



TAMIL NADU GOVERNMENT GAZETTE

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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 29th June, 2017 is published together with Statement of Objects and Reasons for general information:—

L.A. Bill No. 25 of 2017

A Bill further to amend the Tamil Nadu Prohibition Act, 1937.

BE it enacted by the Legislative Assembly of the State of Tamil Nadu in the Sixty-eighth year of the Republic of India as follows: –

Short title and commencement.

1. (1) This Act may be called the Tamil Nadu Prohibition (Amendment) Act, 2017.

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

Amendment of section 3.

2. In section 3 of the Tamil Nadu Prohibition Act, 1937(hereinafter referred to as the principal Act), in clause (19), the expression “or unfermented” shall be omitted.

Tamil Nadu Act X of 1937.

Substitution of section 19.

3. For section 19 of the principal Act, the following section shall be substituted, namely:-

“19. ***Licence for tapping neera or padani, etc.***-The Commissioner of Prohibition and Excise or the Functional Registrar of the Tamil Nadu Palm Products Development Board or any other officer authorized by the State Government in this behalf, may issue-

(a) licences for the tapping of neera or padani for consumption thereof without fermentation or for use in the manufacture of jaggery, honey, biscuits, sugar and such other products as may be notified by the State Government; or

(b) permits for the possession, transport or sale of such neera or padani.”

STATEMENT OF OBJECTS AND REASONS.

In order to facilitate the extraction and processing of Neera from coconut trees and to issue licences for Marketing and Export of Neera and for use in the manufacture of jaggery, honey, biscuits, sugar and such other products, the Government have decided to amend the Tamil Nadu Prohibition Act, 1937 (Tamil Nadu Act X of 1937) suitably.

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

P. THANGAMANI

*Minister for Electricity,
Prohibition and Excise*

K. BOOPATHY

Secretary (In-charge)

MEMORANDUM REGARDING DELEGATED LEGISLATION.

Clause 1(2) and section 19 proposed to be substituted by clause 3 of the Bill authorizes the State Government to issue notifications, for the purposes specified therein.

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

P. THANGAMANI

*Minister for Electricity,
Prohibition and Excise.*

K. BOOPATHY

Secretary (In-Charge),

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 29th June, 2017 is published together with Statement of Objects and Reasons for general information:—

L.A. Bill No. 26 of 2017

A Bill to amend the Tamil Nadu Registration of Marriages Act, 2009.

BE it enacted by the Legislative Assembly of the State of Tamil Nadu in the Sixty-eighth Year of the Republic of India as follows:-

1. (1) This Act may be called the Tamil Nadu Registration of Marriages (Amendment) Act, 2017.

Short title and commencement.

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

2. In section 2 of the Tamil Nadu Registration of Marriages Act, 2009 (hereinafter referred to as the principal Act), for clause (e), the following clause shall be substituted, namely:-

Amendment of Section 2.

“(e) “priest” means any person who performs a marriage according to custom or usage or under any law for the time being in force;”.

3. In section 5 of the principal Act, in sub-section (1),-

Amendment of Section 5.

(1) the expression “or send in the manner as may be prescribed” shall be omitted;

(2) for the proviso, the following provisos shall be substituted, namely:-

“Provided that where the parties to a marriage are unable to deliver the memorandum in person, the Registrar may, after recording the special circumstances for not presenting the memorandum in person, allow them to send the memorandum in such manner as may be prescribed:

Provided further that the memorandum may be delivered in person or sent in the manner prescribed to the Registrar within a further period of sixty days after expiry of the said ninety days with the payment of additional fee as may be prescribed:

Provided also that the memorandum may be delivered in person or sent in the manner prescribed to the Registrar after the expiry of sixty days specified in the second proviso with the payment of further fee of one thousand rupees”.

4. In section 7 of the principal Act, in sub-section (1), for the expression “delivered or sent”, the expression “delivered in person or sent in the manner prescribed” shall be substituted.

Amendment of Section 7.

5. In section 14 of the principal Act, in sub-section (1), in clause (a), for the expression “deliver or send”, the expression “deliver in person or send in the manner prescribed” shall be substituted.

Amendment of Section 14.

STATEMENT OF OBJECTS AND REASONS

The Tamil Nadu Registration of Marriages Act, 2009 (Tamil Nadu Act 21 of 2009) provides for compulsory registration of all marriages in the State of Tamil Nadu. As per the said Act, the parties to a marriage shall submit the memorandum of marriage for registration of the marriage within ninety days from the date of marriage or within a further period of sixty days with payment of additional fee. The Hon'ble High Court of Madras in its order dated 09.02.2015 in W.P. No.33645/2013 has directed to make a provision for registration of marriages beyond the period of 150 days now provided in the Act on payment of additional fee. Further, the High Court of Madras in HCP No.2767/2013 and 2141/2014 and M.P.No.1/2014 in HCP No.2767/2013, dated 17.10.2014 has inter alia observed that no registration of marriage can be done under the said Act without the physical presence of the parties to the marriage before the Registrar, except under special circumstances, after recording the reasons there for. The High Court of Madras in its order, dated 27.03.2015 in W.P. No.27552/2011 and M.P.1 of 2011 has directed to amend clause (e) of section 2 of the said Act, which defines the term "priest", so as to cover persons of all religions. The Government have therefore decided to amend the said Tamil Nadu Act, 21 of 2009 suitably for the above purposes.

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

C.Ve. SHANMUGAM,
Minister for Law, Courts and Prisons.

K. BOOPATHY
Secretary (In-Charge),