

Under Rule 130 of the Tamil Nadu Legislative Assembly Rules, the following Bill which was introduced in the Legislative Assembly of the Tamil Nadu on 21st February, 2024 is published together with Statement of Objects and Reasons for general information:—

L.A Bill No. 13 of 2024

A BILL FURTHER TO AMEND THE CHENNAI UNIFIED METROPOLITAN TRANSPORT AUTHORITY ACT, 2010.

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

1. (1) This Act may be called the Chennai Unified Metropolitan Transport Authority (Amendment) Act, 2024.

Short title and commencement.

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

Tamil Nadu Act 44 of 2010.

2. In section 2 of the Chennai Unified Metropolitan Transport Authority Act, 2010 (hereinafter referred to as the principal Act),—

Amendment of section 2.

(1) after clause (a), the following clause shall be inserted, namely:—

“(aa) “Comprehensive Mobility Plan” means a policy document outlining the strategies and related actions, for the provision of efficient urban transport and mobility of people and goods in the notified planning area;”;

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

Tamil Nadu Act 35 of 1972.

“(ba) “notified planning area” means the Chennai Metropolitan Planning Area as notified under the Tamil Nadu Town and Country Planning Act, 1971;”;

(3) after clause (c), the following clauses shall be inserted, namely:—

“(ca) “regulations” mean the regulations made by the Authority under this Act;

(cb) “Schedule” means the Schedule to this Act;

(cc) “transport investment programme” means a detailed investment programme for urban transport within the notified planning area, for a period of five years;

(cd) “urban transport” with its all grammatical variations and cognate expressions covers all aspects of transport namely, infrastructure facilities, vehicles and services available to the general public in the notified planning area, including but not limited to private transport vehicles and services, and all modes and means of transportation within the categories as may be specified in the Schedule.”.

Amendment of section 3.

3. In section 3 of the principal Act, for sub-section (2), the following sub-section shall be substituted, namely:--

“(2) The Authority shall be a body corporate, having perpetual succession and a common seal, with power subject to the provisions of the Act, to acquire, hold and dispose of properties, both movable and immovable and enter into contract, and shall by the said name sue and be sued.”.

Substitution of section 4.

4. For section 4 of the principal Act, the following section shall be substituted, namely: —

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

(a) the Chief Minister, who shall be the Chairperson, **ex-officio**;

(b) the Minister in-charge of Chennai Unified Metropolitan Transport Authority, who shall be the Vice-Chairperson, **ex-officio**;

(c) the Minister in-charge of Transport, who shall be the Co-Vice Chairperson, **ex-officio**;

(d) the Mayor, Greater Chennai Corporation, **ex-officio**;

(e) the Chief Secretary to Government, **ex-officio**;

(f) the Vice-Chairperson of the Chennai Metropolitan Development Authority, **ex-officio**;

(g) the Secretary to Government in charge of Transport department, **ex-officio**;

(h) the Secretary to Government in charge of Finance department, **ex-officio**;

(i) the Secretary to Government in charge of Housing and Urban Development department, **ex-officio**;

(j) the Secretary to Government in charge of Highways department, **ex-officio**;

(k) the Secretary to Government in charge of Home department, **ex-officio**;

(l) the Secretary to Government in charge of Municipal Administration and Water Supply department, **ex-officio**;

(m) the Secretary to Government in charge of Planning, Development and Special Initiatives department, **ex-officio**;

(n) the Secretary to Government in charge of Revenue and Disaster Management department, **ex-officio**;

(o) the General Manager, Southern Railway, Chennai, **ex-officio**; and

(p) the Member-Secretary of the Authority, to be appointed by the Government, from among the officers of the Indian Administrative Service or the Central Civil Services Group ‘A’.

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

(3) When the Chairperson of the Authority is unable to discharge the functions owing to his absence, one of the Vice-Chairpersons, senior in rank, shall discharge the functions of the Chairperson until the Chairperson assumes charge of his functions.”.

5. In section 5 of the principal Act, the expression “or co-opted” shall be omitted.

Amendment of Section 5.

6. In section 6 of the principal Act,—

Amendment of section 6.

(1) the proviso to sub-section (1) shall be omitted;

(2) in sub-section (2), for the expression “the Government” occurring in two places, the expression “the Authority” shall be substituted.

7. For section 7 of the principal Act, the following section shall be substituted, namely:—

Substitution of section 7.

“7. Removal from Membership of the Authority.— If, at any point of time, it appears to the Authority that a member nominated has conducted himself in a manner unfit to hold office or has been guilty of misconduct or neglect, which in the opinion of the Authority renders his removal from the membership of the Authority as expedient, the Authority may, after giving such member, a reasonable opportunity to show cause, by an order, remove such member from the office.”.

8. Section 8 of the Principal Act shall be omitted.

Omission of Section 8

9. In section 9 of the principal Act, for sub-section (1), the following sub-section shall be substituted,namely:-

Amendment of section 9.

“(1) The Member-Secretary of the Authority shall be the Chief Executive Officer of the Authority.”;

(2) in sub-section (2), after the expression “considers necessary”, the expression “in such manner as may be prescribed” shall be inserted.

10. For section 10 of the principal Act, the following sections shall be substituted, namely:—

Substitution of section 10.

“10. Powers and Functions of the Authority.-- The Authority shall, for the purposes of this Act, have the following powers and functions, namely:-

(a) formulate policy, and frame regulations, directions and guidelines for urban transport in the notified planning area;

(b) act as a co-ordinating authority in the areas of transport of passengers and goods and integration of land-use and transport planning;

(c) approve comprehensive mobility plan, transport investment programmes, annual budgets and other plans and sub-plans required for sustainable urban transport and monitor and audit their compliance;

(d) facilitate the financing of transport investment programmes in the notified planning area, either from out of the urban transport fund or by borrowing funds with the consent of the Government;

(e) supervise and exercise control over the actions and proceedings of the Executive Committee and other officers and employees of the Authority;

(f) approve the fare structure recommended by the Executive Committee for public passenger transport modes, para-transit modes and for parking on street as well as off street and other such fares, charges and fees, as the Authority may decide;

(g) make recommendations to the Union Government in regard to the Railways, National Highways, Sea Port and Airport wherever necessary, for improving the transport system; and

(h) perform such other functions as may be entrusted to it by the Government from time to time.

10A. Executive Committee.— (1) There shall be an Executive Committee comprising of the following members, namely:—

(a) The Chief Secretary to Government, who shall be the Chairperson, ex-officio;

(b) the Secretary to Government in charge of Finance department, ex-officio;

(c) the Secretary to Government in charge of Housing and Urban development Department, ex-officio;

(d) the Secretary to Government in charge of Highways and Minor Ports department, ex-officio;

(e) the Member-Secretary, Chennai Metropolitan Development Authority, ex-officio;

(f) the Transport Commissioner, ex-officio;

(g) the Commissioner, Greater Chennai Corporation, ex-officio;

(h) the Director of Municipal Administration, ex-officio;

(i) the Commissioner of Police, Greater Chennai, ex-officio;

(j) the Managing Director, Chennai Metro Rail Limited, ex-officio;

(k) the Managing Director, Metropolitan Transport Corporation, ex-officio;

(l) the General Manager, Southern Railways, ex-officio;

(m) the General Manager, Regional Office, Chennai, National Highway Authority of India, ex-officio; and

(n) the Member-Secretary, Chennai Unified Metropolitan Transport Authority, ex-officio;

(2) The Executive Committee shall, for the purposes of this Act, have the following powers and functions, namely:-

(a) prepare a comprehensive mobility plan, transport investment programmes, other plans and sub-plans addressing the planning and development of all public passenger transport modes and related infrastructure and recommend to the Authority for implementation of the same through the transport agencies concerned;

(b) prepare annual budgets with the concurrence of the Authority and recommend the same to the Government to apportion funds accordingly to the agencies concerned for implementation of the comprehensive mobility plan;

(c) oversee, coordinate, promote and monitor the implementation of various traffic and transportation measures including promoting the cause of public passenger transport systems and regulate their operations, besides implementation of certain traffic and transportation measures of special nature in the notified planning area;

(d) update the comprehensive mobility plan periodically in tune with the changes in the traffic and transportation situation in the notified planning area;

(e) monitor, co-ordinate and evaluate the implementation of the comprehensive mobility plan;

(f) take decisions on matters that would impinge on the mobility in the notified planning area and ensure that no steps are initiated by any agency or local body that impedes the overall efficiency of the comprehensive mobility plan;

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

(h) recommend fare structure for public passenger transport modes and para-transit modes based on periodical assessment;

(i) manage a road safety cell;

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

(k) form sub-committees and nominate members for sub-committees;

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

(m) engage experts, whose assistance or advice is considered necessary for the purposes of carrying out the provisions of this Act;

(n) regulate measures to integrate and consolidate any other action plan of the line agencies which fall outside the comprehensive mobility plan relating to public passenger transport modes and related infrastructure in the notified planning area and facilitate implementation of the same.

(3) The Executive Committee shall meet at such times and places and observe such procedure in regard to the transaction of business at its meetings as may be prescribed.”.

Substitution of
section 11.

11. For section 11 of the principal Act, the following section shall be substituted, namely:—

“11. Exemption from compliance.—The Government may, in public interest, subject to such condition as they deem fit, by general or special order exempt any agency involved in planning, operating or managing transportation system in the notified planning area, from the compliance of any of the decision of the Authority.”.

Substitution of
section 12.

12. For section 12 of the principal Act, the following section shall be substituted, namely:—

“12. Meetings of the Authority.—(1) 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 a year.

(2) No act or proceeding of the Authority shall be invalid merely on the ground of the existence of any vacancy, or deficiency in the quorum or any defect in the constitution or conduct of meetings of the Authority.

(3) The Authority may invite such number of persons having expertise in the field of transportation, structural engineering, finance, environment, urban planning or public administration, or persons of eminence or high repute as deemed fit, to attend any of the meetings of the Authority as special invitees. The special invitees shall take part in the discussion but shall not have the right to vote.”.

Substitution of
section 14.

13. For section 14 of the principal Act, the following section shall be substituted, namely:—

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

Amendment of
section 15.

14. In section 15 of the principal Act, for the expression “The Authority shall be entitled to appoint”, the expression “The Authority may appoint” shall be substituted.

Substitution of
section 17.

15. For section 17 of the principal Act, the following section shall be substituted, namely:—

“17. Urban Transport Fund.—(1) The Authority shall have its own Fund called the ‘Urban Transport Fund’.

(2) The Government may pay to the Authority in each financial year sums as may be considered necessary for the functioning of the Authority and may also from time to time, notify any other source of money for the Fund.

(3) 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.

(4) All expenditure incurred by the authority under or for the purposes of this Act, including financing of transport investment programmes, 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.”.

16. For section 19 of the principal Act, the following section shall be substituted, namely:—

Substitution of section 19.

“**19. Annual Report.**— (1) 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.

(2) The Government shall cause every such report to be laid before the Legislative Assembly, as soon as may be, after its receipt.”.

17. Section 20 of the principal Act, shall be renumbered as sub-section (1) of that section, and after sub-section (1) as so renumbered, the following sub-section shall be added, namely:—

Amendment of section 20.

“(2) In the event of any dispute between the Authority and any other authority, local body, body corporate, department or any agency of the Government, the matter shall be resolved by the Government and the decision of the Government shall be final and binding on the parties involved in such dispute:

Provided that the Government shall not pass an order in relation to any dispute without affording the parties concerned an opportunity of being heard.”.

THE SCHEDULE

(see section 2 (cd))

Modes and Means of Transportation

- (1) Buses
- (2) Tramways
- (3) Metro Railway
- (4) Electric Trolley Bus
- (5) Cable Car
- (6) Bus Rapid Transit System
- (7) Light Rail Transit
- (8) Inter-city Railways/SubUrban Rail
- (9) Boats
- (10) Water Metro

(11) Any other mode irrespective of its fuel or propulsion type including private vehicles which meet the requirements of Mass Transportation.

(12) Para Transit.-This includes systems provided by operators within the notified planning area available to person on hire basis for individual and multiple trips, such as:-

(a) Auto rickshaws/Shared auto rickshaws/E-rickshaws;

(b) Taxi Cabs, Hire a Cab or Shared Taxi;

(c) Minibus/Vans;

(d) Any transport vehicle operated under an aggregator;

(e) Any other mode irrespective of its fuel and propulsion system, which meet the requirements of Para transit.

(13) Bicycle, cycle rickshaw and any other green mode of transport that do not consume fuel propulsion or cause pollution.

(14) Urban Freight.- The movement of freight vehicles whose primary purpose is to carry goods/freight into, out of and within the notified planning area.

STATEMENT OF OBJECTS AND REASONS

Urban transport is a vital component of urban infrastructure and the lifeline for a city. A well-planned and developed transport system is integral to economic and social activity and is a key factor in facilitating urban economic growth.

2. The Chennai Unified Metropolitan Transport Authority Act, 2010 (Tamil Nadu Act 44 of 2010) was enacted to co-ordinate and streamline the activities and holistically manage integrated urban transport systems in Chennai metropolitan planning Area, by establishing an Unified Transport Authority.

3. The manifold increase in the economic and social activities during the last decade in the Chennai City have led to operational difficulties in the urban transport system. With a view to optimize the services of the multiple transport agencies by removing the operational difficulties, to address certain newer issues that have emerged in the context of urban transport and to streamline, strengthen and improve the role of Chennai Unified Metropolitan Transport Authority, the Government have decided to amend the Chennai Unified Metropolitan Transport Authority Act, 2010 (Tamil Nadu Act 44 of 2010) suitably.

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

S. MUTHUSAMY,
*Minister for Housing and Urban
Development Department.*

MEMORANDUM REGARDING DELEGATED LEGISLATION

Clauses 4,9,10,11,12,13,15 and 16 of the Bill authorise the Government or the Chennai Unified Metropolitan Transport Authority to make rules or to issue notifications or orders, as the case may be, for the purposes specified therein.

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

S. MUTHUSAMY,
*Minister for Housing and Urban
Development Department.*

Secretariat,
Chennai-600 009,
21st February 2024.

K. SRINIVASAN,
Principal Secretary.