



TAMIL NADU GOVERNMENT GAZETTE

EXTRAORDINARY

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Part IV—Section 2

Tamil Nadu Acts and Ordinances

The following Ordinance which was promulgated by the Governor on the 20th November 2011 is hereby published for general information:—

TAMIL NADU ORDINANCE No. 5 OF 2011.

An Ordinance further to amend the Tamil Nadu Transparency in Tenders Act, 1998.

WHEREAS, the Legislative Assembly of the State is not in session and the Governor of Tamil Nadu is satisfied that circumstances exist which render it necessary for him to take immediate action for the purpose hereinafter appearing;

NOW, THEREFORE, in exercise of the powers conferred by clause (1) of Article 213 of the Constitution, the Governor hereby promulgates the following Ordinance:—

1. (1) This Ordinance may be called the Tamil Nadu Transparency in Tenders (Amendment) Ordinance, 2011.

Short title and commencement.

(2) It shall be deemed to have come into force on the 1st day of October 2011.

Tamil Nadu
Act
43 of 1998.

2. In section 16 of the Tamil Nadu Transparency in Tenders Act, 1998 (hereinafter referred to as the principal Act), in clause (c), for the words "eleven years", the words "sixteen years" shall be substituted.

Amendment of section 16.

3. Notwithstanding anything contained in the principal Act, all things done or actions taken by any officer or authority, on or after the 1st day of October 2011 and before the date of publication of this Ordinance in the *Tamil Nadu Government Gazette*, which are in conformity with the provisions of the principal Act as amended by this Ordinance, shall, for all purposes, be deemed to be, and to have always been validly done or taken in accordance with law as if the principal Act, as amended by this Ordinance, had been in force at all material times when such things or actions were done or taken.

20th November 2011.

K. ROSAIAH,
Governor of Tamil Nadu.

EXPLANATORY STATEMENT

According to clause (c) of section 16 of the Tamil Nadu Transparency in Tenders Act, 1998 (Tamil Nadu Act 43 of 1998), as amended by Tamil Nadu Act 28 of 2006, the provisions of sections 9 and 10 of the said Act, relating to invitation and evaluation and acceptance of tender by the Tender Inviting Authority, shall not apply to procurement from certain departments of Government, public sector undertakings, statutory boards and such other institutions in respect of goods manufactured or services provided by them for a period not exceeding eleven years from the date of commencement of the said Tamil Nadu Act 43 of 1998, namely, the 1st October 2000. With a view to encourage the said departments, public sector undertakings, statutory boards and such other institutions to become viable and competitive in the purchase process, the Government have decided to extend the exemption provided to such Government Departments, public sector undertakings, etc., under clause (c) of section 16 of the said Tamil Nadu Act 43 of 1998 for a further period of five years on and from the 1st October 2011 and to amend the said clause (c) of section 16 of the said Act for the purpose.

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

(By order of the Governor)

G. JAYACHANDRAN,
Secretary to Government,
Law Department.