

THE SREE PANDARAVAKA LANDS (VESTING AND  
ENFRANCHISEMENT) AMENDMENT BILL, 2011

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*BILL*

*further to amend the Sree Pandaravaka Lands (Vesting and Enfranchisement) Act, 1971.*

*Preamble.*—WHEREAS, it is expedient further to amend the Sree Pandaravaka Lands (Vesting and Enfranchisement) Act, 1971, for the purposes hereinafter appearing ;

BE it enacted in the Sixty-second Year of the Republic of India as follows :—

1. *Short title and commencement.*—(1) This Act may be called the Sree Pandaravaka Lands (Vesting and Enfranchisement) Amendment Act, 2011.

(2) It shall come into force at once.

2. *Insertion of new section 6A.*—After section 6 of the Sree Pandaravaka Lands (Vesting and Enfranchisement) Act, 1971 (20 of 1971), the following section shall be inserted, namely :—

“6A. *Revision of annuity.*—The Government shall, in consultation with the Commissioner of Land Revenue and in the manner as may be prescribed, revise the annuity payable under section 6, with effect from the date of commencement of the Sree Pandaravaka Lands (Vesting and Enfranchisement) Amendment Act, 2011, to thrice the amount and thereafter at the expiration of every five years, enhance the annuity as so revised by twenty-five per cent.”.

STATEMENT OF OBJECTS AND REASONS

The Sree Pandaravaka Lands (Vesting and Enfranchisement) Act, 1971 does not contain provision for periodical revision of annuity to Sree Padmanabha Swamy Temple which is determined by section 6 of the Act. It has been proposed to revise the annuity in accordance with the rise in prices of the commodities. As per section 6 of the Sree Pandaravaka Lands (Vesting and Enfranchisement) Act, 1971, the annuity fixed to Sree Padmanabha Swamy Temple is Rs. 58,500 (Rupees fifty eight thousand and five hundred only).

The Government have decided to enhance the annuity being paid to Sree Padmanabha Swamy Temple to thrice the amount determined under section 6 of the Act and also to enhance the annuity as so revised by twenty five per cent at the expiration of every five years thereafter.

2. The Bill seeks to achieve the above object.

#### FINANCIAL MEMORANDUM

The annuity payable to Sree Padmanabha Swamy Temple as per sub-section (1) of section 6 of the Sree Pandaravaka Lands (Vesting and Enfranchisement) Act, 1971 is Rs. 58,500. This amount is being paid to the temple every year as provided in sub-section (2) of section 6 of the Act. If the amendment proposed is brought into force, the commitment would be Rs. 1,75,500 (Rupees one lakh seventy five thousand and five hundred only) per year for the first five years and thereafter there will be an enhancement of Rs. 43,875 (Rupees forty three thousand eight hundred and seventy five only) for every five years, being twenty five per cent of the revised amount. Since the annuity is to be revised after every five years by twenty five per cent of the revised amount, the financial commitment would increase in the long run. The financial commitment for the first ten years is worked out as Rs. 19,74,375 (Rupees nineteen lakhs seventy four thousand three hundred and seventy five only) and the additional or extra commitment would be Rs. 13,89,375 (Rupees thirteen lakhs eighty nine thousand three hundred and seventy five only) by implementation of this amendment.

#### MEMORANDUM REGARDING DELEGATED LEGISLATION

Section 6A proposed to be incorporated by clause 2 of the Bill inter alia seeks to empower the Government to make rules for revising the annuity determined under section 6.

The matters in respect of which rules may be made are matters of procedure and are of routine or administrative nature. Further, the rules, after they are made, are subject to scrutiny by the Legislative Assembly. The delegation of Legislative power is, therefore, of a normal character.

THIRUVANCHOOR RADHAKRISHNAN

#### EXTRACT FROM THE RELEVANT PORTIONS OF THE SREE PANDARAVAKA LANDS (VESTING AND ENFRANCHISEMENT) ACT, 1971 (20 OF 1971)

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6. *Compensation to the Temple.*—(1) The Government shall by way of compensation for the extinguishment of the rights, title and interest of the Temple under clause (a) of sub-section (1) of section 3 and for the vesting in the Government of its rights, title and interest in Sree Pandaravaka Thanathu lands and of buildings under clauses (b) and (c) of that sub-section pay in perpetuity to the Temple every financial year beginning with the financial year in which the appointed day falls, an amount of fifty-eight thousand and five hundred rupees as annuity.

(2) The annuity payable under sub-section (1) shall be paid in one lump every financial year on such date and in such manner as may be prescribed.

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**Thirteenth Kerala Legislative Assembly**

**Bill No. 34**

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