

TRIPURA GAZETTE



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PART--IV-- Bills introduced in the Tripura Legislative Assembly : Report of Selection Committees presented or to be presented to the Assembly; and Bills published before introduction in that Assembly.

**TRIPURA LEGISLATIVE ASSEMBLY
SECRETARIAT
NEW CAPITAL COMPLEX
AGARTALA, TRIPURA, PIN-799010**

No.F.7(13-21)-LA/2024/566

Dated, Agartala, the 2nd March, 2024.

NOTIFICATION

"As required under Rule 117 of the Rules of Procedure and Conduct of Business in the Tripura Legislative Assembly, 'The Tripura Public Demand Recovery (Amendment) Bill, 2024 (The Tripura Bill No. 3 of 2024)' as introduced in the Assembly on the 1st March, 2024 to be published in the Tripura Gazette."

15-02-03-2024
(B. Majumder)

Secretary
Tripura Legislative Assembly

**THE TRIPURA PUBLIC DEMAND RECOVERY
(AMENDMENT) BILL, 2024**

A

BILL

to amend the Tripura Public Demand Recovery Act, 2000 (Tripura Act No.7 of 2000)

WHEREAS, decriminalization of minor offences is one of the thrust areas of the Government for the purpose of achieving the goal in ease of doing business.

AND WHEREAS, Criminal penalties including imprisonment for minor offences is perceived as one of the major reasons impacting smooth entrepreneurship and hindering investments,

AND WHEREAS, decriminalization of provision of imprisonment for minor violations for enhancing ease of doing business and ease of living for citizens, State Government is desirous to amend “The Tripura Public Demand Recovery Act, 2000”.

BE it enacted by the Tripura Legislative Assembly in the seventy-fifth year of the Republic of India as follows :-

1. Short title and commencement:

- (1). This Act may be called “The Tripura Public Demand Recovery (Amendment) Act, 2024”,
- (2). It shall come into force on the date of its publication in the Tripura Gazette.

2. Amendment of Section 31:

- (1). In clause (a) of sub-section (1) of Section 31 of the Tripura Public Demand Recovery Act, 2000 (hereinafter called as the Principal Act), the expression “Rs.5,000/- (Rupees five thousand)” shall be substituted with the expression “Rs.50,000/- (Rupees fifty thousand)” and the expression “from six months to two years” shall be substituted with “to two months”.
- (2). In clause (b) of sub-section (1) of Section 31 of the Principal Act, the expression “three months” shall be substituted with “one month”.

Statement of Objects and Reasons

To provide for the speedy recovery of Public Demand in the State, the Tripura Legislative Assembly has enacted “The Tripura Public Demand Recovery Act, 2000”.

Now, Govt. of India, Ministry of Finance, Department of Financial Services has stated that decriminalization of minor offences is one of the thrust areas of the Government. The ensuing uncertainty in legal processes and the time taken for resolution in the courts hurts ease of doing business. Criminal penalties including imprisonment for minor offences act as deterrents, and this is perceived as one of the major reasons impacting business sentiment and hindering investments.

Therefore, State Government has proposed to amend “the Tripura Public Demand Recovery Act, 2000” to decriminalize of provision of imprisonment for minor violations for enhancing ease of doing business and ease of living for citizens.

In the said Amendment Act, the certificate for a demand has been extended an amount exceeding Rs.50,000/- in place of exceeding Rs.5,000/-i.e. decriminalization has been done up to Rs.50,000/- and exceeding Rs.50,000/- maximum imprisonment would be 2(two) months and 1 (one) month only in place of from 6(six) months to 2(two) years and 3(three) months respectively.

The Bill seeks to amend the “Tripura Public Demand Recovery Act, 2000”.

(Pranajit Singha Roy)
Minister-in-Charge,
Finance Department

Tripura Gazette, Extraordinary Issue, March 4, 2024 A. D.

Financial Memorandum

The Bill if enacted and brought into force shall not involve any expenditure from the Consolidated Fund of the State.

(Apurba Roy)
Secretary, Finance

Technical Report

The subject matter of the Bill is relatable to Entry 20 of the Concurrent List (List – III) of seventh schedule to the Constitution of India and therefore the State Legislature is competent to make amendment on this subject. Since decriminalization of minor offences is one of the thrust areas of the Government and criminal penalties including imprisonment for minor offences act as deterrents and this is perceived as one of the major reasons impacting business sentiment and hindering investments, the Govt. of Tripura has decided to amend “The Tripura Public Demand Recovery Act, 2000”

It is not a Money Bill within the meaning of Article 199 of the Constitution, nor it involves any additional expenditure on the Consolidated Fund of the State and as such recommendation of the Governor under Article 207(1) or 207(3) is not required for introduction or moving the Bill in the Legislative Assembly. The Bill does not attract proviso to clause (b) of Article 304 of the Constitution of India and therefore it shall not require previous sanction of the President of India for introduction or moving of the Bill in the State Legislature.

(Sanjoy Bhattacharjee)
Secretary, Law