



TAMIL NADU GOVERNMENT GAZETTE

EXTRAORDINARY

PUBLISHED BY AUTHORITY

No. 181]

CHENNAI, TUESDAY, JULY 21, 2009
Aadi 5, Thiruvalluvar Aandu-2040

Part IV—Section 1

Tamil Nadu Bills

CONTENTS

	<i>Pages</i>
BILLS :	
No. 34 of 2009—Tamil Nadu Regulation of Jallikattu Act, 2009 ..	148-151
No. 35 of 2009—Tamil Nadu Appropriation (No.2) Act, 2009 ..	153-159

**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 **21-7-2009** is published together with Statement of Objects and Reasons for general information.

L.A. BILL No. 34 OF 2009

A Bill to regulate the Jallikattu in 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:—

Short title and commencement.

- 1.** (1) This Act may be called the Tamil Nadu Regulation of Jallikattu Act, 2009.
(2) It shall come into force on such date, as the State Government may, by notification, appoint.

Definitions.

- 2.** (1) In this Act, unless the context otherwise requires,—
(a) “Collector” means the Collector of a District and includes any officer specially appointed by the Government to perform the functions of the Collector under this Act;
(b) “Government” means the State Government;
(c) “Jallikattu” includes “manjuvirattu”, “oormaadu”, “vadamadu”, “erudhu vidum vizha” and all such events involving taming of bulls.

Regulation of Jallikattu.

- 3.** (1) Notwithstanding anything contained in any other law for the time being in force or in any judgement, or decree or order of any court or other authority, no person shall conduct “Jallikattu” (hereinafter referred to in this Act as “the event”) without prior written permission of the Collector.

(2) No permission under sub-section (1) shall be granted to any person, to conduct the event, unless the Collector satisfies himself that,—

- (i) the event is conducted during the months from January to May of a year;
(ii) the place selected is suitable for orderly conduct of the event;
(iii) the event should have been conducted during the past five years continuously;
(iv) the event shall be held at a place notified by the Collector in the District Gazette.

(3) A permission granted under sub-section (1) shall be—

- (a) valid for such area, for such period and for such purposes, as may be specified therein;
(b) subject to such conditions and restrictions as may be specified therein.

(4) A permission granted under sub-section (1) may be withdrawn or modified by the Collector at any time prior to the conduct of the event, after giving a reasonable opportunity of hearing to the person organising the event:

Provided that the permission may be withdrawn or modified by the Collector without giving a reasonable opportunity to the person organising the event if the Collector is satisfied, for reasons to be recorded in writing, that immediate action is necessary.

Responsibility of organiser.

- 4.** Every person who organises the event shall,—
(i) take all precautionary steps for the orderly conduct of the event;
(ii) inform in writing to the Collector thirty days prior to the date of the event and obtain his permission;
(iii) double-barricade the arena or the way through which the bulls pass through, in order to avoid injuries to the spectators and by-standers who may be permitted to remain within the barricades;
(iv) fix up the gallery for the spectators to sit and watch the event and the gallery shall be made up with strong sticks to permit occupation;

(v) arrange to obtain prior permission of the Collector to the persons, who wish to bring their bulls to participate in the event;

(vi) ensure that the bulls are put to proper testing by the authorities of the Animal Husbandry Department to ensure that performance enhancement drugs are not administered to the bulls in any form and shall obtain a certificate to this effect in such form and in such manner as may be prescribed;

(vii) arrange to enroll the names and other particulars of the bull tamers in the event with the Collector at least fifteen days prior to the holding of the event and the bull tamers shall also be put to thorough check up by a medical team constituted by the Collector for this purpose;

(viii) ensure that every bull tamer to wear an exclusive dress for the sake of identification with necessary identification card issued by the Collector;

(ix) deposit with the Collector, a sum as may be determined by the Collector, which shall not be less than rupees two lakhs, for the benefit of the victim including the members of the family of the victim in case of accident or injury during the event:

Provided that nothing in this clause, shall be deemed to make the Government or any of its authorities liable to make payment of compensation for the injury or loss caused during the course of conduct of event unless it is established there is a default on the part of the authorities in complying with the provisions of this Act; and

(x) carryout any other responsibility that may be prescribed.

5. The Collector shall,—

(i) ensure double barricading of the arena at the minimum of six feet height so that bulls will not jump the double barricading and avoid causing of injuries to the spectators;

(ii) ensure the number of spectators in the gallery shall not exceed the limit prescribed by the Public Works Department;

(iii) ensure safety certificate is obtained from the Public Works Department for the double barricading and for the safety of the gallery;

(iv) ensure that the bulls are free of any diseases and not intoxicated or administered with any substance like nicotine, cocaine with the object of making them more aggressive or ferocious with the assistance of the Animal Husbandry Department;

(v) arrange to provide adequate police protection at the places where the event is held;

(vi) arrange to provide adequate medical facilities including the ambulance at the place where the event is held, to give medical treatment and constitute a medical team for such purpose;

(vii) arrange for necessary drinking water supply as well as sanitation facilities in the place where the event is to be held;

(viii) authorise an officer not below the rank of a Deputy Collector to look after each item of event and arrangement like checking up of bulls, checking up of bull tamers, checking up of the barricading and gallery arrangements, medical facilities, water supply, sanitary arrangements and safety of spectators and any other requirement in connection with the event;

Central Act 59
of 1960.

(ix) arrange to give wider publicity of the provisions of the Prevention of Cruelty to Animals Act, 1960 and the rules framed thereunder and the risk involved in participating in the event;

Central Act 59
of 1960.

(x) ensure the presence of Animal Welfare activists representing the Animal Welfare Board established under the Prevention of Cruelty to Animals Act, 1960 during the conduct of the event;

(xi) videograph the entire event and provide the same to the Government or any other authority as and when required; and

(xii) make all such other arrangements as may be prescribed.

Arrangements
to be made
by the
Collector.

- Appeal. **6.** (1) Where the Collector refuses to give permission under sub-section (1) of section 3, any person aggrieved by such order of refusal may file an appeal to the Government within a period of fifteen days from the date on which such order is communicated to him:
- Provided that the Government may entertain an appeal after the expiry of the said period of fifteen days if it is satisfied that the appellant has sufficient cause for not preferring an appeal within the period of fifteen days.
- (2) On receipt of the appeal under sub-section (1), the Government shall after examining the case and after giving the appellant an opportunity of being heard pass such order as they deem fit.
- Penalty. **7.** Whoever contravenes the provisions of this Act shall, on conviction, be punishable with imprisonment which may extend to one year, or with fine which may extend to ten thousand rupees or with both.
- Protection of action taken in good faith. **8.** No suit, prosecution or other legal proceedings shall lie against any person for anything which is in good faith done or intended to be done in pursuance of this Act or a rule or order made thereunder.
- Power to remove difficulties. **9.** If any difficulty arises in giving effect to the provisions of this Act, the Government may by order published in the *Tamil Nadu Government Gazette* make such provisions, not inconsistent with the provisions of this Act, as appear to them to be necessary or expedient for removing the difficulties.
- Operation of other laws not affected. **10.** The provisions of this Act shall be in addition to and not in derogation of any other law for the time being in force.
- Power to make rules. **11.** (1) The Government may make rules for carrying out all or any of 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 in the next session, the Legislative Assembly makes any modification in any such rule or notification or order, or the Legislative 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.

STATEMENT OF OBJECTS AND REASONS.

“Jallikattu” includes “manjuvirattu”, “Oormadu”, “Vadamadu” or “Erudhu vidum vizha”. The said function consists of taming of bulls as a part of ancient culture and tradition of the Tamils. The said tradition is in vogue for more than 400 years. At present, there is no legislation to regulate the conduct of Jallikattu, manjuvirattu, Oormadu, Vadamadu, Erudhu vidum vizha or any such activity involving the taming of bulls. The Government have, therefore, decided to bring out a legislation to regulate the conduct of the Jallikattu in the State of Tamil Nadu by prescribing norms to hold such events and to ensure the safety of animals, participants and the spectators.

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

PONGALUR N. PALANISAMY,

Minister for Rural Industries and Animal Husbandry.

MEMORANDUM REGARDING DELEGATED LEGISLATION

Clauses 1(2), 4,5,9 and 11 of the Bill authorise the Government to issue Notification or orders or to make rules, as the case may be, to carryout 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 21st July, 2009 is published together with Statement of Objects and Reasons for general information:—

L.A. BILL No. 35 OF 2009

A Bill to provide for the appropriation of moneys out of the Consolidated Fund of the State for the services and purposes 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 (No. 2) 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 commencing on the 1st day of April 2009, a sum not exceeding seventy six thousand nine hundred and forty eight crores sixty three lakhs and fifty six thousand rupees which shall be inclusive of the sum of thirty eight thousand five hundred and thirty four crores nine lakhs and fifty seven thousand rupees specified in section 2 of the Tamil Nadu Appropriation (Vote on Account) Act, 2009 being moneys required to meet—

Appropriation out of the Consolidated Fund of the State for the services and purposes of the financial year commencing on the 1st day of April 2009.

Tamil Nadu
Act 6 of
2009.

(a) the grants made by the Tamil Nadu Legislative Assembly for the year, as set forth in column (3) of the Schedule; and

(b) the 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	28,84,52,000	30,29,000	29,14,81,000
		Capital	...	...	...
		Loan	...	...	...
2	Governor and Council of Ministers	Revenue	24,20,25,000	6,34,85,000	30,55,10,000
		Capital	...	...	...
		Loan	...	...	...
3	Administration of Justice	Revenue	310,38,37,000	67,49,38,000	377,87,75,000
		Capital	...	...	...
		Loan	...	...	...
4	Adi-Dravidar and Tribal Welfare Department	Revenue	780,68,13,000	4,00,01,000	784,68,14,000
		Capital	91,67,71,000	...	91,67,71,000
		Loan	3,44,000	...	3,44,000
5	Agriculture Department	Revenue	1,744,31,58,000	3,000	1,744,31,61,000
		Capital	91,36,55,000	...	91,36,55,000
		Loan	1,000	...	1,000
6	Animal Husbandry (Animal Husbandry, Dairying and Fisheries Department)	Revenue	279,47,45,000	1,000	279,47,46,000
		Capital	1,72,40,000	...	1,72,40,000
		Loan	...	...	...
7	Fisheries (Animal Husbandry, Dairying and Fisheries Department)	Revenue	107,20,32,000	2,10,000	107,22,42,000
		Capital	32,27,86,000	...	32,27,86,000
		Loan	...	...	...
8	Dairy Development (Animal Husbandry, Dairying and Fisheries Department)	Revenue	34,31,00,000	1,000	34,31,01,000
		Capital	...	...	...
		Loan	11,31,31,000	...	11,31,31,000
9	Backward Classes, Most Backward Classes and Minorities Welfare Department	Revenue	406,09,49,000	3,000	406,09,52,000
		Capital	28,65,94,000	...	28,65,94,000
		Loan	...	...	...
10	Commercial Taxes (Commercial Taxes and Registration Department)	Revenue	261,90,60,000	1,000	261,90,61,000
		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 Capital Loan	170,82,16,000	1,000	170,82,17,000
12	Co-operation (Co-operation, Food and Consumer Protection Department)	Revenue Capital Loan	459,90,36,000 957,76,72,000 14,40,66,000	1,000	459,90,37,000 957,76,72,000 14,40,66,000
13	Food and Consumer Protection (Co-operation, Food and Consumer Protection Department)	Revenue Capital Loan	3,112,06,18,000 35,02,000 900,00,00,000	3,000	3,112,06,21,000 35,02,000 900,00,00,000
14	Energy Department	Revenue Capital Loan	1,323,35,36,000 100,00,00,000 2,000	1,000	1,323,35,37,000 100,00,00,000 2,000
15	Environment and Forests Department	Revenue Capital Loan	242,16,40,000 92,05,78,000 ...	1,000	242,16,41,000 92,05,78,000 ...
16	Finance Department	Revenue Capital Loan	477,67,44,000 ... 26,07,55,000	1,000	477,67,45,000 ... 26,07,55,000
17	Handlooms and Textiles (Handlooms, Handicrafts, Textiles and Khadi Department)	Revenue Capital Loan	533,93,32,000 ... 2,000	1,000	533,93,33,000 ... 2,000
18	Khadi, Village Industries and Handicrafts (Handlooms, Handicrafts, Textiles and Khadi Department)	Revenue Capital Loan	80,08,48,000	1,000	80,08,49,000
19	Health and Family Welfare Department	Revenue Capital Loan	3,184,83,45,000 205,86,29,000 ...	53,21,000	3,185,36,66,000 205,86,29,000 ...
20	Higher Education Department	Revenue Capital Loan	1,429,54,55,000 33,51,07,000 ...	2,000	1,429,54,57,000 33,51,07,000 ...

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.	
21	Highways and Minor Ports Department	Revenue	1,295,98,41,000	13,000	1,295,98,54,000
		Capital	3,087,24,69,000	1,000	3,087,24,70,000
		Loan	...	...	...
22	Police (Home, Prohibition and Excise Department)	Revenue	2,706,34,67,000	1,05,00,000	2,707,39,67,000
		Capital	147,19,90,000	...	147,19,90,000
		Loan	50,00,000	...	50,00,000
23	Fire and Rescue Services (Home, Prohibition and Excise Department)	Revenue	163,03,15,000	1,00,000	163,04,15,000
		Capital	2,00,01,000	...	2,00,01,000
		Loan	...	...	...
24	Prisons (Home, Prohibition and Excise Department)	Revenue	110,54,40,000	4,000	110,54,44,000
		Capital	2,000	...	2,000
		Loan	...	...	...
25	Motor Vehicles Acts-Administration (Home, Prohibition and Excise Department)	Revenue	93,31,29,000	1,000	93,31,30,000
		Capital	...	...	...
		Loan	...	...	...
26	Housing and Urban Development Department	Revenue	369,25,99,000	2,000	369,26,01,000
		Capital	874,12,33,000	...	874,12,33,000
		Loan	220,78,91,000	...	220,78,91,000
27	Industries Department	Revenue	256,26,33,000	1,000	256,26,34,000
		Capital	21,20,03,000	...	21,20,03,000
		Loan	200,00,03,000	...	200,00,03,000
28	Information and Publicity (Tamil Development, Religious Endowments and Information Department)	Revenue	42,12,64,000	...	42,12,64,000
		Capital	1,000	...	1,000
		Loan	...	...	...
29	Tourism - Art and Culture (Tourism and Culture Department)	Revenue	73,88,01,000	7,000	73,88,08,000
		Capital	24,71,57,000	...	24,71,57,000
		Loan	1,000	...	1,000
30	Stationery and Printing (Tamil Development, Religious Endowments and Information Department)	Revenue	78,14,48,000	10,02,000	78,24,50,000
		Capital	9,000	...	9,000
		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	521,37,16,000	1,000	521,37,17,000
		Capital	1,000	...	1,000
		Loan	1,000	...	1,000
32	Labour and Employment Department	Revenue	442,18,30,000	1,000	442,18,31,000
		Capital	4,47,19,000	...	4,47,19,000
		Loan	...	...	...
33	Law Department	Revenue	15,07,50,000	...	15,07,50,000
		Capital	...	...	...
		Loan	...	...	...
34	Municipal Administration and Water Supply Department	Revenue	2,767,22,26,000	1,000	2,767,22,27,000
		Capital	1,192,00,22,000	...	1,192,00,22,000
		Loan	265,74,09,000	...	265,74,09,000
35	Personnel and Administrative Reforms Department	Revenue	44,41,42,000	22,78,75,000	67,20,17,000
		Capital	1,000	...	1,000
		Loan	...	...	...
36	Planning, Development and Special Initiatives Department	Revenue	50,66,26,000	...	50,66,26,000
		Capital	17,92,52,000	...	17,92,52,000
		Loan	...	...	...
37	Prohibition and Excise (Home, Prohibition and Excise Department)	Revenue	57,50,55,000	2,000	57,50,57,000
		Capital	...	...	...
		Loan	...	...	...
38	Public Department	Revenue	234,04,83,000	7,20,000	234,12,03,000
		Capital	5,00,00,000	...	5,00,00,000
		Loan	...	...	...
39	Buildings (Public Works Department)	Revenue	150,39,77,000	1,000	150,39,78,000
		Capital	790,46,88,000	...	790,46,88,000
		Loan	...	...	...
40	Irrigation (Public Works Department)	Revenue	819,94,55,000	4,000	819,94,59,000
		Capital	957,12,78,000	6,00,03,000	963,12,81,000
		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.	
41	Revenue Department	Revenue	2,146,16,82,000	2,000	2,146,16,84,000
		Capital	269,97,71,000	...	269,97,71,000
		Loan	...	...	...
42	Rural Development and Panchayat Raj Department	Revenue	4,504,92,49,000	1,000	4,504,92,50,000
		Capital	1,160,12,53,000	...	1,160,12,53,000
		Loan	...	...	...
43	School Education Department	Revenue	8,885,28,12,000	21,000	8,885,28,33,000
		Capital	262,24,67,000	...	262,24,67,000
		Loan	5,50,000	...	5,50,000
44	Micro, Small and Medium Enterprises Department	Revenue	97,82,89,000	1,000	97,82,90,000
		Capital	6,000	...	6,000
		Loan	1,000	...	1,000
45	Social Welfare and Nutritious Meal Programme Department	Revenue	2,167,42,55,000	1,000	2,167,42,56,000
		Capital	3,000	...	3,000
		Loan	...	...	...
46	Tamil Development (Tamil Development Religious Endowments and Information Department)	Revenue	26,28,84,000	6,000	26,28,90,000
		Capital	...	...	...
		Loan	...	...	...
47	Hindu Religious and Charitable Endowments (Tamil Development, Religious Endowments and Information Department)	Revenue	49,69,33,000	1,00,60,000	50,69,93,000
		Capital	2,22,16,000	...	2,22,16,000
		Loan	...	...	...
48	Transport Department	Revenue	347,99,53,000	2,000	347,99,55,000
		Capital	125,15,77,000	...	125,15,77,000
		Loan	125,00,00,000	...	125,00,00,000
49	Youth Welfare and Sports Development Department	Revenue	54,25,24,000	1,000	54,25,25,000
		Capital	4,000	...	4,000
		Loan	2,50,00,000	...	2,50,00,000
50	Pension and Other Retirement Benefits	Revenue	9,861,95,00,000	31,08,000	9,862,26,08,000
		Capital	...	...	...
		Loan	...	...	...

Services and purposes (2)		Sums not exceeding		Total (5) Rs.
		Voted by the Legislative Assembly (3) Rs.	Charged on the Consolidated Fund of the State (4) Rs.	
Relief on account of Natural Calamities	Revenue	250,01,91,000	...	250,01,91,000
	Capital	...	...	...
	Loan	...	...	...
<i>Debt Charges</i>	Revenue	...	6,805,04,11,000	6,805,04,11,000
	Capital	...	...	...
	Loan	...	...	...
<i>Public Debt-Repayment</i>	Revenue	...	...	...
	Capital	...	...	...
	Loan	...	4,013,32,74,000	4,013,32,74,000
Total	Revenue	53,675,34,10,000	6,909,08,54,000	60,584,42,64,000
	Capital	10,578,46,57,000	6,00,04,000	10,584,46,61,000
	Loan	1,766,41,57,000	4,013,32,74,000	5,779,74,31,000
Grand Total		66,020,22,24,000	10,928,41,32,000	76,948,63,56,000

STATEMENT OF OBJECTS AND REASONS.

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

- (a) the grants made by the Tamil Nadu Legislative Assembly for the financial year commencing on the 1st day of April 2009; and
- (b) the expenditure charged on the said Fund for that year.

K. ANBAZHAGAN,
Minister for Finance.

M. SELVARAJ,
Secretary.