

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 February, 2024 is published together with Statement of Objects and Reasons for general information:—

L.A Bill No. 10 of 2024

***A BILL FURTHER TO AMEND THE TAMIL NADU TRANSPARENCY
IN TENDERS ACT, 1998.***

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

1. (1) This Act may be called the Tamil Nadu Transparency in Tenders (Amendment) Act, 2024.

Short title and commencement

(2) It shall come into force at once.

Tamil Nadu Act
43 of 1998.

2. In section 16 of the Tamil Nadu Transparency in Tenders Act, 1998 for clause (bb), the following clause shall be substituted, namely:—

Amendment of
Section 16

“(bb) of a service, other than operations and maintenance, project or facility management, supervision, supply of manpower, outsourcing of tasks, leasing of machinery, equipment or vehicles and insurance, from relevant academic or research or non-commercial organisations, as may be notified by the Government, subject to the condition that each instance of such procurement shall be made after obtaining the prior approval of the Committee comprising of the Secretary to Government of the department concerned, Secretary to Government, Finance department or his representative, the Chief Executive Officer or the head of the procuring entity and a technical representative of the procuring entity;”.

STATEMENT OF OBJECTS AND REASONS.

Clause (bb) of section 16 of the Tamil Nadu Transparency in Tenders Act, 1998 (Tamil Nadu Act 43 of 1998) provides that where the Government by notification, upon recommendation of the Committee referred therein, declare any particular instance of procurement of a service, the provisions of sections 9 and 10 of that Act shall not apply to that procurement. It is considered that the declaration under the aforesaid clause (bb) may be confined to procurement of service from academic or research or non-commercial organisations alone. It is also considered that in order to facilitate such procurements, it would be appropriate to notify the organisations in the first instance and thereafter the procuring entities can procure services from the said notified organisations with the prior approval of the Committee in each instance of such procurement so that issuance of multiple notifications in respect of procurements from an organisation can be avoided.

2. The Government have therefore decided to amend the said Tamil Nadu Act 43 of 1998 suitably for the above purpose.

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

THANGAM THENARASU,
*Minister for Finance and
Human Resources Management.*

MEMORANDUM REGARDING DELEGATED LEGISLATION

Clause 2 of the Bill empowers the Government to issue notification for the purpose specified therein.

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

THANGAM THENARASU,
*Minister for Finance and
Human Resources Management.*

Secretariat,
Chennai-600 009,
21st February 2024.

K. SRINIVASAN,
Principal Secretary.