



TAMIL NADU GOVERNMENT GAZETTE

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Part IV—Section 1

Tamil Nadu Bills

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**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 12th November, 2010 is published together with Statement of Objects and Reasons for general information:—

L.A. BILL No. 40 OF 2010

A Bill further to amend the Tamil Nadu Fiscal Responsibility Act, 2003.

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

Short title and commencement.

1. (1) This Act may be called the Tamil Nadu Fiscal Responsibility (Second Amendment) Act, 2010.

(2) It shall come into force on such date as the State Government may, by notification, appoint.

Amendment of section 4.

2. In sub-section (2) of section 4 of the Tamil Nadu Fiscal Responsibility Act, 2003,—

(1) in clause (a), for the expression “to a level below five per cent by 31st March 2008, eliminate revenue deficit by 2010-2011”, the expression “beginning from financial year 2002-2003 to a level not exceeding five per cent by 31st March 2011, eliminate revenue deficit by 2011-2012” shall be substituted;

(2) in clause (b), for the expression “31st March 2011”, the expression “31st March 2012” shall be substituted.

Tamil Nadu
Act
16 of 2003.

STATEMENT OF OBJECTS AND REASONS

It is proposed to amend the Tamil Nadu Fiscal Responsibility Act, 2003 (Tamil Nadu Act 16 of 2003) to avail the benefit of interest relief on National Small Savings Fund and write-off of outstanding loans from Government of India administered by ministries other than Ministry of Finance as recommended by the Thirteenth Finance Commission during its award period of 2010-2015.

2. The Bill seeks to achieve the above object.

K. ANBAZHAGAN,
Minister for Finance.

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 12th November, 2010 is published together with Statement of Objects and Reasons for general information:—

L.A. BILL No. 41 OF 2010

A Bill further to amend the laws relating to the Municipal Corporations and the Municipalities in the State of Tamil Nadu.

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

PART – I

PRELIMINARY.

1. (1) This Act may be called the Tamil Nadu Municipal Laws (Amendment) Act, 2010.

Short title and commencement.

(2) It shall be deemed to have come into force on the 29th day of October 2010.

PART – II

AMENDMENTS TO THE CHENNAI CITY MUNICIPAL CORPORATION ACT, 1919.

Tamil Nadu
Act IV of
1919.

2. In section 3 of the Chennai City Municipal Corporation Act, 1919 (hereafter in this Part referred to as the 1919 Act),—

Amendment of section 3.

(i) after clause (2), the following clause shall be inserted, namely:—

“(2-A) “area sabha” means, in relation to an area, the body of all the persons registered in the electoral rolls pertaining to all polling booths in the area;”;

(ii) for clause (26-B), the following clauses shall be substituted, namely:—

(26-B) “ward committee” means the ward committee referred to in section 5-C;

(26-BB) “wards committee” means the wards committee referred to in section 5-A;”.

3. After section 5-B of the 1919 Act, the following sections shall be inserted, namely:—

Insertion of new sections 5-C, 5-D, 5-E, 5-F, 5-G and 5-H.

“5-C. *Constitution of Ward Committee.*—(1) There shall be constituted by the council, a ward committee for each ward within the municipal area.

(2) Each ward committee shall consist of the councillor of the Corporation representing the ward and as many number of nominated members as may be prescribed, from among the persons registered in the electoral rolls of the ward and nominated by the council.

(3) The number of, qualification for, the nominated members and the procedure of nomination shall be such as may be prescribed.

5-D. *Term of office of Chairperson of Ward Committee.*—(1) The councillor representing the ward in the Corporation shall be the chairperson of that committee.

(2) The chairperson shall vacate the office as soon as he ceases to be a councillor.

5-E. *Functions and Duties of Ward Committee.*—(1) The functions and duties of the ward committee, and the procedure to be adopted by such committee for transaction of its business shall be such as may be prescribed.

(2) The duration of the ward committee shall be co-extensive with the duration of the council.

5-F. Constitution of Area Sabha.—(1) There shall be constituted by the council, an area sabha for each area in a ward in the municipal area.

(2) Each ward shall consist of such number of area sabhas not exceeding ten, as may be prescribed.

(3) An area sabha shall comprise of the entire geographical territory in which all the persons registered in the electoral rolls pertaining to one or more polling booths in such territory are ordinarily resident.

(4) Each area sabha shall consist of the elected councillor of the ward and all the persons registered in the electoral rolls of the area.

5-G. Term of office of Chairperson of Area Sabha.—(1) The councillor of the ward shall be chairperson and convener of the area sabha.

(2) The duration of the area sabha shall be co-extensive with the duration of the council.

5-H. Functions and Duties of Area Sabha.—The functions and duties of the area sabha, and the procedure to be adopted for transaction of its business shall be such as may be prescribed.”.

PART – III

AMENDMENTS TO THE MADURAI CITY MUNICIPAL CORPORATION ACT, 1971.

Amendment of section 2.

4. In section 2 of the Madurai City Municipal Corporation Act, 1971 (hereafter in this Part referred to as the 1971 Act),-

(i) after clause (2), the following clause shall be inserted, namely:-

“(2-A) “area sabha” means, in relation to an area, the body of all the persons registered in the electoral rolls pertaining to all polling booths in the area;”;

(ii) for clause (42-A), the following clauses shall be substituted, namely:-

“(42-A) “ward committee” means the ward committee referred to in section 5-C;

(42-AA) “wards committee” means the wards committee referred to in section 5-A;”.

Insertion of new sections 5-C, 5-D, 5-E, 5-F, 5-G and 5-H.

5. After section 5-B of the 1971 Act, the following sections shall be inserted, namely:-

“5-C. Constitution of Ward Committee.- (1) There shall be constituted by the council, a ward committee for each ward within the municipal area.

(2) Each ward committee shall consist of the councillor of the Corporation representing the ward and as many number of nominated members as may be prescribed, from among the persons registered in the electoral rolls of the ward and nominated by the council.

(3) The number of, qualification for, the nominated members and the procedure of nomination shall be such as may be prescribed.

5-D. Term of office of Chairperson of Ward Committee.—(1) The councillor representing the ward in the Corporation shall be the chairperson of that committee.

(2) The chairperson shall vacate the office as soon as he ceases to be a councillor.

5-E. Functions and Duties of Ward Committee.-(1) The functions and duties of the ward committee, and the procedure to be adopted by such committee for transaction of its business shall be such as may be prescribed.

(2) The duration of the ward committee shall be co-extensive with the duration of the council.

Tamil Nadu Act 15 of 1971.

5-F. Constitution of Area Sabha.—(1) There shall be constituted by the council, an area sabha for each area in a ward in the municipal area.

(2) Each ward shall consist of such number of area sabhas not exceeding ten, as may be prescribed.

(3) An area sabha shall comprise of the entire geographical territory in which all the persons registered in the electoral rolls pertaining to one or more polling booths in such territory are ordinarily resident.

(4) Each area sabha shall consist of the elected councillor of the ward and all the persons registered in the electoral rolls of the area.

5-G. Term of office of Chairperson of Area Sabha.—(1) The councillor of the ward shall be chairperson and convener of the area sabha.

(2) The duration of the area sabha shall be co-extensive with the duration of the council.

5-H. Functions and Duties of Area Sabha.—The functions and duties of the area sabha, and the procedure to be adopted for transaction of its business shall be such as may be prescribed.”.

PART – IV

AMENDMENTS TO THE COIMBATORE CITY MUNICIPAL CORPORATION ACT, 1981.

Tamil Nadu Act
25 of 1981.

6. In section 2 of the Coimbatore City Municipal Corporation Act, 1981 (hereafter in this Part referred to as the 1981 Act),-

Amendment of
section 2.

(i) after clause (2), the following clause shall be inserted, namely:-

“(2-A) “area sabha” means, in relation to an area, the body of all the persons registered in the electoral rolls pertaining to all polling booths in the area;”;

(ii) for clause (42-A), the following clauses shall be substituted, namely:-

“(42-A) “ward committee” means the ward committee referred to in section 5-C;

(42-AA) “wards committee” means the wards committee referred to in section 5-A;”.

7. After section 5-B of the 1981 Act, the following sections shall be inserted, namely:-

“5-C. Constitution of Ward Committee.- (1) There shall be constituted by the council, a ward committee for each ward within the municipal area.

(2) Each ward committee shall consist of the councillor of the Corporation representing the ward and as many number of nominated members as may be prescribed, from among the persons registered in the electoral rolls of the ward and nominated by the council.

(3) The number of, qualification for, the nominated members and the procedure of nomination shall be such as may be prescribed.

5-D. Term of office of Chairperson of Ward Committee.—(1) The councillor representing the ward in the Corporation shall be the chairperson of that committee.

(2) The chairperson shall vacate the office as soon as he ceases to be a councillor.

5-E. Functions and Duties of Ward Committee.—(1) The functions and duties of the ward committee, and the procedure to be adopted by such committee for transaction of its business shall be such as may be prescribed.

(2) The duration of the ward committee shall be co-extensive with the duration of the council.

5-F. Constitution of Area Sabha.- (1) There shall be constituted by the council, an area sabha for each area in a ward in the municipal area.

Insertion of
new
sections
5-C, 5-D, 5-E,
5-F, 5-G and
5-H.

(2) Each ward shall consist of such number of area sabhas not exceeding ten, as may be prescribed.

(3) An area sabha shall comprise of the entire geographical territory in which all the persons registered in the electoral rolls pertaining to one or more polling booths in such territory are ordinarily resident.

(4) Each area sabha shall consist of the elected councillor of the ward and all the persons registered in the electoral rolls of the area.

5-G. Term of office of Chairperson of Area Sabha.—(1) The councillor of the ward shall be chairperson and convener of the area sabha.

(2) The duration of the area sabha shall be co-extensive with the duration of the council.

5-H. Functions and Duties of Area Sabha.—The functions and duties of the area sabha, and the procedure to be adopted for transaction of its business shall be such as may be prescribed.”.

PART – V

AMENDMENTS TO THE TAMIL NADU DISTRICT MUNICIPALITIES ACT, 1920.

Amendment of section 3.

8. In section 3 of the Tamil Nadu District Municipalities Act, 1920 (hereafter in this Part referred to as the 1920 Act),-

Tamil Nadu Act V of 1920.

(i) after clause (2), the following clause shall be inserted, namely:-

“(2-A) “area sabha” means, in relation to an area, the body of all the persons registered in the electoral rolls pertaining to all polling booths in the area;”;

(ii) for clause (29-B), the following clauses shall be substituted, namely:-

“(29-B) “ward committee” means the ward committee referred to in section 24-C;

(29-BB) “wards committee” means the wards committee referred to in section 24-B;”.

Insertion of new sections 24-C, 24-D, 24-E, 24-F, 24-G and 24-H.

9. After section 24-B of the 1920 Act, the following sections shall be inserted, namely:—

“24-C. Constitution of Ward Committee.—(1) There shall be constituted by the Municipal Council, a ward committee for each ward within the territorial area of the municipality.

(2) Each ward committee shall consist of the councillor representing the ward in the municipality and as many number of nominated members as may be prescribed, from among the persons registered in the electoral rolls of the ward and nominated by the Municipal Council.

(3) The number of, qualification for, the nominated members and the procedure of nomination shall be such as may be prescribed.

24-D. Term of office of Chairperson of Ward Committee.—(1) The councillor representing the ward in the municipality shall be the chairperson of that committee.

(2) The chairperson shall vacate the office as soon as he ceases to be a councillor.

24-E. Functions and Duties of Ward Committee.—(1) The functions and duties of the ward committee, and the procedure to be adopted by such committee for transaction of its business shall be such as may be prescribed.

(2) The duration of the ward committee shall be co-extensive with the duration of the Municipal Council.

24-F. Constitution of Area Sabha.—(1) There shall be constituted by the Municipal Council, an area sabha for each area in a ward in the municipality.

(2) Each ward shall consist of such number of area sabhas, not exceeding five, as may be prescribed.

(3) An area sabha shall comprise of the entire geographical territory in which all the persons registered in the electoral rolls pertaining to one or more polling booths in such territory are ordinarily resident.

(4) Each area sabha shall consist of the elected councillor of the ward and all the persons registered in the electoral rolls of the area.

24-G. Term of office of Chairperson of Area Sabha.—(1) The councillor of the ward shall be chairperson and convener of the area sabha.

(2) The duration of the area sabha shall be co-extensive with the duration of the Municipal Council.

24-H. Functions and Duties of Area Sabha.—The functions and duties of the area sabha, and the procedure to be adopted for transaction of its business shall be such as may be prescribed.”.

Tamil Nadu
Ordinance
6 of 2010.

10. (1) The Tamil Nadu Municipal Laws (Amendment) Ordinance, 2010 is hereby repealed.

Repeal and
Saving.

Tamil Nadu
Act
IV of 1919.
Tamil Nadu
Act
15 of 1971.
Tamil Nadu
Act
25 of 1981.
Tamil Nadu
Act
V of 1920.
Tamil Nadu
Act
IV of 1919.
Tamil Nadu
Act
15 of 1971.
Tamil Nadu
Act
25 of 1981.
Tamil Nadu
Act
V of 1920

(2) Notwithstanding such repeal, anything done or any action taken under the Chennai City Municipal Corporation Act, 1919, the Madurai City Municipal Corporation Act, 1971, the Coimbatore City Municipal Corporation Act, 1981 and the Tamil Nadu District Municipalities Act, 1920, as amended by the said Ordinance, shall be deemed to have been done or taken under the Chennai City Municipal Corporation Act, 1919, the Madurai City Municipal Corporation Act, 1971, the Coimbatore City Municipal Corporation Act, 1981 and the Tamil Nadu District Municipalities Act, 1920, as amended by this Act.

STATEMENT OF OBJECTS AND REASONS.

In order to strengthen the Municipal Governments and institutionalize citizens' participation in municipal functions, it has been decided to empower the councils of Municipal Corporations and municipal councils to constitute a Ward Committee for each ward of the Urban Local Bodies with the elected councillor as the chairperson of the said committee with members nominated by the council. It has also been decided to empower the councils of Municipal Corporations and municipal councils to constitute an Area Sabha for each area of the ward with the elected councillor of the ward, to be the chairperson and convener of the Area Sabha. It has been decided to amend the Tamil Nadu District Municipalities Act, 1920 (Tamil Nadu Act V of 1920), the Chennai City Municipal Corporation Act, 1919 (Tamil Nadu Act IV of 1919), the Madurai City Municipal Corporation Act, 1971 (Tamil Nadu Act 15 of 1971) and the Coimbatore City Municipal Corporation Act, 1981 (Tamil Nadu Act 25 of 1981) suitably for the above purpose. Accordingly, the Tamil Nadu Municipal Laws (Amendment) Ordinance, 2010 (Tamil Nadu Ordinance 6 of 2010) was promulgated by the Governor on the 28th October 2010 and the same was published in the *Tamil Nadu Government Gazette* Extraordinary, dated the 29th October 2010.

2. The Bill seeks to replace the said Ordinance.

M.K. STALIN,
Deputy Chief Minister.

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 12th November, 2010 is published together with Statement of Objects and Reasons for general information:—

L.A. BILL No. 42 OF 2010

A Bill to provide for the establishment of a Unified Metropolitan Transport Authority for Chennai Metropolitan Planning Area and for matters connected therewith and incidental thereto.

WHEREAS there are many agencies involved in planning, operating and managing transportation system in Chennai Metropolitan Planning Area;

AND WHEREAS proper co-ordination and streamlining the activities among such agencies is necessary in order to utilize the available infrastructure facilities and resources for development;

NOW, THEREFORE, the State Government decided to establish a Unified Metropolitan Transport Authority for the above purposes;

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

1. (1) This Act may be called the Chennai Unified Metropolitan Transport Authority Act, 2010.

Short title, extent and commencement.

(2) It extends to the whole of Chennai Metropolitan Planning Area.

(3) It shall come into force on such date as the Government may, by notification, appoint.

2. In this Act, unless the context otherwise requires, —

Definitions.

(a) "Authority" means the Chennai Unified Metropolitan Transport Authority established under section 3;

(b) "Government" means the State Government;

(c) "prescribed" means prescribed by rules;

(d) words and expressions used but not defined in this Act shall have the meanings assigned to them in the Tamil Nadu Town and Country Planning Act, 1971.

3. (1) There shall be established an Authority by the name "the Chennai Unified Metropolitan Transport Authority".

Establishment of Chennai Unified Metropolitan Transport Authority.

(2) The Authority shall be a body corporate having perpetual succession and a common seal and shall sue and be sued by the said name.

4. (1) The Authority shall consist of the following members, namely:-

Composition of the Authority.

(a) Minister in-charge of Transport, who shall be the Chairman, *ex-officio*;

(b) Chief Secretary to the Government, who shall be the Vice-Chairman, *ex-officio*;

(c) Vice-Chairman of the Chennai Metropolitan Development Authority, who shall be the Vice-Chairman, *ex-officio*;

(d) Secretary to Government, Transport Department, *ex-officio*;

(e) Secretary to Government, Finance Department, *ex-officio*;

(f) Secretary to Government, Housing and Urban Development Department, *ex-officio*;

(g) Secretary to Government, Highways Department, *ex-officio*;

(h) Secretary to Government, Home Department, *ex-officio*;

(i) Secretary to Government, Municipal Administration and Water Supply Department, *ex-officio*;

(j) Commissioner of Police, Greater Chennai, *ex-officio*;

(k) Commissioner, Chennai City Municipal Corporation, *ex-officio*;

(l) Transport Commissioner, *ex-officio*;

(m) Member-Secretary of the Chennai Metropolitan Development Authority, *ex-officio*;

(n) General Manager, Southern Railway, Chennai, *ex-officio*;

(o) Divisional Railway Manager, Chennai Division, Southern Railway, Chennai, *ex-officio*;

(p) Managing Director, Metropolitan Transport Corporation (Chennai) Limited, Chennai, *ex-officio*;

(q) Managing Director, Chennai Metro Rail Limited, Chennai, *ex-officio*;

(r) One eminent traffic and transportation expert nominated by the Government.

(2) The Authority may co-opt not more than three additional members in accordance with such procedure and terms and conditions as may be prescribed.

(3) When the Chairman of the Authority is unable to discharge the functions owing to absence, illness or any other cause, one of the two Vice-Chairmen, senior by rank, shall discharge the functions of the Chairman until the Chairman assumes charge of his functions.

Disqualification for membership of the Authority.

5. A person shall be disqualified for being nominated or co-opted as a member of the Authority or for being such member, if—

(a) he is of unsound mind;

(b) he is an applicant to be adjudicated as insolvent or is an un-discharged insolvent;

(c) he has been sentenced for any offence involving moral turpitude, punishable under any law with imprisonment, such sentence not having been annulled and a period of five years has not elapsed from the date of expiration of the sentence;

(d) he incurs such other disqualification as may be prescribed.

Terms and conditions of service of nominated member.

6. (1) The nominated member shall hold office for a term of three years and shall be eligible for re-nomination for a further term of three years:

Provided that for the purpose of this sub-section, a person who has held office as a nominated member in a casual vacancy for a period of not less than one year shall be deemed to have held office for a full term of three years.

(2) The nominated member may, by writing under his hand addressed to the Government, resign his office but he shall continue to hold office until his resignation is accepted by the Government.

(3) Subject to the provisions of this section, the terms and conditions of service of the nominated member shall be such as may be prescribed.

Removal from membership of the Authority.

7. If, at any time, it appears to the Government that a nominated or co-opted member has shown to be unsuitable for office or has been guilty of misconduct or neglect which renders his removal expedient, the Government may, after giving such nominated or co-opted member, a reasonable opportunity of showing cause, by an order, remove such nominated or co-opted member, from the office.

Filling up of casual vacancy.

8. If a casual vacancy occurs in the office of a nominated member, either by reason of death, resignation, removal or otherwise, such vacancy shall be filled up, as soon as may be, by the Government and such nominated member shall hold office only for the remainder of the term for which the person whose place he fills would have been a nominated member.

Member-Secretary and employees of the Authority.

9. (1) The Chief Urban Planner (Transport), Chennai Metropolitan Development Authority shall be the Member-Secretary of the Authority.

(2) The Authority may appoint such number of officers and employees as it considers necessary for the efficient performance of its functions.

(3) The term of office and the terms and conditions of service of the Member-Secretary, officers and employees of the Authority shall be such as may be prescribed.

10. (1) The Authority shall oversee, coordinate, promote and monitor the implementation of various traffic and transportation measures including promoting the cause of public mass passenger transport systems and regulating their operations, besides implementation of certain traffic and transportation infrastructure of special nature in the Chennai Metropolitan Planning Area.

Functions of
the Authority.

(2) The Authority shall act as a coordinating authority in the areas of transport.

(3) The Authority shall take decisions on matters that would impinge on transport in the Chennai Metropolitan Planning Area and oversee that no steps are initiated by any agencies or local bodies that detract from the overall efficiency of the Comprehensive Transportation Plan.

(4) Subject to the provisions of sub-section (1), the Authority shall—

(1) prepare a Comprehensive Transportation Plan addressing the planning and development of all the public mass passenger transport modes and related infrastructure within the Master Plan in consultation with the Chennai Metropolitan Development Authority and recommend for implementation of the same through the respective transport agencies.

(2) update the Comprehensive Transportation Plan periodically in tune with the changes in the traffic and transportation situation in the Chennai Metropolitan Planning Area;

(3) monitor, co-ordinate and evaluate the implementation of the Comprehensive Transportation Plan;

(4) plan and implement traffic and transportation infrastructure of special nature;

(5) regulate measures for integration of all public mass passenger transport modes by means of various measures including routing and scheduling, operating feeder services and combined or common ticketing to facilitate seamless commuting options to the public;

(6) regulate measures aimed at enhancing the equity and efficiency of each of the mass passenger transport modes and para-transit modes to serve the commuting needs of the Chennai Metropolitan Planning Area;

(7) regulate route plan for the mass passenger transport modes and para-transit modes based on periodical review of routes;

(8) determine fares for mass passenger transport modes and para-transit modes with the approval of the Government;

(9) facilitate, debate and discuss on the innovative methods and practices and recommend measures for implementation of such methods and practices;

(10) commission studies and research needed to improve the performance or efficiency of the mass passenger transport modes and para-transit modes and maintain a data base;

(11) make recommendations to the Central Government in regard to the Railways and National Highways, wherever necessary, for improving transport system;

(12) regulate the measures that would help to reduce the incidence of accidents and other matters relating to safety, including the standards for construction, maintenance and subsequent road safety audit by various civic agencies;

(13) manage a road safety cell;

(14) secure compliance of inter-agency requests and resolve differences that come up between such agencies;

(15) regulate measures to integrate and consolidate any other action plan of the line agencies which fall outside the Comprehensive Transportation Plan but relating to mass passenger transport modes and related infrastructure in the Chennai Metropolitan Planning Area and facilitate implementation of the same;

(16) prepare annual budgets and recommend the same to the Government to apportion funds accordingly to the line-agencies for implementation of Comprehensive Transportation Plan;

(17) perform such other functions as may be entrusted to it by the Government in regard to the planning of the mass passenger transport system.

Exemption from compliance.

11. The Government may, subject to such conditions as they deem fit, by general or special order exempt any transport agency from compliance of any of the recommendations of the Authority.

Meetings of the Authority.

12. The Authority shall meet, as often as may be necessary, and observe such rules of procedure as may be prescribed in the regulations:

Provided that the Authority shall meet at least once in three months.

Proceedings of the Authority

13. (1) The Authority shall have the power to frame regulations for the conduct of its proceedings and discharge of its functions, which may include matters relating to time and places for the meetings of the Authority, procedure to be followed in such meetings, transaction of business at the meetings of the Authority.

(2) In case of a difference of opinion among the members of the Authority, the opinion of the majority shall prevail and the opinion of the Authority shall be expressed in terms of the views of the majority.

(3) The quorum for the meeting of the Authority shall be one third of the total members of the Authority:

Provided that, in case of emergency, the Authority may decide any matter by circulation to members.

(4) The Chairman of the Authority may instruct the Member-Secretary to call a meeting of the Authority to be held at such time and at such place as the Chairman may direct.

(5) All decisions, directions and recommendations of the Authority shall be in writing.

Delegations.

14. The Authority may, by general or special order, delegate to any member or officer of the Authority, subject to such conditions, as may be specified in the order, any of its powers and functions as it may deem necessary.

Appointment of Consultants of the Authority.

15. The Authority shall be entitled to appoint from time to time, consultants required to assist the Authority in the discharge of its functions on such terms and conditions as may be prescribed by the Authority.

Budget of the Authority.

16. The Authority shall prepare in such form and at such time as may be prescribed, a budget in respect of the next financial year showing the estimated receipt and expenditure and a copy of the budget shall be forwarded to the Government.

Fund of the Authority.

17. (1) The Authority shall have its own Fund and all sums which may, from time to time, be paid to it by the Government and all the receipts of the Authority shall be credited to such Fund.

(2) The Government may pay to the Authority in each financial year such sums as may be considered necessary for the functioning of the Authority.

(3) All expenditure incurred by the Authority under or for the purposes of this Act shall be defrayed from out of the said Fund and any surplus remaining, after such expenditure has been met, shall be invested in such manner as may be prescribed.

Annual Accounts and Audit.

18. (1) The accounts of the Authority shall be maintained in such manner and in such form as may be prescribed. The Authority shall prepare an annual statement of accounts in such form as may be prescribed.

(2) The accounts of the Authority shall be audited at-least once in a year by such auditor as the Government may appoint in this behalf.

(3) The auditor appointed under sub-section (2) shall, for purposes of audit, have such rights, privileges and authority as may be prescribed.

(4) The Member-Secretary shall cause the audit report to be printed and forward a printed copy thereof, to each member and shall place such report before the Authority for consideration at its next meeting.

(5) The Authority shall take appropriate action forthwith to remedy any defect or irregularity that may be pointed out in the audit report.

(6) The accounts of the Authority as certified by the Auditor together with the audit report along with the remarks of the Authority thereon shall be forwarded to the Government within such time as may be prescribed.

(7) The Government may, by order, direct the Authority to take such action as may be specified in the order to remedy, within such time as may be specified therein, the defects, if any, disclosed in the audit report, and the Authority shall comply with such direction.

19. The Authority shall, as soon as may be, after the end of each financial year, prepare and submit to the Government, before such date and in such form as may be prescribed, a report giving an account of its activities during the previous year and the report shall also give an account of the activities, if any, which are likely to be undertaken by the Authority in the next financial year and the Government shall cause every such report to be laid before the Legislative Assembly, as soon as may be, after its receipt. A copy of the annual report shall also be forwarded to the Chennai Metropolitan Development Authority.

Annual report.

20. The Government may issue such directions as in their opinion, are necessary or expedient for carrying out the purposes of this Act and the Authority shall give effect to all such directions.

Power to issue directions.

21. The Authority shall have power to act, notwithstanding any vacancy in the membership or any defect in the constitution thereof, and the proceedings of the Authority shall be valid notwithstanding that some person, who was not entitled to be a member had sat, voted or otherwise taken part in the proceedings of the Authority.

Proceedings of the Authority not to be invalidated by infirmities.

22. The Chairman, Vice-Chairmen, Members, Member – Secretary and other officers and employees of the Authority shall be deemed, when acting or purporting to act in pursuance of any of the provisions of this Act, or any rule or regulation or order or direction made or issued under this Act, to be public servants within the meaning of section 21 of the Indian Penal Code.

Members and employees of the Authority to be public servants.

23. No suit or other legal proceedings shall lie against the Government, the Authority or any member thereof or any officer or employee or person acting under the direction of the Government or the Authority in respect of anything which is in good faith done or intended to be done in pursuance of this Act or any rule, order or direction made or issued under this Act.

Protection of action taken in good faith.

24. (1) The Authority may, with the previous sanction of the Government, make regulations consistent with this Act or the rules made thereunder, for carrying out its functions under this Act.

Powers to make regulations by the Authority.

(2) No regulation or its cancellation or modification shall have effect until the same have been approved by the Government.

(3) The Government may, by notification, rescind any regulation made under this section and thereupon, the regulation shall cease to have effect.

25. (1) The Government may make rules for carrying out the purposes of this Act.

Power to make rules.

(2) Every rule made under this Act or order made under section 26 shall, as soon as possible after it is made, be placed on the Table of the Legislative Assembly and if before the expiry of the session in which it is so placed or the next session, the Assembly makes any modification in any such rule or order, or the Assembly decides that the rule or order should not be made, the rule 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 order.

Power to
remove
difficulties.

26. If any difficulty arises in giving effect to the provisions of this Act, the Government may, by order, not inconsistent with the provisions of this Act do anything which appears to be necessary or expedient for the purpose of removing the difficulty:

Provided that no such order shall be made after the expiry of two years from the date of the commencement of this Act.

FINANCIAL MEMORANDUM

The establishment of the Chennai Unified Metropolitan Transport Authority would involve expenditure from the Consolidated Fund of the State. It is, however, not possible at this stage to estimate with any degree of accuracy the expenditure to be incurred as a result of the proposed legislation.

K.N. NEHRU,
Minister for Transport Department

STATEMENT OF OBJECTS AND REASONS

There are many agencies involved in planning, providing operations and managing transportation system in the Chennai Metropolitan Area. In many tasks, as the role of such agencies is overlapping each other, proper co-ordination and streamlining the activities among such agencies is necessary in order to utilize the available infrastructure facilities and resources for development. The Government have, therefore, decided to establish a Unified Metropolitan Transport Authority for the above purpose.

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

K.N. NEHRU,

Minister for Transport Department.

MEMORANDUM REGARDING DELEGATED LEGISLATION

Clauses 4(2), 5, 6(3), 9(3), 12, 17(3), 18(1), 18(3), 18(6), 19, 24(1), 25(1) and 26 of the Bill authorize the Government or the Chennai Unified Metropolitan Transport Authority, as the case may be, to make rules and regulations and to issue orders and directions for the purposes specified therein.

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

K.N. NEHRU,

Minister for Transport Department.

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 12th November 2010 is published together with Statement of Objects and Reasons for general information:—

L.A. BILL No. 43 OF 2010

A Bill to make special provisions for Chennai Metropolitan Planning Area for a period of one year and for matters connected therewith or incidental thereto.

WHEREAS, there had been rapid increase in the population owing to industrialization, migration and various other factors, putting pressure on land and infrastructure in the Chennai Metropolitan Planning Area leading to unauthorized developments which are not in conformity with the First Master Plan for Chennai Metropolitan Planning Area in force, the Development Control Rules contained therein and the building rules, regulations and bye-laws;

AND WHEREAS, the Government have constituted a Committee Headed by a retired Supreme Court Judge to look into all aspects of developments and to suggest necessary modifications to the Tamil Nadu Town and Country Planning Act, 1971 (Tamil Nadu Act 35 of 1972);

AND WHEREAS, it is expected that the recommendations of the Committee aforesaid may involve substantial amendments to the Tamil Nadu Town and Country Planning Act, 1971 (Tamil Nadu Act 35 of 1972) and some with retrospective effect, and in particular to the provisions relating to construction and use of the premises, thereby changing the position as obtaining now under the said Act;

AND WHEREAS, Chennai Metropolitan Development Authority has prepared the draft Master Plan II for Chennai Metropolitan Planning Area, with the perspective year 2026 keeping in view the emerging new dimensions in urban development, which has been published for public objections and suggestions giving time upto 31-8-2007. The draft Master Plan II after public consultation and modification as suggested by the Government was resubmitted to Government on 29th February 2008. The Government have approved the said draft Master Plan II for Chennai Metropolitan Planning Area, 2026 and the same has been published in the *Tamil Nadu Government Gazette*, Extraordinary, dated the 2nd September 2008. The various ramifications of the approved Master Plan II for Chennai Metropolitan Planning Area, 2026 are under consideration of the six sectoral committees formed for the purpose;

AND WHEREAS, a comprehensive policy for the improvement of slum areas and resettlement of the people in slum area wherever necessary in the Chennai Metropolitan Planning Area is contemplated by the State Government;

AND WHEREAS, a detailed study of the issues relating to unauthorized occupation by the vendors and hawkers in the public street is contemplated with a view to evolving a scheme for regulating their activities;

AND WHEREAS, action for violation of the provisions of the First Master Plan for Chennai Metropolitan Planning Area in force and Development Control Rules contained therein, before a final view is taken in the matter by the Government may cause avoidable hardship and irreparable loss to a large number of people including small traders;

AND WHEREAS, the Tamil Nadu Laws (Special Provisions) Ordinance, 2007 (Tamil Nadu Ordinance 1 of 2007), which was replaced by the Tamil Nadu Laws (Special Provisions) Act, 2007 (Tamil Nadu Act 39 of 2007), was challenged before the High Court of Madras, and it was quashed by a Division Bench of the High Court of Madras;

AND WHEREAS, in the Special Leave Petitions filed before the Supreme Court of India against the above Judgment of High Court of Madras, quashing the above said Tamil Nadu Ordinance 1 of 2007 and the said Tamil Nadu Act 39 of 2007, the Supreme Court has ordered that status *quo* as on 14-12-2007 shall be maintained until further orders and the petitioners shall not pass any order of regularization in the meantime;

AND WHEREAS, the validity of the said Tamil Nadu Act 39 of 2007 is pending before the Supreme Court of India and the said Tamil Nadu Act 39 of 2007 ceased to operate on 26th day of July 2008 and in order to maintain the status quo as ordered by the

Supreme Court of India, the Government have enacted the Tamil Nadu Laws (Special Provisions) Act, 2008 (Tamil Nadu Act 56 of 2008), which ceased to operate on the 26th day of July 2009 and subsequent enactment namely, the Tamil Nadu Laws (Special Provisions) Act, 2010 (Tamil Nadu Act 7 of 2010) would also cease to operate from the 27th day of July 2010;

AND WHEREAS, there is a need to make provisions to deal with deviations which may be marginal or gross in nature in a balanced and just manner without compromise on the safety and transport mobility but at the same time keeping in view the spirit and text of judicial pronouncements;

AND WHEREAS, the modern requirements of fire safety precautions in commercial and shopping centers should be gone through thoroughly evolving a safety measure and to make provisions to empower the planning authority suitably;

AND WHEREAS, the committee headed by a retired Supreme Court Judge has since submitted its report and the Government will require more time to consider the said report and there is an urgent need for deferring enforcement action against unauthorized buildings;

AND WHEREAS, the purpose and objective of the Tamil Nadu Laws (Special Provisions) Act, 2010 has not been subserved and it is expedient to have a law to provide temporary relief to the people of Chennai Metropolitan Planning Area against such action for a period upto 26th July 2011 within which various issues referred to above to be finalized;

AND WHEREAS, it is expedient to have a law for a period of one year to provide temporary relief and to minimize hardships and irreparable loss to a large number of people including small traders;

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

Short title,
extent
and
commence-
ment.

1. (1) This Act may be called the Tamil Nadu Laws (Special Provisions) No. 2 Act, 2010.

(2) It extends to the Chennai Metropolitan Planning Area.

(3) It shall be deemed to have come into force on the 27th day of July 2010.

(4) It shall cease to have effect on the expiry of one year from the date of its commencement, except as respects things done or omitted to be done before such cesser, and upon such cesser section 8 of the Tamil Nadu General Clauses Act, 1891, shall apply as if this Act had then been repealed by a Tamil Nadu Act.

Tamil Nadu Act
I of 1891.

Definitions.

2. (1) In this Act, unless the context otherwise requires,—

(a) “building rules, regulations and bye-laws” means rules, regulations and bye-laws made under the Chennai City Municipal Corporation Act, 1919, the Tamil Nadu District Municipalities Act, 1920 and the Tamil Nadu Panchayats Act, 1994 as the case may be, relating to buildings;

Tamil Nadu Act
IV of 1919.

Tamil Nadu Act
V of 1920.

Tamil Nadu Act
21 of 1994.

(b) “Chennai Metropolitan Planning Area” means the Chennai Metropolitan Planning Area, specified under clause (23-a) of section 2 of the Tamil Nadu Town and Country Planning Act, 1971;

Tamil Nadu Act
35 of 1972.

(c) “detailed development plan” means a detailed development plan approved under the Tamil Nadu Town and Country Planning Act, 1971, in respect of any area covered under the Chennai Metropolitan Planning Area;

Tamil Nadu Act
35 of 1972.

(d) “Development Control Rules” means the Development Control Rules for Chennai Metropolitan Planning Area;

(e) “Government” means the State Government;

(f) “local authority” means the Chennai City Municipal Corporation established under the Chennai City Municipal Corporation Act, 1919 or Municipalities or Town Panchayats (within Chennai Metropolitan Planning Area) established under the Tamil Nadu District

Tamil Nadu Act
IV of 1919.

Tamil Nadu Act V of 1920. Municipalities Act, 1920 or Panchayat Unions or Village Panchayats (within Chennai Metropolitan Planning Area) established under the Tamil Nadu Panchayats Act, 1994 or the Chennai Metropolitan Development Authority constituted under the Tamil Nadu Town and Country Planning Act, 1971, legally entitled to exercise control in respect of the areas under their respective jurisdictions;

Tamil Nadu Act 21 of 1994.
Tamil Nadu Act 35 of 1972.
Tamil Nadu Act 35 of 1972. (g) "Master Plan" means the Master Plan for Chennai Metropolitan Planning Area, published under the Tamil Nadu Town and Country Planning Act, 1971;

Tamil Nadu Act 35 of 1972. (h) "public street" means public street as defined in clause (37) of section 2 of the Tamil Nadu Town and Country Planning Act, 1971;

(j) "punitive action" means action taken by local authority within Chennai Metropolitan Planning Area under the relevant law against unauthorized development and shall include demolition, whether in pursuance of court orders or otherwise;

(j) "relevant law" means in case of—

Tamil Nadu Act 35 of 1972. (i) the Chennai Metropolitan Development Authority, the Tamil Nadu Town and Country Planning Act, 1971;

Tamil Nadu Act IV of 1919. (ii) the Chennai City Municipal Corporation, the Chennai City Municipal Corporation Act, 1919;

Tamil Nadu Act V of 1920. (iii) the Municipalities and Town Panchayats, the Tamil Nadu District Municipalities Act, 1920; and

Tamil Nadu Act 21 of 1994. (iv) the Panchayat Unions and Village Panchayats, the Tamil Nadu Panchayats Act, 1994;

(k) "unauthorized development" means use of any land or any building or construction of any building carried out,—

(i) in deviation from any planning permission or building permit; or

(ii) without obtaining any planning permission or building permit; or

(iii) in contravention of the land use zoning under the Master Plan or any approved detailed development plan; or

(iv) in contravention of the Development Control Rules for Chennai Metropolitan Planning Area, building rules, regulations, bye-laws applicable to areas within the Chennai Metropolitan Planning Area;

and includes unauthorized occupation by hawkers and street vendors in the public street and by the people in the slum area.

Tamil Nadu Act 35 of 1972.
Tamil Nadu Act IV of 1919.
Tamil Nadu Act V of 1920.
Tamil Nadu Act 21 of 1994. (2) The words and expressions used but not defined herein shall have the meanings respectively assigned to them in the Tamil Nadu Town and Country Planning Act, 1971, the Chennai City Municipal Corporation Act, 1919, the Tamil Nadu District Municipalities Act, 1920 and the Tamil Nadu Panchayats Act, 1994.

3. (1) Notwithstanding anything contained in any relevant law or any rules, regulations or bye-laws made thereunder, the Government shall within a period of one year from the date of commencement of this Act, take all possible measures, with due regard to environment, to finalise norms, policy guidelines and feasible strategies to deal with the problems of unauthorized developments with regard to the under mentioned categories, namely:—

(a) land use not conforming to, the Master Plan, detailed development plans or any Planning permission;

(b) construction in deviation from or beyond planning permission or building permit;

(c) development without any planning permission or building permit; and

Government to finalise norms and policy guidelines etc.

(d) unauthorized occupation by, the hawkers and street vendors, in the public street and by the people in slum area,

so that the developments of Chennai Metropolitan Planning Area take place in a sustainable and planned manner.

(2) Subject to the provisions contained in sub-section (1) and notwithstanding any judgment, decree or order of any court, *status quo* as on the date of the commencement of this Act shall be maintained in respect of the categories of unauthorized development mentioned in sub-section (1).

(3) All notices issued by any local authority or any authority empowered under relevant law for initiating action against the categories of unauthorized development mentioned in sub-section (1) prior to 27th day of July 2007 shall be deemed to have been suspended and no punitive action shall be taken during the said period of one year.

(4) Notwithstanding any other provisions contained in this Act, the Government may, at any time, before the expiry of one year withdraw the concession given in sub-section (2) or sub-section (3) as the case may be, by notification in the *Tamil Nadu Government Gazette* in respect of the categories of unauthorized development mentioned in sub-section (1).

The Provisions of this Act not to apply in certain cases.

4. During the period of operation of this Act, no relief shall be available under section 3 in respect of the following categories of unauthorized development, namely:—

(a) any unauthorised development started or continued on or after the 27th day of July 2007;

(b) commencement of any activity anywhere in the Chennai Metropolitan Planning Area in violation of the provisions of the Master Plan or any detailed development plan on or after the 27th day of July 2007;

(c) unauthorized occupation on public street except in those cases which are covered under clause (d) of sub-section (1) of section 3; and

(d) removal of people in slum area, hawkers and street vendors in accordance with policies of the Government, for clearance of land required for any public project.

Act to over-ride other laws.

5. The provisions of this Act shall have effect notwithstanding anything inconsistent therewith contained in any other law made by the legislature of the State for the time being in force.

Power to give directions.

6. The Government may, from time to time issue such directions to any local authority or any authority under any relevant law as it may deem fit, for giving effect to the provisions of this Act and it shall be the duty of such local authority or authority to comply with such directions.

Repeal and saving.

7. (1) The Tamil Nadu Laws (Special Provisions) Ordinance, 2010 is hereby repealed.

(2) Notwithstanding such repeal anything done, any action taken or any direction given under the said Ordinance shall be deemed to have been done, taken or given under this Act.

Tamil Nadu
Ordinance
1 of 2010.

STATEMENT OF OBJECTS AND REASONS.

There had been rapid increase in the population owing to industrialization, migration and various other factors, putting pressure on land and infrastructure in the Chennai Metropolitan Planning Area leading to unauthorized developments which are not in conformity with the provisions of the Acts, building rules, regulations and bye-laws in force in the Chennai Metropolitan Planning Area.

2. The Government have constituted a committee headed by a retired Supreme Court Judge to look into all aspects of developments and to suggest necessary modifications to the Tamil Nadu Town and Country Planning Act, 1971 (Tamil Nadu Act 35 of 1972). The committee has submitted its report to Hon'ble Chief Minister on 30th day of July 2010. The report is under examination of the Government. It is expected that the recommendations of the committee aforesaid may involve substantial amendments to the Tamil Nadu Town and Country Planning Act, 1971 (Tamil Nadu Act 35 of 1972) and some with retrospective effect, and in particular to the provisions relating to construction and use of the premises, thereby changing the position as obtaining now under the said Act.

3. The Chennai Metropolitan Development Authority has prepared the draft Master Plan II for Chennai Metropolitan Planning Area, with the perspective year 2026 keeping in view the emerging new dimensions in urban development. The Government have approved the said draft Master Plan-II for Chennai Metropolitan Planning Area 2026 and the same has been published in the *Tamil Nadu Government Gazette* Extraordinary, dated the 2nd September 2008. The various ramifications of the approved Master Plan-II for Chennai Metropolitan Planning Area 2026 are under consideration of the six sectoral committees formed for the purpose.

4. A comprehensive policy for the improvement of slum areas and resettlement of the people in slum area wherever necessary in the Chennai Metropolitan Planning Area is contemplated by the State Government.

5. A detailed study of the issues relating to unauthorized occupation by the vendors and hawkers in the public streets is contemplated with a view to evolving a scheme for regulating their activities.

6. Action for violation of the provisions of the Acts, building rules, regulations, bye-laws in force in the Chennai Metropolitan Planning Area before a final view is taken in the matter by the Government may cause avoidable hardship and irreparable loss to a large number of people including small traders.

7. The Government have, therefore, enacted the Tamil Nadu Laws (Special Provisions) Act, 2007 (Tamil Nadu Act 39 of 2007) so as to defer the enforcement action by the authorities against the violation of laws in force. The validity of the said Act has been challenged before the High Court, Madras and a Division Bench of High Court, Madras has quashed the said Act. The Government have therefore filed Special Leave petition before the Supreme Court of India against the above Judgment of High Court, Madras. The Supreme Court of India has ordered to maintain the *status-quo* as on 14-12-2007. Since, the said Tamil Nadu Act 39 of 2007 ceased to operate on the 26th day of July 2008, and in order to maintain the *status quo* as ordered by the Supreme Court of India, the Government have enacted the Tamil Nadu Laws (Special Provisions) Act, 2008 (Tamil Nadu Act 56 of 2008), which ceased to operate on the 26th day of July 2009 and subsequent enactment, namely the Tamil Nadu Laws (Special Provisions) Act, 2010 (Tamil Nadu Act 7 of 2010) would also cease to operate from the 27th day of July 2010. Therefore, there was an urgent need to defer such enforcement action in Chennai Metropolitan Planning Area for a period of one year. The Government therefore, decided to bring in a legislation for the above purpose.

8. Accordingly, the Tamil Nadu Laws (Special Provisions) Ordinance, 2010 (Tamil Nadu Ordinance 1 of 2010) was promulgated by the Governor on the 26th day of July 2010 and the same was published in the *Tamil Nadu Government Gazette* Extraordinary, dated the 27th day of July 2010.

9. The Bill seeks to replace the said Ordinance.

PARITHI ELLAMVAZHUTHI,
Minister for Information.

K. 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 12th November 2010 is published together with Statement of Objects and Reasons for general information:—

L.A. BILL No. 44 OF 2010

A Bill further to amend the Tamil Nadu Town and Country Planning Act, 1971.

Be it enacted by the Legislative Assembly of the State of Tamil Nadu in the Sixty-first Year of the Republic of India as follows:—

1. (1) This Act may be called the Tamil Nadu Town and Country Planning (Amendment) Act, 2010.

Short title and commencement.

(2) It shall come into force at on such date as the State Government may, by notification, appoint.

2. After section 47 of the Tamil Nadu Town and Country Planning Act, 1971, the following section shall be inserted, namely:—

Insertion of new section 47-A.

“47-A. Development of land in an area other than planning area.—(1) Any person intending to carry out any development on any land in an area other than planning area shall make an application in writing to the local authority for permission in such form and containing such particulars and accompany such documents as may be prescribed.

(2) The local authority shall before according permission under sub-section (1), shall obtain the prior concurrence of the Director and shall also collect such fees at such rate as may be prescribed:

Provided that in the case of wet lands, the prior concurrence of the Collector of the District concerned is necessary.

(3) The Collector shall give his prior concurrence to the local authority under sub-section (2), upon fulfillment of such guidelines as may be prescribed.

(4) Where any development of land has been carried out,-

(a) without permission required under this section; or

(b) in contravention of any permission granted or of any condition subject to which permission has been granted; or

(c) after the permission for development of land has been duly revoked; or

(d) in contravention of any permission which has been duly modified,

the local authority shall exercise the powers of the appropriate planning authority under sections 56 and 57 with such modifications as may be necessary.

*Explanation.—*The term “wet land” in this section shall have the same meaning as in the Tamil Nadu Additional Assessment and Additional Water Cess Act, 1963 (Tamil Nadu Act 8 of 1963).”.

STATEMENT OF OBJECTS AND REASONS

The need for regulating and controlling the developments in an area other than planning areas and especially in the wet lands so as to conserve wet lands in the State has been keenly felt and was the concern of the Government for some time. The Committee under the Chairmanship of Justice Thiru Mohan, Retired Judge of Supreme Court formed to review the Tamil Nadu Town and Country Planning Act 1971 (Tamil Nadu Act 35 of 1972) so as to streamline the large scale developments in the areas not covered by planning areas has insisted the permission of the Director of Town and Country Planning upon those developments and to impose suitable punishments on the unauthorized developers as per the provisions contained in the said Act. In this context, the Committee has suggested the introduction of a new section 47A to regulate the development in the non planning area and with a view to conserve wet lands in the State and also to regulate the conversion of wet lands into other uses. It is also considered necessary to insist upon prior concurrence of the District Collector in all such cases. Accordingly, the Government have decided to amend the said Act suitably for the above purpose.

The Bill seeks to give effect to the above decision.

PARITHI ELLAMVAZHUTHI,
Minister for Information.

MEMORANDUM REGARDING DELEGATED LEGISLATION

Section 47A proposed to be inserted by clause 2 of the bill authorizes the Government to make rules for the purpose specified therein.

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

PARITHI ELLAMVAZHUTHI,
Minister for Information.

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 12th November, 2010 is published together with Statement of objects and Reasons for general information:-

L.A. BILL No. 45 OF 2010

A Bill to provide for the appropriation of certain further moneys out of the Consolidated Fund of the State for the services and purposes of the financial year which commenced on the 1st day of April 2010.

BE it enacted by the Legislative Assembly of the State of Tamil Nadu in the Sixty-first Year of the Republic of India as follows:-

1. This Act may be called the Tamil Nadu Appropriation (No. 4) Act, 2010.

Short title

Supplementary appropriation out of the Consolidated Fund of the State for the services and purposes of the financial year which commenced on the 1st day of April 2010.

2. The State Government may appropriate out of the Consolidated Fund of the State for the services and purposes of the financial year which commenced on the 1st day of April 2010, a further sum not exceeding three thousand six hundred and seven crores twenty six lakhs and ninety six thousand rupees, being moneys required to meet—

Supplementary appropriation out of the Consolidated Fund of the State for the services and purposes of the financial year which commenced on the 1st day of April 2010.

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

(b) the supplementary 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)	(4)	(5)
		Rs.	Rs.	Rs.
1	State Legislature	Revenue 29,48,000 Capital ... Loan ...	...	29,48,000
2	Governor and Council of Ministers	Revenue 1,000 Capital ... Loan ...	2,000	3,000
3	Administration of Justice	Revenue 2,58,82,000 Capital ... Loan ...	8,81,000	2,67,63,000
4	Adi-Dravidar and Tribal Welfare Department	Revenue 2,25,15,000 Capital 4,79,49,000 Loan ...	...	2,25,15,000 4,79,49,000 ...
5	Agriculture Department	Revenue 71,89,59,000 Capital 55,24,37,000 Loan 90,00,00,000	...	71,89,59,000 55,24,37,000 90,00,00,000
6	Animal Husbandry (Animal Husbandry, Dairying and Fisheries Department)	Revenue 8,77,36,000 Capital ... Loan ...	...	8,77,36,000
7	Fisheries (Animal Husbandry, Dairying and Fisheries Department)	Revenue 13,35,41,000 Capital 11,00,000 Loan ...	...	13,35,41,000 11,00,000 ...
8	Dairy Development (Animal Husbandry, Dairying and Fisheries Department)	Revenue 2,000 Capital ... Loan ...	...	2,000
9	Backward Classes, Most Backward Classes and Minorities Welfare Department	Revenue 6,000 Capital 2,73,67,000 Loan ...	...	6,000 2,73,67,000 ...
10	Commercial Taxes (Commercial Taxes and Registration Department)	Revenue 47,24,000 Capital ... Loan ...	..	47,24,000
11	Stamps and Registration (Commercial Taxes and Registration Department)	Revenue 2,000 Capital ... Loan ...	..	2,000
12	Co-operation (Co-operation, Food and Consumer Protection Department)	Revenue 98,42,000 Capital 1,000 Loan 39,65,000	..	47,24,000 1,000 39,65,000
13	Food and Consumer Protection (Co-operation, Food and Consumer Protection Department)	Revenue 201,09,39,000 Capital ... Loan 500,00,00,000	..	201,09,39,000 ... 500,00,00,000
15	Environment and Forests Department	Revenue 24,83,000 Capital 2,000 Loan ...	..	24,83,000 2,000 ...

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	
		(3)	(4)	(5)	
(1)	(2)	Rs.	Rs.	Rs.	
16	Finance Department	Revenue	26,76,000	..	26,76,000
		Capital	..	..	..
		Loan	..	..	..
17	Handlooms and Textiles (Handlooms, Handicrafts, Textiles and Khadi Department)	Revenue	1,000	..	1,000
		Capital	..	..	..
		Loan	..	..	..
18	Khadi, Village Industries and Handicrafts (Handlooms, Handicrafts, Textiles and Khadi Department)	Revenue	13,80,000	..	13,80,000
		Capital	..	..	..
		Loan	..	..	..
19	Health and Family Welfare Department	Revenue	70,10,93,000	..	70,10,93,000
		Capital	18,49,30,000	..	18,49,30,000
		Loan	..	..	..
20	Higher Education Department	Revenue	2,01,39,000	..	2,01,39,000
		Capital	1,000	..	1,000
		Loan	..	..	..
21	Highways and Minor Ports Department	Revenue	9,00,00,000	..	9,00,00,000
		Capital	13,000	2,41,39,000	2,41,52,000
		Loan	..	..	..
22	Police (Home, Prohibition and Excise Department)	Revenue	3,55,69,000	..	3,55,69,000
		Capital	2,000	..	2,000
		Loan	..	..	..
23	Fire and Rescue Services (Home, Prohibition and Excise Department)	Revenue	13,64,59,000	..	13,64,59,000
		Capital	..	..	..
		Loan	..	..	..
24	Prisons (Home, Prohibition and Excise Department)	Revenue	2,29,30,000	..	2,29,30,000
		Capital	2,77,71,000	..	2,77,71,000
		Loan	..	..	..
25	Motor Vehicles Acts-Administration (Home, Prohibition and Excise Department)	Revenue	3,000	..	3,000
		Capital	..	..	..
		Loan	..	..	..
26	Housing and Urban Development Department	Revenue	406,51,48,000	..	406,51,48,000
		Capital	1,000	..	1,000
		Loan	49,45,00,000	..	49,45,00,000
27	Industries Department	Revenue	6,18,25,000	..	6,18,25,000
		Capital	2,10,00,000	..	2,10,00,000
		Loan	6,18,34,000	..	6,18,34,000
28	Information and Publicity (Tamil Development, Religious Endowments and Information Department)	Revenue	49,09,000	..	49,09,000
		Capital	..	..	..
		Loan	..	..	..
29	Tourism - Art and Culture (Tourism and Culture Department)	Revenue	3,93,51,000	..	3,93,51,000
		Capital	5,35,00,000	..	5,35,00,000
		Loan	1,000	..	1,000
30	Stationery and Printing (Tamil Development, Religious Endowments and Information Department)	Revenue	..	..	..
		Capital	1,15,00,000	..	1,15,00,000
		Loan	..	..	..

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	
		(3) Rs.	(4) Rs.	(5) Rs.	
31	Information Technology Department	Revenue Capital Loan	289,19,33,000 .. ..	.. .. ..	289,19,33,000
32	Labour and Employment Department	Revenue Capital Loan	52,68,92,000 .. ..	.. .. ..	52,68,92,000
34	Municipal Administration and Water Supply Department	Revenue Capital Loan	316,86,80,000 1,000 ..	.. .. ..	316,86,80,000 1,000. ..
35	Personnel and Administrative Reforms Department	Revenue Capital Loan	78,10,000 .. ..	.. .. ..	78,10,000
36	Planning, Development and Special Initiatives Department	Revenue Capital Loan	2,000 2,000 ..	.. .. ..	2,000 2,000 ..
38	Public Department	Revenue Capital Loan	71,88,000 .. ..	.. .. ..	71,88,000
39	Buildings (Public Works Department)	Revenue Capital Loan	1,16,11,000 4,85,21,000 ..	7,97,000	1,24,08,000 4,85,21,000 ..
40	Irrigation (Public Works Department)	Revenue Capital Loan	20,48,000 13,35,10,000 ..	.. 35,13,000 ..	20,48,000 13,70,23,000 ..
41	Revenue Department	Revenue Capital Loan	209,90,44,000 .. ..	.. .. ..	209,90,44,000
42	Rural Development and Panchayat Raj Department	Revenue Capital Loan	157,13,10,000 468,78,02,000 ..	.. .. ..	157,13,10,000 468,78,02,000 ..
43	School Education Department	Revenue Capital Loan	42,61,35,000 1,000 50,00,00,000	.. .. ..	42,61,35,000 1,000 50,00,00,000
44	Micro, Small and Medium Enterprises Department	Revenue Capital Loan	59,51,000 .. ..	.. .. ..	59,51,000
45	Social Welfare and Nutritious Meal Programme Department	Revenue Capital Loan	100,66,06,000 .. ..	.. .. ..	100,66,06,000

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)	(4)	(5)	
		Rs.	Rs.	Rs.	
46	Tamil Development (Tamil Development, Religious Endowments and Information Department)	Revenue Capital Loan	122,91,54,000 ... ...	.. .. ..	122,91,54,000
47	Hindu Religious and Charitable Endowments (Tamil Development, Religious Endowments and Information Department)	Revenue Capital Loan	5,000 ... ...	.. .. ..	5,000
48	Transport Department	Revenue Capital Loan	20,00,00,000 ... 54,19,44,000	.. .. ..	20,00,00,000 ... 54,19,44,000
49	Youth Welfare and Sports Development Department	Revenue Capital Loan	3,37,20,000 ... ...	.. .. ..	3,37,20,000
50	Pension and Other Retirement Benefits	Revenue Capital Loan	6,68,00,000 ... ...	.. .. ..	6,68,00,000
51	Relief on account of Natural Calamities	Revenue Capital Loan	22,82,00,000 ... ...	.. .. ..	22,82,00,000
	<i>Public Debt-Repayment</i>	Revenue Capital Loan	... ... ...	.. .. 105,95,58,000	... ... 105,95,58,000
		Revenue	2,168,41,52,000	16,80,000	2,168,58,32,000
	Total	Capital	579,74,11,000	2,76,52,000	582,50,63,000
		Loan	750,22,43,000	105,95,58,000	856,18,01,000
	Grand Total		3,498,38,06,000	108,88,90,000	3,607,26,96,000

STATEMENT OF OBJECTS AND REASONS.

This Bill is introduced in pursuance of Article 205, read with clause (1) of Article 204, of the Constitution to provide for the appropriation out of the Consolidated Fund of the State, of the moneys required to meet—

(a) the supplementary grants made by the Tamil Nadu Legislative Assembly for the financial year which commenced on the 1st day of April 2010; and

(b) the supplementary expenditure *charged* on the Consolidated Fund of the State of that year.

K. ANBAZHAGAN,
Minister for Finance.

M. SELVARAJ,
Secretary.