Castes in the services under the State as a first ference in direct recruitments only as well as admissions in educational institutions - an equivalent of 3% reservation for Arunthathiyars within the quota of reservation of 18% for Scheduled Castes.

6. It has been seen from the statistics furnished in the report of the Oneman Committee that the representation of "Arunthathiyars" in Groups A, B and C services under the State has been found grotesquely inadequate, in taking into consideration their population excepting Group D Services - which consist of menial servants - most of them scavengers - requiring no educational qualifications and there being no competition to such stigma - attached jobs - where their representation in such services is excess in a colossus fashion - which is of no consequence in the calculation of adequacy of representation in services, when especially no one is opting to render such services which reflects the infra dig of one's personality.

7. It has also been seen from the statistics furnished in the report of the said Committee that the representation of Arunthathiyars in the services of public sector undertakings is also incredibly the lowest and the major portion of the cake of such job opportunities had been swallowed by the upper crust of the hierarchy of the Scheduled Castes almost to the exclusion of Arunthathiyars.

8. What is further seen from the statistics furnished in the report of the said Committee is that the representation of Arunthathiyars regarding admissions in educational institutions - professional or otherwise -is rather minimal and the educational opportunities are also knocked away by the upper crust of the hierarchy of castes from among the Scheduled Castes.

9. The State Government, without hesitation whatsoever, accepted the recommendations of the One Man Committee of Inquiry and decided to enact a legislation after having a consultation with the National Commission for Scheduled Castes under Article 338 (9).

10. The consultative process as contemplated under Article 338(9) was completed.

11. The State Government decided to bring forward a Bill for the enactment of a legislation, without brooking any delay, making special provisions for reservation within reservation for Arunthathiyars in direct recruitments only as had been done in the State of Punjab under sub-section (5) of Section 4 of the Punjab Act 22 of 2006, besides making other provisions as recommended by the Committee.

12. The Punjab and Haryana High Court, struck down the instructions, which had hitherto been followed since 1975, providing for 12.5% reservation for Mazhabi Sikhs and Balmikis, within the reservation of 25% provided for 38 Scheduled Castes in the State of Punjab, in 2006 following the decision of the Supreme Court in the case of E.V.Chinnaiah vs. State of Andhra Pradesh & Ors [2004(9) SCALE].

13. The State Government of Punjab immediately thereafter enacted the Punjab Act 22 of 2006 providing for 12.5% reservation for Mazhabi Sikhs and Balmikis within the reservation of 25% provided for Scheduled Castes.

14. Leaving aside the Punjab Act 22 of 2006 which has been enacted subsequent to the decision of the Supreme Court in *E. V. Chinnaiah VS. State of Andhra Pradesh & Ors*, the One Man Committee of Inquiry has made out a strong case for making a special provision for reservation within reservation for Arunthathiyars - the lowliest of the last among the Scheduled Castes in social, educational and economic fronts, besides employment opportunities and also suffering from the stigma of "untouchables" - the untouchables among the untouchables - Scheduled Castes - by a rational classification, requiring a differential treatment for providing a level-playing field, so as to enable them to have a competing edge to run in the race of life along with the upper crust of the castes in the Scheduled Castes and engage in a duel or fight with them, with equal strength and valour and share the opportunities of employment in the services under the State as well as admissions in educational institutions - professional or otherwise in the State - which will enable them to come out of such institutions as professional or science graduates - the acquisition of which is now-a-days considered as a real wealth and not other wealth as wealth -and which looked at from any point of view, cannot at all be discriminatory and consequently violating and refracting the salient provisions under Article 14 of the Constitution of India.

15. Hence, there is a necessity to enact the Reservation Act to safeguard the interests of Arunthathiyars.

16. The Government have, therefore, after careful consideration, decided to accept the recommendation of the said One Man Committee and to enact a separate legislation for the purpose in view.

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

M. KARUNANIDHI,
Chief Minister.

MEMORANDUM REGARDING DELEGATED LEGISLATION.

Clauses 1(3), 3, 4, 9, 10, 13 and 14 of the bill authorise the Government to issue notification or order or to make rules, as the case may be, for the purposes specified therein.

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

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 26th February, 2009 is published together with Statement of Objects and Reasons for general information:—

L.A. BILL No. 4 OF 2009

A Bill to provide for the appropriation of certain further moneys out of the Consolidated Fund of the State for the services and purposes of the financial year which commenced on the 1st day of April 2008.

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. This Act may be called the Tamil Nadu Appropriation Act, 2009. Short title.
2. The State Government may appropriate out of the Consolidated Fund of the State for the services and purposes of the financial year which commenced on the 1st day of April 2008, a further sum not exceeding six thousand three hundred and eleven crores eighty six lakhs and ninety five thousands rupees, being moneys required to meet-- Supplementary appropriation out of the Consolidated Fund of the State for the services and purposes of the financial year which commenced on the 1st day of April 2008.
 - (a) the supplementary grants made by the Tamil Nadu Legislative Assembly for that year, as set forth in column (3) of the Schedule; and
 - (b) the supplementary expenditure *charged* on the Consolidated Fund of the State for that year, as set forth in column (4) of the Schedule.

THE SCHEDULE.

(See section 2.)

Demand Number	Services and purposes	Sums not exceeding			
		Voted by the Legislative Assembly	Charged on the Consolidated Fund of the State	Total	
(1)	(2)	(3) Rs.	(4) Rs.	(5) Rs.	
1	State Legislature	Revenue	1,49,92,000	31,03,000	1,80,95,000
		Capital	...	...	...
		Loan	...	...	...
2	Governor and Council of Ministers	Revenue	2,89,42,000	43,68,000	3,33,10,000
		Capital	...	...	...
		Loan	...	...	...
3	Administration of Justice	Revenue	18,43,30,000	10,16,82,000	28,60,12,000
		Capital	...	...	...
		Loan	...	...	...
4	Adi-Dravidar and Tribal Welfare Department	Revenue	20,31,87,000	...	20,31,87,000
		Capital	16,17,95,000	...	16,17,95,000
		Loan	...	...	...
5	Agriculture Department	Revenue	85,93,69,000	2,87,000	85,96,56,000
		Capital	8,000	...	8,000
		Loan	40,00,00,000	...	40,00,00,000
6	Animal Husbandry (Animal Husbandry, Dairying and Fisheries Department)	Revenue	50,39,03,000	...	50,39,03,000
		Capital	3,68,22,000	...	3,68,22,000
		Loan	...	...	...
7	Fisheries (Animal Husbandry, Dairying and Fisheries Department)	Revenue	6,000	2,75,000	2,81,000
		Capital	29,73,000	...	29,73,000
		Loan	...	...	...
8	Dairy Development (Animal Husbandry, Dairying and Fisheries Department)	Revenue	11,63,42,000	...	11,63,42,000
		Capital	...	...	...
		Loan	6,86,11,000	...	6,86,11,000
9	Backward Classes , Most Backward Classes and Minorities Welfare Department	Revenue	24,000	...	24,000
		Capital	...	...	...
		Loan	...	...	...
10	Commercial Taxes (Commercial Taxes and Registration Department)	Revenue	7,000	...	7,000
		Capital	...	...	...
		Loan	...	...	...

Demand Number	Services and purposes		Sums not exceeding		Total
			Voted by the Legislative Assembly	Charged on the Consolidated Fund of the State	
(1)	(2)		(3) Rs.	(4) Rs.	(5) Rs.
11	Stamps and Registration (Commercial Taxes and Registration Department)	Revenue	2,000	11,000	13,000
		Capital	...	...	...
		Loan	...	...	...
12	Co-operation (Co-operation, Food and Consumer Protection Department)	Revenue	18,75,84,000	...	18,75,84,000
		Capital	209,42,64,000	...	209,42,64,000
		Loan	207,75,93,000	...	207,75,93,000
13	Food and Consumer Protection (Co-operation, Food and Consumer Protection Department)	Revenue	648,65,11,000	...	648,65,11,000
		Capital	...	...	...
		Loan	250,00,00,000	...	250,00,00,000
14	Energy Department	Revenue	71,62,17,000	...	71,62,17,000
		Capital	500,00,00,000	...	500,00,00,000
		Loan	25,99,000	...	25,99,000
15	Environment and Forests Department	Revenue	2,25,97,000	5,92,000	2,31,89,000
		Capital	36,56,39,000	...	36,56,39,000
		Loan	...	...	...
16	Finance Department	Revenue	7,000	...	7,000
		Capital	...	...	...
		Loan	8,35,00,000	...	8,35,00,000
17	Handlooms and Textiles (Handlooms, Handicrafts, Textiles and Khadi Department)	Revenue	...	...	...
		Capital	...	...	...
		Loan	6,58,66,000	...	6,58,66,000
18	Khadi, Village Industries and Handicrafts (Handlooms, Handicrafts, Textiles and Khadi Department)	Revenue	33,08,37,000	1,47,000	33,09,84,000
		Capital	...	...	...
		Loan	...	...	...
19	Health and Family Welfare Department	Revenue	118,00,63,000	27,35,000	118,27,98,000
		Capital	1,000	...	1,000
		Loan	...	...	...
20	Higher Education Department	Revenue	39,41,95,000	...	39,41,95,000
		Capital	2,000	...	2,000
		Loan	...	...	...

Demand Number	Services and purposes	Sums not exceeding			
		Voted by the Legislative Assembly	Charged on the Consolidated Fund of the State	Total	
(1)	(2)	(3) Rs.	(4) Rs.	(5) Rs.	
21	Highways Department	Revenue	15,85,48,000	...	15,85,48,000
		Capital	22,000	3,11,89,000	3,12,11,000
		Loan	...	...	...
22	Police (Home, Prohibition and Excise Department)	Revenue	27,000	25,30,000	25,57,000
		Capital	1,000	...	1,000
		Loan	...	...	...
23	Fire and Rescue Services (Home, Prohibition and Excise Department)	Revenue	3,000	...	3,000
		Capital	...	...	...
		Loan	...	...	...
24	Prisons (Home, Prohibition and Excise Department)	Revenue	6,65,60,000	10,80,000	6,76,40,000
		Capital	...	...	...
		Loan	...	...	...
25	Motor Vehicles Acts-Administration (Home, Prohibition and Excise Department)	Revenue	6,43,46,000	...	6,43,46,000
		Capital	...	...	...
		Loan	...	...	...
26	Housing and Urban Development Department	Revenue	4,000	...	4,000
		Capital	1,000	...	1,000
		Loan	446,12,50,000	...	446,12,50,000
27	Industries Department	Revenue	2,000	66,000	68,000
		Capital	...	...	...
		Loan	12,86,12,000	...	12,86,12,000
28	Information and Publicity (Tamil Development, Religious Endowments and Information Department)	Revenue	6,40,08,000	...	6,40,08,000
		Capital	4,98,000	...	4,98,000
		Loan	...	...	...
29	Tourism - Art and Culture (Tourism and Culture Department)	Revenue	3,00,05,000	...	3,00,05,000
		Capital	2,38,38,000	...	2,38,38,000
		Loan	...	...	...
30	Stationery and Printing (Tamil Development, Religious Endowments and Information Department)	Revenue	3,000	62,000	65,000
		Capital	40,00,000	...	40,00,000
		Loan	...	...	...

Demand Number	Services and purposes	Sums not exceeding			
		Voted by the Legislative Assembly	Charged on the Consolidated Fund of the State	Total	
(1)	(2)	(3) Rs.	(4) Rs.	(5) Rs.	
31	Information Technology Department	Revenue Capital Loan	1,44,65,000 ... ...	... ... ...	1,44,65,000
32	Labour and Employment Department	Revenue Capital Loan	1,88,79,000 2,63,94,000 ...	... ... ...	1,88,79,000 2,63,94,000 ...
34	Municipal Administration and Water Supply Department	Revenue Capital Loan	698,01,62,000 8,000 41,03,10,000	15,42,13,000	713,43,75,000 8,000 41,03,10,000
35	Personnel and Administrative Reforms Department	Revenue Capital Loan	1,48,61,000	3,11,65,000	4,60,26,000
36	Planning, Development and Special Initiatives Department	Revenue Capital Loan	7,000 ... ...	... ... ...	7,000
37	Prohibition and Excise (Home, Prohibition and Excise Department)	Revenue Capital Loan	1,000	2,22,000	2,23,000
38	Public Department	Revenue Capital Loan	11,64,59,000 ... ...	... ... ...	11,64,59,000
39	Buildings (Public Works Department)	Revenue Capital Loan	2,000 6,000 ...	... ... ...	2,000 6,000 ...
40	Irrigation (Public Works Department)	Revenue Capital Loan	2,62,50,000 32,000 ...	12,38,000 5,28,97,000 ...	2,74,88,000 5,29,29,000 ...
41	Revenue Department	Revenue Capital Loan	28,000 16,61,000 ...	... ... ...	28,000 16,61,000 ...

Demand Number	Services and purposes		Sums not exceeding		
			Voted by the Legislative Assembly	Charged on the Consolidated Fund of the State	Total
(1)	(2)		(3) Rs.	(4) Rs.	(5) Rs.
42	Rural Development and Panchayat Raj Department	Revenue	265,49,53,000	...	265,49,53,000
		Capital	...	...	...
		Loan	...	...	...
43	School Education Department	Revenue	3,47,36,000	2,24,000	3,49,60,000
		Capital	1,000	...	1,000
		Loan	...	...	...
44	Micro, Small and Medium Enterprises Department	Revenue	...	...	...
		Capital	2,03,36,000	...	2,03,36,000
		Loan	3,22,88,000	...	3,22,88,000
45	Social Welfare and Nutritious Meal Programme Department	Revenue	132,18,17,000	...	132,18,17,000
		Capital	22,82,39,000	...	22,82,39,000
		Loan	...	...	...
46	Tamil Development (Tamil Development Religious Endowments and Information Department)	Revenue	2,88,34,000	...	2,88,34,000
		Capital	...	...	...
		Loan	...	...	...
47	Hindu Religious and Charitable Endowments (Tamil Development, Religious Endowments and Information Department)	Revenue	1,000	...	1,000
		Capital	...	...	...
		Loan	...	...	...
48	Transport Department	Revenue	2,000	...	2,000
		Capital	...	...	...
		Loan	90,63,14,000	...	90,63,14,000
49	Youth Welfare and Sports Development Department	Revenue	2,99,76,000	...	2,99,76,000
		Capital	...	...	...
		Loan	...	...	...
50	Pension and Other Retirement Benefits	Revenue	49,99,67,000	27,55,000	50,27,22,000
		Capital	...	...	...
		Loan	...	...	...
51	Relief on account of Natural Calamities	Revenue	1,976,01,92,000	...	1,976,01,92,000
		Capital	...	...	...
		Loan	...	...	...

Demand Number	Services and purposes	Sums not exceeding			
		Voted by the Legislative Assembly	Charged on the Consolidated Fund of the State	Total	
(1)	(2)	(3) Rs.	(4) Rs.	(5) Rs.	
	<i>Debt Charges</i>	<i>Revenue</i>	...	51,01,50,000	51,01,50,000
		<i>Capital</i>	...	...	...
		<i>Loan</i>	...	...	...
	<i>Public Debt-Repayment</i>	<i>Revenue</i>	...	...	...
		<i>Capital</i>	...	...	...
		<i>Loan</i>	...	7,000	7,000
		<i>Revenue</i>	4,311,42,13,000	81,69,05,000	4,393,11,18,000
	Total	<i>Capital</i>	796,65,41,000	8,40,86,000	805,06,27,000
		<i>Loan</i>	1,113,69,43,000	7,000	1,113,69,50,000
	Grand Total		6,221,76,97,000	90,09,98,000	6,311,86,95,000

STATEMENT OF OBJECTS AND REASONS.

This Bill is introduced in pursuance of Article 205, read with clause (1) of Article 204 of the Constitution, to provide for the appropriation out of the Consolidated Fund of the State of the moneys required to meet—

(a) the supplementary grants made by the Tamil Nadu Legislative Assembly for the financial year which commenced on the 1st day of April 2008; and

(b) the supplementary expenditure *charged* on the Consolidated Fund of the State for that year.

K. ANBAZHAGAN,
Minister for Finance.

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 26th February, 2009 is published together with Statement of Objects and Reasons for general information:—

L.A. BILL No. 5 OF 2009

A Bill to provide for the withdrawal of certain sums from and out of the Consolidated Fund of the State for the services and purposes of a part of the financial year commencing on the 1st day of April 2009.

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. This Act may be called the Tamil Nadu Appropriation (Vote on Account) Act, 2009. Short title.
2. The State Government may withdraw from and out of the Consolidated Fund of the State sums not exceeding thirty eight thousand five hundred and thirty four crores nine lakhs and fifty seven thousand rupees being moneys required to meet-- Withdrawal of certain sums from and out of the Consolidated Fund of the State for a part of the financial year commencing on the 1st day of April 2009.
 - (a) the grants made in advance by the Tamil Nadu Legislative Assembly for a part of the financial year commencing on the 1st day of April 2009, as set forth in column (3) of the Schedule; and
 - (b) the expenditure *charged* on the Consolidated Fund of the State for the said part of that year, as set forth in column (4) of the Schedule.
3. The sums authorised to be withdrawn from and out of the Consolidated Fund under section 2 shall be appropriated for the services and purposes expressed in the Schedule in relation to that year. Appropriation.

THE SCHEDULE.

(See section 2.)

Demand Number	Services and purposes	Sums not exceeding			
		Voted by the Legislative Assembly	Charged on the Consolidated Fund of the State	Total	
(1)	(2)	(3) Rs.	(4) Rs.	(5) Rs.	
1	State Legislature	Revenue	14,42,26,000	15,14,000	14,57,40,000
		Capital	...	...	...
		Loan	...	...	...
2	Governor and Council of Ministers	Revenue	12,10,12,000	3,17,42,000	15,27,54,000
		Capital	...	...	...
		Loan	...	...	...
3	Administration of Justice	Revenue	155,19,18,000	33,74,69,000	188,93,87,000
		Capital	...	...	...
		Loan	...	...	...
4	Adi-Dravidar and Tribal Welfare Department	Revenue	390,34,06,000	2,00,00,000	392,34,06,000
		Capital	45,83,85,000	...	45,83,85,000
		Loan	1,72,000	...	1,72,000
5	Agriculture Department	Revenue	872,15,79,000	1,000	872,15,80,000
		Capital	45,68,27,000	...	45,68,27,000
		Loan	...	...	...
6	Animal Husbandry (Animal Husbandry, Dairying and Fisheries Department)	Revenue	139,73,72,000	1,000	139,73,73,000
		Capital	86,20,000	...	86,20,000
		Loan	...	...	...
7	Fisheries (Animal Husbandry, Dairying and Fisheries Department)	Revenue	53,60,16,000	1,05,000	53,61,21,000
		Capital	16,13,93,000	...	16,13,93,000
		Loan	...	...	...
8	Dairy Development (Animal Husbandry, Dairying and Fisheries Department)	Revenue	17,15,50,000	1,000	17,15,51,000
		Capital	...	...	...
		Loan	5,65,65,000	...	5,65,65,000
9	Backward Classes , Most Backward Classes and Minorities Welfare Department	Revenue	203,04,74,000	1,000	203,04,75,000
		Capital	14,32,97,000	...	14,32,97,000
		Loan	...	...	...
10	Commercial Taxes (Commercial Taxes and Registration Department)	Revenue	130,95,30,000	1,000	130,95,31,000
		Capital	...	...	...
		Loan	...	...	...

Demand Number	Services and purposes		Sums not exceeding		
			Voted by the Legislative Assembly	Charged on the Consolidated Fund of the State	Total
(1)	(2)		(3) Rs.	(4) Rs.	(5) Rs.
11	Stamps and Registration (Commercial Taxes and Registration Department)	Revenue	85,41,08,000	1,000	85,41,09,000
		Capital	...	...	...
		Loan	...	...	...
12	Co-operation (Co-operation, Food and Consumer Protection Department)	Revenue	229,95,18,000	1,000	229,95,19,000
		Capital	478,88,36,000	...	478,88,36,000
		Loan	7,20,33,000	...	7,20,33,000
13	Food and Consumer Protection (Co-operation, Food and Consumer Protection Department)	Revenue	1,556,03,09,000	1,000	1,556,03,10,000
		Capital	17,51,000	...	17,51,000
		Loan	450,00,00,000	...	450,00,00,000
14	Energy Department	Revenue	661,67,68,000	1,000	661,67,69,000
		Capital	50,00,00,000	...	50,00,00,000
		Loan	1,000	...	1,000
15	Environment and Forests Department	Revenue	121,08,20,000	1,000	121,08,21,000
		Capital	46,02,89,000	...	46,02,89,000
		Loan	...	...	...
16	Finance Department	Revenue	238,83,72,000	1,000	238,83,73,000
		Capital	...	...	...
		Loan	13,03,77,000	...	13,03,77,000
17	Handlooms and Textiles (Handlooms, Handicrafts, Textiles and Khadi Department)	Revenue	266,96,66,000	1,000	266,96,67,000
		Capital	...	...	...
		Loan	1,000	...	1,000
18	Khadi, Village Industries and Handicrafts (Handlooms, Handicrafts, Textiles and Khadi Department)	Revenue	40,04,24,000	1,000	40,04,25,000
		Capital	...	...	...
		Loan	...	...	...
19	Health and Family Welfare Department	Revenue	1,592,41,72,000	26,60,000	1,592,68,32,000
		Capital	102,93,14,000	...	102,93,14,000
		Loan	...	...	...
20	Higher Education Department	Revenue	714,77,27,000	1,000	714,77,28,000
		Capital	16,75,53,000	...	16,75,53,000
		Loan	...	...	...
21	Highways and Minor Ports Department	Revenue	647,99,20,000	6,000	647,99,26,000
		Capital	1,543,62,34,000	1,000	1,543,62,35,000
		Loan	...	...	...

Demand Number	Services and purposes		Sums not exceeding		Total
			Voted by the Legislative Assembly	Charged on the Consolidated Fund of the State	
(1)	(2)		(3) Rs.	(4) Rs.	(5) Rs.
22	Police (Home, Prohibition and Excise Department)	Revenue	1,353,17,33,000	52,50,000	1,353,69,83,000
		Capital	73,59,95,000	...	73,59,95,000
		Loan	25,00,000	...	25,00,000
23	Fire and Rescue Services (Home, Prohibition and Excise Department)	Revenue	81,51,57,000	50,000	81,52,07,000
		Capital	1,00,00,000	...	1,00,00,000
		Loan	...	...	...
24	Prisons (Home, Prohibition and Excise Department)	Revenue	55,27,20,000	2,000	55,27,22,000
		Capital	1,000	...	1,000
		Loan	...	...	...
25	Motor Vehicles Acts-Administration (Home, Prohibition and Excise Department)	Revenue	46,65,64,000	1,000	46,65,65,000
		Capital	...	...	...
		Loan	...	...	...
26	Housing and Urban Development Department	Revenue	184,62,99,000	1,000	184,63,00,000
		Capital	437,06,16,000	...	437,06,16,000
		Loan	110,39,45,000	...	110,39,45,000
27	Industries Department	Revenue	128,13,16,000	1,000	128,13,17,000
		Capital	10,60,01,000	...	10,60,01,000
		Loan	100,00,01,000	...	100,00,01,000
28	Information and Publicity (Tamil Development, Religious Endowments and Information Department)	Revenue	21,06,32,000	...	21,06,32,000
		Capital	...	...	...
		Loan	...	...	...
29	Tourism -Art and Culture (Tourism and Culture Department)	Revenue	36,94,00,000	3,000	36,94,03,000
		Capital	12,35,78,000	...	12,35,78,000
		Loan	...	...	...
30	Stationery and Printing (Tamil Development, Religious Endowments and Information Department)	Revenue	39,07,24,000	5,01,000	39,12,25,000
		Capital	4,000	...	4,000
		Loan	...	...	...
31	Information Technology Department	Revenue	260,68,58,000	1,000	260,68,59,000
		Capital	...	...	...
		Loan	...	...	...

Demand Number	Services and purposes	Sums not exceeding			
		Voted by the Legislative Assembly	Charged on the Consolidated Fund of the State	Total	
(1)	(2)	(3) Rs.	(4) Rs.	(5) Rs.	
32	Labour and Employment Department	Revenue	221,09,15,000	1,000	221,09,16,000
		Capital	2,23,59,000	...	2,23,59,000
		Loan	...	...	...
33	Law Department	Revenue	7,53,75,000	...	7,53,75,000
		Capital	...	...	...
		Loan	...	...	...
34	Municipal Administration and Water Supply Department	Revenue	1,383,61,13,000	1,000	1,383,61,14,000
		Capital	596,00,11,000	...	596,00,11,000
		Loan	132,87,04,000	...	132,87,04,000
35	Personnel and Administrative Reforms Department	Revenue	22,20,71,000	11,39,37,000	33,60,08,000
		Capital	...	...	...
		Loan	...	...	...
36	Planning, Development and Special Initiatives Department	Revenue	25,33,13,000	...	25,33,13,000
		Capital	8,96,26,000	...	8,96,26,000
		Loan	...	...	...
37	Prohibition and Excise (Home, Prohibition and Excise Department)	Revenue	28,75,27,000	1,000	28,75,28,000
		Capital	...	...	...
		Loan	...	...	...
38	Public Department	Revenue	175,53,62,000	5,40,000	175,59,02,000
		Capital	3,75,00,000	...	3,75,00,000
		Loan	...	...	...
39	Buildings (Public Works Department)	Revenue	75,19,88,000	1,000	75,19,89,000
		Capital	395,23,44,000	...	395,23,44,000
		Loan	...	...	...
40	Irrigation (Public Works Department)	Revenue	409,97,27,000	2,000	409,97,29,000
		Capital	478,56,39,000	3,00,01,000	481,56,40,000
		Loan	...	...	...
41	Revenue Department	Revenue	1,073,08,41,000	1,000	1,073,08,42,000
		Capital	134,98,85,000	...	134,98,85,000
		Loan	...	...	...

Demand Number	Services and purposes		Sums not exceeding		Total
			Voted by the Legislative Assembly	Charged on the Consolidated Fund of the State	
(1)	(2)		(3) Rs.	(4) Rs.	(5) Rs.
42	Rural Development and Panchayat Raj Department	Revenue	2,252,46,24,000	1,000	2,252,46,25,000
		Capital	580,06,26,000	...	580,06,26,000
		Loan	...	...	...
43	School Education Department	Revenue	4,442,64,06,000	10,000	4,442,64,16,000
		Capital	131,12,33,000	...	131,12,33,000
		Loan	2,75,000	...	2,75,000
44	Micro, Small and Medium Enterprises Department	Revenue	48,91,44,000	1,000	48,91,45,000
		Capital	3,000	...	3,000
		Loan	...	...	...
45	Social Welfare and Nutritious Meal Programme Department	Revenue	1,083,71,27,000	1,000	1,083,71,28,000
		Capital	1,000	...	1,000
		Loan	...	...	...
46	Tamil Development (Tamil Development, Religious Endowments and Information Department)	Revenue	13,14,42,000	3,000	13,14,45,000
		Capital	...	...	...
		Loan	...	...	...
47	Hindu Religious and Charitable Endowments (Tamil Development, Religious Endowments and Information Department)	Revenue	24,84,66,000	50,30,000	25,34,96,000
		Capital	1,11,08,000	...	1,11,08,000
		Loan	...	...	...
48	Transport Department	Revenue	173,99,76,000	1,000	173,99,77,000
		Capital	62,57,88,000	...	62,57,88,000
		Loan	62,50,00,000	...	62,50,00,000
49	Youth Welfare and Sports Development Department	Revenue	27,12,62,000	1,000	27,12,63,000
		Capital	2,000	...	2,000
		Loan	1,25,00,000	...	1,25,00,000
50	Pension and other Retirement Benefits	Revenue	4,930,97,50,000	15,54,000	4,931,13,04,000
		Capital	...	...	...
		Loan	...	...	...
51	Relief on account of Natural Calamities	Revenue	125,00,95,000	...	125,00,95,000
		Capital	...	...	...
		Loan	...	...	...

Demand Number	Services and purposes	Sums not exceeding			
		Voted by the Legislative Assembly	Charged on the Consolidated Fund of the State	Total	
(1)	(2)	(3) Rs.	(4) Rs.	(5) Rs.	
	<i>Debt Charges</i>	Revenue	...	3,402,52,05,000	3,402,52,05,000
		Capital	...	...	...
		Loan	...	...	...
	<i>Public Debt-Repayment</i>	Revenue	...	...	...
		Capital	...	...	...
		Loan	...	2,006,66,37,000	2,006,66,37,000
	Total	Revenue	26,896,18,14,000	3,454,56,11,000	30,350,74,25,000
		Capital	5,290,48,19,000	3,00,02,000	5,293,48,21,000
		Loan	883,20,74,000	2,006,66,37,000	2,889,87,11,000
	Grand Total		33,069,87,07,000	5,464,22,50,000	38,534,09,57,000

STATEMENT OF OBJECTS AND REASONS.

This Bill is introduced in pursuance of Article 206 of the Constitution, to provide for the withdrawal from and out of the Consolidated Fund of the State, of certain sums being required to meet—

(a) the grants made in advance by the Tamil Nadu Legislative Assembly in respect of estimated expenditure of the State for a part of the financial year commencing on the 1st day of April 2009; and

(b) the expenditure *charged* on the said Fund for the said part of that year, and for the appropriation of the said sums.

K. ANBAZHAGAN,
Minister for Finance.

M. SELVARAJ,
Secretary.