

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 8th January 2010 is published together with Statement of Objects and Reasons for general information;—

L.A. BILL No. 6 OF 2010

A Bill further to amend the Tamil Nadu Entertainments Tax Act, 1939.

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. (1) This Act may be called the Tamil Nadu Entertainments Tax (Amendment) Act, 2010.

Short title and commencement.

(2) It shall be deemed to have come into force on the 6th day of January 1993.

Tamil Nadu Act
X of 1939.

2. In section 3 of the Tamil Nadu Entertainments Tax Act, 1939, in clause (7), for sub-clause (d), the following shall be substituted, namely:—

Amendment of section 3.

“(d) any payment deemed to have been made under sub-section (1-A) of section 4 in respect of any taxable complimentary ticket,

but shall not include such maintenance charge which the licensee of cinematograph exhibition is permitted to collect, by order of the Government, from time to time, under the Tamil Nadu Cinemas Regulation Act, 1955 (Tamil Nadu Act IX of 1955) and collected by the said licensee:

Provided that such maintenance charge shall be printed on the tickets.”

Tamil Nadu Act
39 of 1995.

3. The Tamil Nadu Entertainments Tax (Second Amendment) Act, 1995 and section 2 of the Tamil Nadu Entertainments Tax (Amendment) Act, 2004 are hereby repealed.

Repeal.

Tamil Nadu Act
38 of 2004.

4. All amounts collected by the licensees of cinematograph exhibition as maintenance charge, in accordance with the orders issued by the State Government during the period commencing from the 6th day of January 1993 and ending with the date of publication of the Tamil Nadu Entertainments Tax (Amendment) Act, 2010, shall not be included in the payment for admission for the purpose of determining the amount of tax payable under the Tamil Nadu Entertainments Tax Act, 1939.

Saving.

Tamil Nadu Act
X of 1939.

STATEMENT OF OBJECTS AND REASONS

The Government on the representation made by theatre owners, have issued orders enabling the licensee of the theatres to collect maintenance charges at various rates from time to time with effect from 6th day of January 1993 and to the effect that such maintenance charges will not be subject to the levy of Entertainment tax but it will be indicated separately in the ticket issued for admission in cinema theatres. To give effect to the above orders, the Tamil Nadu Entertainments Tax Act, 1939 (Tamil Nadu Act X of 1939) was amended by Tamil Nadu Entertainments Tax (Second Amendment) Act, 1995 (Tamil Nadu Act 39 of 1995) and the Tamil Nadu Entertainments Tax (Amendment) Act, 2004 (Tamil Nadu Act 38 of 2004). But, the said Tamil Nadu Act 39 of 1995 was not brought into force. In view of this, the subsequent amendment made by Tamil Nadu Act 38 of 2004 cannot be incorporated in the said Tamil Nadu Act X of 1939. The Government have, therefore, decided to set right the position by amending the said Tamil Nadu Act X of 1939, suitably.

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

S.N.M. UBAYADULLAH,
Minister for Commercial Taxes.

M. SELVARAJ,
Secretary.