



TAMIL NADU GOVERNMENT GAZETTE

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Part IV—Section 2

Tamil Nadu Acts and Ordinances

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The following Act of the Tamil Nadu Legislative Assembly received the assent of the Governor on the 26th November 2010 and is hereby published for general information:—

ACT No. 31 OF 2010.

An Act further to amend the Tamil Nadu Payment of Salaries Act, 1951.

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 Payment of Salaries (Second Amendment) Act, 2010.

(2) It shall come into force at once.

Amendment of section 12.

2. In section 12 of the Tamil Nadu Payment of Salaries Act, 1951, in sub-section (2-AA), for the expression “one lakh rupees”, the expression “two lakh rupees” shall be substituted.

Tamil Nadu Act XX of 1951.

(By order of the Governor)

S. DHEENADHAYALAN,
*Secretary to Government,
Law Department.*

The following Act of the Tamil Nadu Legislative Assembly received the assent of the Governor on the 26th November 2010 and is hereby published for general information:—

ACT No. 32 OF 2010.

An Act further to amend the Tamil Nadu Motor Vehicles Taxation Act, 1974.

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 Motor Vehicles Taxation (Second Amendment) Act, 2010.

Short title and commencement.

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

Tamil Nadu Act
13 of 1974.

2. In the First Schedule to the Tamil Nadu Motor Vehicles Taxation Act, 1974, in class 8 and the entries relating thereto, the following proviso shall be added, namely:—

Amendment of First Schedule.

“Provided that the educational institution buses and other vehicles granted temporary permit for the purposes referred to in item (a), (b) or (c) under section 87 (1) of the Motor Vehicles Act shall pay separate tax excluding the driver seat at the following rates:—

(i) Educational institution buses when used for the transport of students and staff of the institution concerned.

Rs.30/- per seat for seven days or part thereof.

(ii) Other vehicles when used for transport of staff of the institution concerned.

Rs.90/- per seat for seven days or part thereof.

(iii) Educational institution buses and other vehicles used for other purposes other than those specified in clauses (i) and (ii) above.

Rs.30/- per seat per day.”.

(By order of the Governor)

S. DHEENADHAYALAN,
Secretary to Government,
Law Department.

The following Act of the Tamil Nadu Legislative Assembly received the assent of the Governor on the 26th November 2010 and is hereby published for general information:—

ACT No. 33 OF 2010.

An Act to amend the Tamil Nadu Public Premises (Eviction of Unauthorised Occupants) Act, 1975.

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 Public Premises (Eviction of Unauthorised Occupants) Amendment Act, 2010.

Short title and commencement.

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

Tamil Nadu
Act 1 of 1976.

2. In section 2 of the Tamil Nadu Public Premises (Eviction of Unauthorised Occupants) Act, 1975, in clause (e),—

Amendment of section 2.

(1) in sub-clause (1), in item (ii), the word “and” occurring at the end shall be omitted;

(2) in sub-clause (2), the word “and” shall be added at the end;

(3) after sub-clause (2), the following sub-clause shall be added, namely:—

“(3) any premises belonging to a wakf, registered with the Tamil Nadu Wakf Board;”

(By order of the Governor)

S. DHEENADHAYALAN,
Secretary to Government,
Law Department.

The following Act of the Tamil Nadu Legislative Assembly received the assent of the Governor on the 26th November 2010 and is hereby published for general information:—

ACT No. 34 OF 2010.

An Act to amend certain Universities Laws.

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 Universities Laws (Third Amendment) Act, 2010.

Short title and commencement.

(2) It shall be deemed to have come into force on the 19th day of June 2010.

PART-II.

**AMENDMENT TO THE ANNA UNIVERSITY OF TECHNOLOGY,
CHENNAI ACT, 2010.**

Tamil Nadu Act
26 of 2010.

2. After section 53 of the Anna University of Technology, Chennai Act, 2010, the following section shall be inserted, namely:—

Insertion of
new section
53-A.

"53-A. Transfer of constituent colleges.—(1) On and from the appointed day, the colleges established and maintained by the Anna University, Chennai, at Tindivanam, Villupuram, Thiruvannamalai and Kancheepuram shall cease to be the constituent colleges of Anna University, Chennai and shall become the constituent colleges of the Anna University of Technology, Chennai.

(2) Notwithstanding anything contained in this Act, the statutes, ordinances and regulations continued in force under sub-section (3) of section 53 or made under this Act, every person who immediately before the appointed day was a student of the constituent colleges specified in sub-section (1) or was eligible to appear for any of the examinations of the Anna University, Chennai shall be permitted to complete his course of study in the Anna University, Chennai and the Anna University of Technology, Chennai shall make arrangements for the instruction, teaching and training for such students for such period and in such manner as may be determined by the Anna University of Technology, Chennai in accordance with the course of study in the Anna University, Chennai and such students shall, during such period, be admitted to the examinations held or conducted by the Anna University, Chennai and the corresponding degree, diploma or other academic distinctions of the Anna University, Chennai shall be conferred upon the qualified students on the result of such examinations, by the Anna University, Chennai."

PART - III.

**AMENDMENT TO THE ANNA UNIVERSITY OF TECHNOLOGY,
MADURAI ACT, 2010.**

Tamil Nadu
Act
27 of 2010.

3. After section 53 of the Anna University of Technology, Madurai Act, 2010, the following section shall be inserted, namely:—

Insertion of
new section
53-A.

"53-A. Transfer of constituent colleges.—(1) On and from the appointed day, the colleges established and maintained by the Anna University of Technology, Tiruchirappalli at Dindigul and Ramanathapuram shall cease to be the constituent colleges of Anna University of Technology, Tiruchirappalli and shall become the constituent colleges of the Anna University of Technology, Madurai.

(2) Notwithstanding anything contained in this Act, the statutes, ordinances and regulations continued in force under sub-section (3) of section 53 or made under this Act, every person who immediately before the appointed day was a student of the constituent colleges specified in sub-section (1) or was eligible to appear for any of the examinations of the Anna University of Technology, Tiruchirappalli shall be permitted to complete his course of study in the Anna University of Technology, Tiruchirappalli and the Anna University of Technology, Madurai shall make arrangements for the instruction, teaching and training for such students for such period and in such manner as may be determined by the Anna University of Technology, Madurai in accordance with the course of study in the Anna University of Technology, Tiruchirappalli and such students shall, during such period, be admitted to the examinations held or conducted by the Anna University of Technology, Tiruchirappalli and the corresponding degree, diploma or other academic distinctions of the Anna University of Technology, Tiruchirappalli shall be conferred upon the qualified students on the result of such examinations, by the Anna University of Technology, Tiruchirappalli.”.

(By order of the Governor)

S. DHEENADHAYALAN,
Secretary to Government,
Law Department.

The following Act of the Tamil Nadu Legislative Assembly received the assent of the Governor on the 26th November 2010 and is hereby published for general information:—

ACT No. 35 OF 2010.

An Act 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.

Tamil Nadu Act 15 of 1971.

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 – 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.

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

(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 – 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;”.

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

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

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.”.

Repeal and
saving.

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

Tamil Nadu
Ordinance 6
of 2010.

(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.

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.

(By order of the Governor)

S. DHEENADHAYALAN,
*Secretary to Government,
Law Department.*

The following Act of the Tamil Nadu Legislative Assembly received the assent of the Governor on the 26th November 2010 and is hereby published for general information:—

ACT No. 36 OF 2010.

An Act 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.
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—

(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.

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.

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.	
1	State Legislature	Revenue	29,48,000	...	29,48,000
		Capital	...	...	...
		Loan	...	...	...
2	Governor and Council of Ministers	Revenue	1,000	2,000	3,000
		Capital	...	...	...
		Loan	...	...	...
3	Administration of Justice	Revenue	2,58,82,000	8,81,000	2,67,63,000
		Capital	...	...	...
		Loan	...	...	...
4	Adi-Dravidar and Tribal Welfare Department	Revenue	2,25,15,000	...	2,25,15,000
		Capital	4,79,49,000	...	4,79,49,000
		Loan	...	...	...
5	Agriculture Department	Revenue	71,89,59,000	...	71,89,59,000
		Capital	55,24,37,000	...	55,24,37,000
		Loan	90,00,00,000	...	90,00,00,000
6	Animal Husbandry (Animal Husbandry, Dairying and Fisheries Department)	Revenue	8,77,36,000	...	8,77,36,000
		Capital	...	...	...
		Loan	...	...	...
7	Fisheries (Animal Husbandry, Dairying and Fisheries Department)	Revenue	13,35,41,000	...	13,35,41,000
		Capital	11,00,000	...	11,00,000
		Loan	...	...	...
8	Dairy Development (Animal Husbandry, Dairying and Fisheries Department)	Revenue	2,000	...	2,000
		Capital	...	...	...
		Loan	...	...	...
9	Backward Classes, Most Backward Classes and Minorities Welfare Department	Revenue	6,000	...	6,000
		Capital	2,73,67,000	...	2,73,67,000
		Loan	...	...	...
10	Commercial Taxes (Commercial Taxes and Registration Department)	Revenue	47,24,000	...	47,24,000
		Capital	...	...	...
		Loan	...	...	...
11	Stamps and Registration (Commercial Taxes and Registration Department)	Revenue	2,000	..	2,000
		Capital	...	...	...
		Loan	...	...	...
12	Co-operation (Co-operation, Food and Consumer Protection Department)	Revenue	98,42,000	..	98,42,000
		Capital	1,000	..	1,000
		Loan	39,65,000	..	39,65,000
13	Food and Consumer Protection (Co-operation, Food and Consumer Protection Department)	Revenue	201,09,39,000	..	201,09,39,000
		Capital	...	...	...
		Loan	500,00,00,000	..	500,00,00,000
15	Environment and Forests Department	Revenue	24,83,000	..	24,83,000
		Capital	2,000	..	2,000
		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.	
16	Finance Department	Revenue Capital Loan	26,76,000 ... ...	... ... ...	26,76,000
17	Handlooms and Textiles (Handlooms, Handicrafts, Textiles and Khadi Department)	Revenue Capital Loan	1,000 ... ...	... ... ...	1,000
18	Khadi, Village Industries and Handicrafts (Handlooms, Handicrafts, Textiles and Khadi Department)	Revenue Capital Loan	13,80,000 ... ...	.. ... ...	13,80,000
19	Health and Family Welfare Department	Revenue Capital Loan	70,10,93,000 18,49,30,000 ...	.. .. ...	70,10,93,000 18,49,30,000 ...
20	Higher Education Department	Revenue Capital Loan	2,01,39,000 1,000 ...	.. .. ...	2,01,39,000 1,000 ...
21	Highways and Minor Ports Department	Revenue Capital Loan	9,00,00,000 13,000 ...	.. 2,41,39,000 ...	9,00,00,000 2,41,52,000 ...
22	Police (Home, Prohibition and Excise Department)	Revenue Capital Loan	3,55,69,000 2,000 ...	.. .. ...	3,55,69,000 2,000 ...
23	Fire and Rescue Services (Home, Prohibition and Excise Department)	Revenue Capital Loan	13,64,59,000 ... ...	.. ... ...	13,64,59,000
24	Prisons (Home, Prohibition and Excise Department)	Revenue Capital Loan	2,29,30,000 2,77,71,000 ...	.. .. ...	2,29,30,000 2,77,71,000 ...
25	Motor Vehicles Acts-Administration (Home, Prohibition and Excise Department)	Revenue Capital Loan	3,000 ... ...	.. ... ...	3,000
26	Housing and Urban Development Department	Revenue Capital Loan	406,51,48,000 1,000 49,45,00,000	.. .. ..	406,51,48,000 1,000 49,45,00,000
27	Industries Department	Revenue Capital Loan	6,18,25,000 2,10,00,000 6,18,34,000	.. .. ...	6,18,25,000 2,10,00,000 6,18,34,000
28	Information and Publicity (Tamil Development, Religious Endowments and Information Department)	Revenue Capital Loan	49,09,000 ... ...	.. ... ...	49,09,000
29	Tourism - Art and Culture (Tourism and Culture Department)	Revenue Capital Loan	3,93,51,000 5,35,00,000 ...	... .. ...	3,93,51,000 5,35,00,000 ...
30	Stationery and Printing (Tamil Development, Religious Endowments and Information Department)	Revenue Capital Loan	... 1,15,00,000 ...	... .. ...	... 1,15,00,000 ...

THE SCHEDULE.

(See section 2)

Demand Number.	Services and purposes.		Sums not exceeding		Total
			Voted by the Legislative Assembly.	Charged on the Consolidated Fund of the State.	
(1)	(2)		(3)	(4)	(5)
			Rs.	Rs.	Rs.
31	Information Technology Department	Revenue	289,19,33,000	..	289,19,33,000
		Capital	..	..	..
		Loan	..	..	..
32	Labour and Employment Department	Revenue	52,68,92,000	..	52,68,92,000
		Capital	..	..	..
		Loan	..	..	..
34	Municipal Administration and Water Supply Department	Revenue	316,86,80,000	..	316,86,80,000
		Capital	1,000	..	1,000
		Loan	..	..	..
35	Personnel and Administrative Reforms Department	Revenue	78,10,000	..	78,10,000
		Capital	..	..	..
		Loan	..	..	..
36	Planning, Development and Special Initiatives Department	Revenue	2,000	..	2,000
		Capital	2,000	..	2,000
		Loan	..	..	..
38	Public Department	Revenue	71,88,000	..	71,88,000
		Capital	..	..	..
		Loan	..	..	..
39	Buildings (Public Works Department)	Revenue	1,16,11,000	7,97,000	1,24,08,000
		Capital	4,85,21,000	..	4,85,21,000
		Loan	..	..	..
40	Irrigation (Public Works Department)	Revenue	20,48,000	..	20,48,000
		Capital	13,35,10,000	35,13,000	13,70,23,000
		Loan	..	..	..
41	Revenue Department	Revenue	209,90,44,000	..	209,90,44,000
		Capital	..	..	..
		Loan	..	..	..
42	Rural Development and Panchayat Raj Department	Revenue	157,13,10,000	..	157,13,10,000
		Capital	468,78,02,000	..	468,78,02,000
		Loan	..	..	..
43	School Education Department	Revenue	42,61,35,000	..	42,61,35,000
		Capital	1,000	..	1,000
		Loan	50,00,00,000	..	50,00,00,000
44	Micro, Small and Medium Enterprises Department	Revenue	59,51,000	..	59,51,000
		Capital	..	..	..
		Loan	..	..	..
45	Social Welfare and Nutritious Meal Programme Department	Revenue	100,66,06,000	..	100,66,06,000
		Capital	..	..	..
		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
(1)	(2)		(3)	(4)	(5)
			Rs.	Rs.	Rs.
46	Tamil Development (Tamil Development, Religious Endowments and Information Department)	Revenue	122,91,54,000	..	122,91,54,000
		Capital	..	..	..
		Loan	..	..	..
47	Hindu Religious and Charitable Endowments (Tamil Development, Religious Endowments and Information Department)	Revenue	5,000	..	5,000
		Capital	..	..	..
		Loan	..	..	..
48	Transport Department	Revenue	20,00,00,000	..	20,00,00,000
		Capital	..	..	..
		Loan	54,19,44,000	..	54,19,44,000
49	Youth Welfare and Sports Development Department	Revenue	3,37,20,000	..	3,37,20,000
		Capital	..	..	..
		Loan	..	..	..
50	Pension and Other Retirement Benefits	Revenue	6,68,00,000	..	6,68,00,000
		Capital	..	..	..
		Loan	..	..	..
51	Relief on account of Natural Calamities	Revenue	22,82,00,000	..	22,82,00,000
		Capital	..	..	..
		Loan	..	..	..
	<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

(By order of the Governor)

S. DHEENADHAYALAN,
Secretary to Government,
Law Department.

The following Act of the Tamil Nadu Legislative Assembly received the assent of the Governor on the 27th November 2010 and is hereby published for general information:—

ACT No. 37 OF 2010.

An Act to amend the Tamil Nadu Duty on Transfers of Property (in Municipal Areas) Act, 2009.

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 Duty on Transfers of Property (in Municipal Areas) Amendment Act, 2010.

Short title and commencement.

(2) It shall be deemed to have come into force on the 13th day of September 2010.

Tamil Nadu Act 32 of 2009.

2. The proviso to section 5 of the Tamil Nadu Duty on Transfers of Property (in Municipal Areas) Act, 2009 (hereinafter referred to as the principal Act) shall be omitted.

Amendment of section 5.

Tamil Nadu Ordinance 4 of 2010.

3. (1) The Tamil Nadu Duty on Transfers of Property (in Municipal Areas) Amendment Ordinance, 2010 is hereby repealed.

Repeal and saving.

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

(By order of the Governor)

S. DHEENADHAYALAN,
Secretary to Government,
Law Department.

The following Act of the Tamil Nadu Legislative Assembly received the assent of the Governor on the 27th November 2010 and is hereby published for general information:—

ACT No. 38 OF 2010.

***An Act further to amend the Tamil Nadu Co-operative Societies
(Appointment of Special Officers) Act, 1976.***

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 Co-operative Societies (Appointment of Special Officers) Second Amendment Act, 2010.

Short title and commencement.

(2) It shall be deemed to have come into force on the 30th day of July 2010.

President's
Act
25 of 1976.

2. In section 4 of the Tamil Nadu Co-operative Societies (Appointment of Special Officers) Act, 1976 (hereinafter referred to as the principal Act), in sub-section (1), for the expression "thirty four years and two months", the expression "thirty four years and eight months" shall be substituted.

Amendment of section 4.

Tamil Nadu
Ordinance
2 of 2010.

3. (1) The Tamil Nadu Co-operative Societies (Appointment of Special Officers) Second Amendment Ordinance, 2010 is hereby repealed.

Repeal and saving.

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

(By order of the Governor)

S. DHEENADHAYALAN,
Secretary to Government,
Law Department.

The following Act of the Tamil Nadu Legislative Assembly received the assent of the Governor on the 27th November 2010 and is hereby published for general information:—

ACT No. 39 OF 2010.

An Act further to amend the Tamil Nadu Co-operative Societies Act, 1983.

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 Co-operative Societies (Third Amendment) Act, 2010.

Short title and commencement.

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

Tamil Nadu
Act 30 of
1983.

2. In section 157 of the Tamil Nadu Co-operative Societies Act, 1983,—

Amendment of section 157.

(1) in sub-section (1), after the expression “information”, the expression “or wilfully fails to aid or assist the completion of audit or wilfully fails to conduct the general meetings or wilfully disobeys or fails to comply with the lawful order or direction of the Registrar” shall be inserted;

(2) in sub-section (2), after the expression “any member of the society who”, the expression “wilfully fails to furnish information required for audit or” shall be inserted.

(By order of the Governor)

S. DHEENADHAYALAN,
Secretary to Government,
Law Department.

The following Act of the Tamil Nadu Legislative Assembly received the assent of the Governor on the 27th November 2010 and is hereby published for general information:—

ACT No. 40 OF 2010.

An Act to provide preference in appointment in the services under the State to persons who have obtained the educational qualification prescribed for direct recruitment through Tamil medium of instruction.

WHEREAS under Article 345 of the Constitution, the Legislature of the State has been given power to adopt any one or more of the languages in use in the State for official purposes;

AND WHEREAS the State of Tamil Nadu enacted the Tamil Nadu Official Language Act, 1956 (Tamil Nadu Act XXXIX of 1956) and adopted Tamil as the Official language of the State under Article 345 of the Constitution;

AND WHEREAS the Official Languages Act, 1963 (Central Act 19 of 1963) provides for continuation of English language for all the official purposes of the Union and for the transaction of business in Parliament;

AND WHEREAS the first proviso to section 3 (1)(b) of Central Act 19 of 1963 provides that English shall be used for purposes of communication between the Union and the States;

AND WHEREAS Article 348 in Chapter III of Part XVII of the Constitution provides that notwithstanding anything contained in the provisions of that Part, until the Parliament by law otherwise provides, all proceedings in the Supreme Court and in every High Court shall be in the English language;

AND WHEREAS Tamil has been used as the language of Courts upto the district level inclusive of drafting of pleadings of parties, taking evidence, arguments of respective counsel for the parties and writing of judgements;

AND WHEREAS those who have studied in Tamil Medium have very little chances of getting selected in the employment of Central Government, other State Governments or in Private Sectors, and therefore preference need be given to them in the State Government Services;

AND WHEREAS under Article 14 of the Constitution, mere differentiation or inequality of treatment does not *per se* amount to differentiation within the inhibition of the equal protection clause and to attract the operation of the clause, it is necessary to show that the selection or differentiation is unreasonable or arbitrary; that it does not rest on any rational basis having regard to the object which the Legislature has in view;

AND WHEREAS the classification between persons who obtained the educational qualification prescribed for direct recruitment through Tamil medium of instruction and persons studied in other medium has a reasonable relation to the object sought to be achieved;

AND WHEREAS such classification neither crosses the frontiers of Article 16 of the Constitution nor prejudices the reservation policy of the State made thereunder;

AND WHEREAS the equality of opportunity of all citizens with similar qualifications relating to appointment to any services under the State does not get altered in view of such classification;

AND WHEREAS the provisions of the Tamil Nadu Backward Classes, Scheduled Castes and Scheduled Tribes (Reservation of seats in Educational Institutions and of appointments or posts in the Services under the State) Act, 1993 (Tamil Nadu Act 45 of 1994) are not transgressed;

AND WHEREAS unless employment opportunities are provided for persons studied in Tamil medium, there is no scope for the populace of the State to pursue school and college career through Tamil medium;

AND WHEREAS in order to facilitate a conducive environment for the populace to prefer Tamil medium of instruction at all levels of education, appointment to any services under the State on preferential basis of persons studied in Tamil medium is a rational classification;

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 Appointment on preferential basis in the Services under the State of Persons Studied in Tamil Medium Act, 2010.
- (2) It shall be deemed to have come into force on 7th day of September 2010.

Definitions.

2. In this Act, unless the context otherwise requires,—
 - (a) “direct recruitment” means first appointment of a person to any service under the State in accordance with the rules or regulations or orders in force;
 - (b) “Government” means the State Government;
 - (c) “persons studied in other medium” means persons who have obtained the educational qualification or qualifications prescribed for direct recruitment in the rules or regulations or orders applicable to any appointment in the services under the State through any medium of instruction other than Tamil;
 - (d) “persons studied in Tamil medium” means persons who have obtained the educational qualification or qualifications prescribed for direct recruitment in the rules or regulations or orders applicable to any appointment in the services under the State through Tamil medium of instruction;
 - (e) “preferential vacancies” means such vacancies available for persons studied in Tamil medium under sub-section (1) of section 3;
 - (f) “services under the State” includes the services under—
 - (i) the Government;
 - (ii) the Legislature of the State;
 - (iii) any local authority;
 - (iv) any Corporation or Company owned or controlled by the Government; and
 - (v) any other authority in respect of which the State Legislature has power to make laws.

Preferential appointment.

3. (1) Notwithstanding anything contained in any law for the time being in force and subject to section 5, twenty per cent of all vacancies in appointment in the services under the State which are to be filled through direct recruitment shall be set apart on preferential basis to persons studied in Tamil medium.
- (2) Selection for appointment under sub-section (1) shall be made in such manner as may be prescribed.
- (3) Nothing contained in sub-section (1) shall apply in the case of appointment to the posts in the services under the State for which the educational qualification prescribed in the rules or regulations or orders applicable to the post is a degree or diploma or any academic distinction in a language.

Right to compete for other vacancies not to be affected.

4. Persons studied in Tamil medium shall also be entitled to compete for the vacancies, other than preferential vacancies in appointment in the services under the State, along with persons studied in other medium.

Reservation to apply.

5. Preferential basis appointments to persons studied in Tamil medium under section 3 shall be made following the reservation as per law in force.

Filling up of vacancies in preferential allotment.

6. Notwithstanding anything contained in section 3, where adequate number of qualified and suitable persons studied in Tamil medium are not available for appointment in the preferential vacancies, such unfilled vacancies shall be filled up with persons studied in other mediums within the respective category.

7. The Government may, by general or special order, for just and equitable reasons, exempt any appointment or post in the services under the State from the provisions of this Act.

Power to exempt.

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

Power to make rules.

(2) All rules made under this Act shall be published in the *Tamil Nadu Government Gazette* and unless they are expressed to come into force on a particular day shall come into force on the day on which they are so published.

(3) Every rule made or notification or order issued under this Act shall, as soon as possible, after it is made or issued, 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 notification or order, or the Assembly decides that the rule or notification or order should not be made or issued, the rule or notification 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 notification or order.

9. If any difficulty arises in giving effect to the provisions of this Act, the Government may, by an order, published in the *Tamil Nadu Government Gazette*, make such provisions not inconsistent with the provisions of this Act as may appear to them to be necessary or expedient for removing the difficulty:

Power to remove difficulties.

Provided that no such order shall be made after the expiry of two years from the date of the publication of this Act in the *Tamil Nadu Government Gazette*.

10. (1) The Tamil Nadu Appointment on preferential basis in the Services under the State of Persons Studied in Tamil Medium Ordinance, 2010 is hereby repealed.

Repeal and saving.

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

(By order of the Governor)

S. DHEENADHAYALAN,
Secretary to Government,
Law Department.

The following Act of the Tamil Nadu Legislative Assembly received the assent of the Governor on the 27th November 2010 and is hereby published for general information:—

ACT No. 41 OF 2010.

An Act to amend the Tamil Nadu Sales Tax (Settlement of Arrears) Act, 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:—

- | | |
|---|--------------------------------------|
| <p>1. (1) This Act may be called the Tamil Nadu Sales Tax (Settlement of Arrears) Amendment Act, 2010.</p> <p>(2) It shall be deemed to have come into force on the 25th day of October 2010.</p> | <p>Short title and commencement.</p> |
| <p>Tamil Nadu Act 20 of 2010.</p> <p>2. In section 2 of the Tamil Nadu Sales Tax (Settlement of Arrears) Act, 2010 (hereinafter referred to as the principal Act), in sub-section (1), in clause (b), for the expression “for which assessment has been made prior to the 1st day of April 2007”, the expression “upto the assessment year 2006-2007, for which assessment has been made prior to the 1st day of June 2010” shall be substituted.</p> | <p>Amendment of section 2.</p> |
| <p>3. In section 4 of the principal Act, for the expression “in respect of which assessment has been made under the relevant Act, prior to the 1st day of April 2007,” the expression “upto the assessment year 2006-2007, in respect of which assessment has been made under the relevant Act, prior to the 1st day of June 2010,” shall be substituted.</p> | <p>Amendment of section 4.</p> |
| <p>Tamil Nadu Ordinance 5 of 2010.</p> <p>4. (1) The Tamil Nadu Sales Tax (Settlement of Arrears) Amendment Ordinance, 2010 is hereby repealed.</p> <p>(2) Notwithstanding such repeal, anything done or any action taken under the principal Act, as amended by the said Ordinance, shall be deemed to have been done or taken under the principal Act, as amended by this Act.</p> | <p>Repeal and saving.</p> |

(By order of the Governor)

S. DHEENADHAYALAN,
Secretary to Government,
Law Department.

The following Act of the Tamil Nadu Legislative Assembly received the assent of the Governor on the 27th November 2010 and is hereby published for general information:—

ACT No. 42 OF 2010.

An Act to bring provision of the Tamil Nadu Value Added Tax (Second Amendment) Act, 2010 into force with retrospective effect.

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 Value Added Tax (Special Provision) Act, 2010.

Short title.

Tamil Nadu
Act 22 of
2010.

2. Notwithstanding anything contained in sub-section (2) of section 1 of the Tamil Nadu Value Added Tax (Second Amendment) Act, 2010 (hereinafter referred to as the 2010 Act) and in the notification of the State Government in the Commercial Taxes and Registration Department No.II(2)/CTR/527(b)/2010, published at page 1 in Part II—Section 2 of the *Tamil Nadu Government Gazette* Extraordinary, dated the 19th day of August 2010, section 2 of the 2010 Act shall be deemed to have come into force on the 1st day of January 2007.

Section 2 of
Tamil Nadu
Act 22 of
2010 deemed
to have come
into force on
the 1st day
of January
2007.

Tamil Nadu
Ordinance
7 of 2010.

3. (1) The Tamil Nadu Value Added Tax (Special Provision) Ordinance, 2010 is hereby repealed.

Repeal and
saving.

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

(By order of the Governor)

S. DHEENADHAYALAN,
*Secretary to Government,
Law Department.*

The following Act of the Tamil Nadu Legislative Assembly received the assent of the Governor on the 27th November 2010 and is hereby published for general information:—

ACT No. 43 OF 2010.

An Act 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:—

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

Short title and commencement.

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

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

Amendment of section 4.

(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.

(By order of the Governor)

S. DHEENADHAYALAN,
Secretary to Government,
Law Department.

The following Act of the Tamil Nadu Legislative Assembly received the assent of the Governor on the 27th November 2010 and is hereby published for general information:—

ACT No. 44 OF 2010.

An Act 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.

(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, —

(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".

(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:-

(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*;

Short title,
extent and
commence-
ment.

Definitions.

Establishment
of Chennai
Unified
Metropolitan
Transport
Authority.

Composition
of the
Authority.

(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.

(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.

(By order of the Governor)

S. DHEENADHAYALAN,
Secretary to Government,
Law Department.