

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 23rd January, 2026 is published together with Statement of Objects and Reasons for general information:-

L.A.Bill No. 3 of 2026

INDEX TO THE TAMIL NADU SPECIAL AREA DEVELOPMENT AUTHORITIES BILL, 2026

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A Bill to declare Special Development Areas in the State of Tamil Nadu to provide for their planning and development in a specialised manner; to constitute Special Area Development Authorities for comprehensive, planned, coordinated and sustainable development of such areas and for matters connected therewith or incidental thereto.

WHEREAS, it is imperative to declare Special Development Areas and to establish Special Area Development Authorities for the planned and sustainable development of such areas, in order to cater the special nature of such areas and to ensure inclusive, environmentally responsible, and harmonised development of such areas, in tune with the local needs;

AND WHEREAS, it is essential to ensure comprehensive, planned, coordinated and sustainable development of Special Development Areas in the State of Tamil Nadu; to facilitate preparation and implementation of Special Area Master Plans; to enable, guide and promote sustainable development activities; to co-ordinate with Government departments and local authorities for effective implementation of the plans; to protect cultural and natural heritage;

AND WHEREAS, it is necessary to empower the Special Area Development Authorities to co-ordinate with the Government departments, local authorities and other statutory authorities, in order to facilitate efficient execution of projects and schemes in the Special Development Areas.

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

CHAPTER - I.

PRELIMINARY.

1. (1) This Act may be called the Tamil Nadu Special Area Development Authorities Act, 2026.

Short title,
extent and
commencement.

(2) It extends to the whole of the State of Tamil Nadu.

(3) It shall come into force on such date as the Government may, by notification, appoint and different dates may be appointed for different areas and for different provisions of this Act.

Tamil Nadu Act 35
of 1972.

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

Definitions.

(a) “amenities” includes streets, open spaces, parks, recreational grounds, play-grounds, water and electricity supply, street lighting, sewerage, drainage, public works and other utilities, services and conveniences;

(b) “appropriate planning authority” means the appropriate planning authority as defined under clause (3) of section 2 of the Tamil Nadu Town and Country Planning Act, 1971;

(c) “area of unorganised layout or obsolete development” means an area consisting of land which is laid out in an unorganized manner or area of obsolete development, together with other lands contiguous or adjacent thereto, and which is defined by a Special Area Master Plan or a Detailed Development Plan approved under section 21 and section 26, respectively, as an area of unorganised lay-out or obsolete development;

(d) “arterial road” means any highway which connects towns with one another and facilitates movement of goods and people from one town to another;

(e) “Authority” means the Special Area Development Authority constituted under sub-section (1) of section 4;

(f) “building” includes—

(i) a house, out-house, stable, latrine, godown, shed, hut, wall (other than a boundary wall) and any other structure whether of masonry, bricks, mud, wood, metal or any other material whatsoever;

(ii) a structure on wheels or simply resting on the ground without foundations;

(iii) a ship, vessel, boat, tent, van and any other structure used for human habitation or used for keeping or storing any article or goods; and

(iv) the garden, grounds, carriages and stables, if any, appurtenant to any building;

(g) “company” means a company as defined in clause (20) of section 2 of the Companies Act, 2013; Central Act 18 of 2013.

(h) “Detailed Development Plan” means the plan approved by the Government under section 26;

(i) “development” means the carrying out of all or any of the works contemplated in a Special Area Master Plan or a Detailed Development Plan or a land pooling area development scheme prepared under this Act, and shall include the carrying out of building, engineering, mining or other operations in, or over or under land or the making of any material change in the use of any building or land:

Provided that for the purposes of this Act, the following operations or uses of land shall not be deemed to involve development of the land, that is to say—

(i) the carrying out of any temporary works for the maintenance, improvement or other alteration of any building, being works which do not materially affect the external appearance of the building;

(ii) the carrying out by a local authority of any temporary works required for the maintenance or improvement of a road or works carried out on land within the boundaries of the road;

(iii) the carrying out by a local authority or statutory authority of any temporary works for the purpose of inspecting, repairing or renewing any sewers, mains, pipes, cables or other apparatus, including the breaking open of any street or other land for that purpose;

(iv) the use of any building or other land within the curtilage of a dwelling house for any purpose incidental to the enjoyment of the dwelling house as such; and

(v) the use of any land for the purpose of agriculture, gardening or forestry (including afforestation) and the use for any purpose specified in this clause of this proviso of any building occupied together with the land so used;

(j) "development right certificate" means the certificate to be issued under the signature of the Member-Secretary of the Authority including digital signature, indicating the floor space index credit in square metres of the built-up area to which the owner or lessee is entitled, the place from where it is generated and the rate of that plot as prescribed in the guideline value issued by the Registration Department for the relevant year;

(k) "development rights" means the right to carry out development or to develop land or building or both in the area specified in the development right certificate;

Tamil Nadu Act 35
of 1972.

(l) "Director" means the Director of Town and Country Planning appointed under section 3 of the Tamil Nadu Town and Country Planning Act, 1971;

(m) "floor space index" means the quotient obtained by dividing the total covered area (plinth area) on all the floors, excepting the areas specifically exempted by notification, by the plot area, *i.e.*

$$\text{floor space index} = \frac{\text{Total covered area on all floors}}{\text{Plot area;}}$$

(n) "Fund" means the Fund constituted under sub-section (1) of section 55;

(o) "Government" means the State Government;

(p) "land" includes benefits to arise out of land, and things attached to the earth or permanently fastened to anything attached to the earth;

(q) "land pooling area development scheme" means the scheme in which land owned by individual or group of individuals are pooled together and developed by the Authority and part of such developed land is transferred to the original owner and the remaining part of such land is used for establishing common facilities and amenities or for sale;

Tamil Nadu Act 9
of 1999.
Tamil Nadu Act 21
of 1994.

(r) "local authority" means a municipal corporation or a municipal council or a town panchayat constituted or deemed to have been constituted under the Tamil Nadu Urban Local Bodies Act, 1998 or a village panchayat constituted under the Tamil Nadu Panchayats Act, 1994;

(s) “notification” means notification published in the *Tamil Nadu Government Gazette*;

(t) “occupier” includes—

(i) any person for the time being paying or liable to pay to the owner the rent or any portion of the rent of the land or building or part of the same in respect of which the word is used or damages on account of the occupation of such land, or building or part; and

(ii) a rent-free occupant;

(u) “owner” includes the person for the time being receiving or entitled to receive, whether on his own account or as agent, trustee, guardian, manager or receiver for another person, or for any religious or charitable purposes, the rent or profits of the property in connection with which the word is used;

(v) “plot” means a continuous portion of land held in one ownership other than land used, allotted or reserved for any public purpose or any purpose connected with local administration carried on by any local authority;

(w) “prescribed” means prescribed by rules made under this Act;

(x) “public building” means any building to which the public or any class or section of the public are granted access or any building which is open to the public or any class or section of the public and includes any building—

(a) used as a—

(i) school or a college (including a tutorial school or a tutorial college), or a University or other educational institutions;

(ii) hostel;

(iii) library;

(iv) hospital, nursing home, dispensary, clinic, maternity centre or any other like institutions;

(v) club;

(vi) lodging house, boarding house, hotel, coffee house or an eating house;

(vii) choultry;

(b) used by any association;

(c) ordinarily used by the Central or any State Government or any local authority or any statutory authority or any body corporate, owned or controlled by the Central or any State Government or public or any class or section of the public for religious worship or for religious congregation, public meetings or for celebrating marriage functions or for holding parties or the like;

(y) "public purpose" means any purpose which is useful to the public or any class or section of the public;

(z) "reconstitution of plots" means the alteration of plots by the making of a Special Area Master Plan or a Detailed Development Plan, otherwise than by the severance of land used, allotted or reserved for any public purpose;

(za) "regulations" means the regulations made by the Authority under section 73;

(zb) "relocation of occupants" means in relation to an area of unorganised lay-out or obsolete development or a slum area, the making available, in that area or elsewhere, of accommodation for residential purposes or for carrying on business or other activities, together with amenities, to persons living or carrying on business or other activities, in the said area who have to be so accommodated so that the said area may be properly planned;

(zc) "Special Area Master Plan" means the plan approved by the Government under section 21;

(zd) "Special Development Area" means any area declared by the Government to be a Special Development Area under sub-section (4) of section 3;

(ze) "Special Purpose Vehicle" means any company in which not less than fifty-one per cent of the paid-up share capital is held by the Government, and includes a subsidiary company of such company;

(zf) "State" means the State of Tamil Nadu;

(zg) "State Committee" means the State Level Steering Committee constituted under sub-section (1) of section 13;

(zh) "statutory authority" means any authority, board, corporation, council, institute, university or any other body corporate, established by or under any other State laws;

(zi) "transfer of development rights" means compensation to the owner of any site or land, for the purposes as may be prescribed, in the form of additional floor space index or development rights, which shall entitle the owner for construction of additional built-up area, subject to such rules and regulations made by the Government or the Authority, as the case may be, and the floor space index credit shall be issued in such manner as may be prescribed.

CHAPTER – II.

CONSTITUTION, POWERS AND FUNCTIONS OF SPECIAL AREA DEVELOPMENT AUTHORITY.

Declaration of
the Special
Development
Area.

3. (1) If the Government is of the opinion that any area of special importance in the State needs to be developed in a specialized and planned manner, they may, by notification in the *Tamil Nadu Government Gazette*, declare their intention to notify such area to be a Special Development Area and they may, by notification in the *Tamil Nadu Government Gazette*, add, alter or reduce such area.

(2) Every notification issued under sub-section (1) shall define the limits of the area to which it relates.

(3) Any inhabitant, local authority, statutory authority or institution in the area in respect of which any notification has been published under sub-section (1) may, within two months from the date of the publication of the notification, submit any objection or suggestion thereto, in writing to the Government.

(4) After the expiry of two months from the date of publication of the notification, and after considering the objections or suggestions, if any, the Government may, by notification in the *Tamil Nadu Government Gazette*, declare the area with or without any modification, to be a Special Development Area and specify the name of the Special Development Area.

Special Area
Development
Authority.

4. (1) As soon as may be, after the declaration of a Special Development Area under section 3, the Government may, by notification in the *Tamil Nadu Government Gazette*, constitute an Authority, namely, the Special Area Development Authority for such area, for the purpose of carrying out the functions assigned to it by or under this Act. The Authority shall be a body corporate, having perpetual succession and a common seal and shall by the said name, sue or be sued.

(2) The Authority shall consist of the following members, namely:—

(a) District Collector, within whose territorial jurisdiction the majority of the Special Development Area lies, who shall be the Chairperson, *ex-officio*;

(b) Chief Executive Officer to be nominated by the Government from among the officers of the Indian Administrative Service, who shall be the Member-Secretary;

(c) one member each to represent the following departments, at such rank as the Government may deem fit and notify, namely:—

- (i) Municipal Administration Department;
- (ii) District Rural Development Agency;
- (iii) Hindu Religious and Charitable Endowments Department;
- (iv) Fisheries Department;

- (v) Animal Husbandry Department;
- (vi) Public Works Department;
- (vii) Tamil Nadu State Housing Board;
- (viii) Water Resources Department ;
- (ix) Tourism Department;
- (x) Art and Culture Department;
- (xi) Forest Department;
- (xii) Tamil Nadu Power Distribution Corporation Limited;
- (xiii) Tamil Nadu Pollution Control Board.

(d) four persons to be nominated by the Government, by notification in the *Tamil Nadu Government Gazette*, having such ability, integrity and high repute, as they deem fit.

(3) The Authority may invite such number of persons of eminence or high repute as it deem fit, to attend any of its meetings as special invitees. Such special invitees shall take part in the discussions of the Authority, but they shall not have the right to vote.

(4) The term of office, the conditions of service and the manner of filling casual vacancies of the non-official members of the Authority shall be such as may be prescribed:

Provided that the Government may, at any time before the expiry of his term, terminate any non-official member from office, for the reasons to be recorded in writing.

(5) A non-official member may, by writing under his hand, addressed to the Government, resign from his office. He shall continue to hold office until his resignation is accepted by the Government.

5. (1) The Authority shall meet at least once in every three months at such places as it deem fit and shall observe such rules of procedure governing the transaction of its business at its meetings, including the quorum thereat, as may be specified in the regulations:

Meetings of the Authority.

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

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

6. No act or proceedings of the Authority shall be invalidated merely by reason of,—

Vacancy, etc., in the Authority not to invalidate proceedings.

(a) any vacancy or any defect, in the constitution of the Authority;

(b) any defect in the appointment of a member of the Authority; or

(c) any irregularity in the procedure adopted by the Authority not affecting the merits of the case.

Officers and staff
of the Authority.

7. (1) The Authority may, with the prior approval of the Government, appoint such number of officers and staff in such manner, as may be prescribed.

(2) The terms and conditions of service of the officers and staff of the Authority shall be such as may be prescribed.

Authority to be
the planning
authority.

8. (1) The Authority shall, with effect on and from the date of publication of the approval of the Special Area Master Plan under section 22, be the planning authority for the Special Development Area.

(2) On and from the date on which the Authority become the planning authority for a Special Development Area, the appropriate planning authority functioning in any of the areas covered under the Special Development Area immediately before such date shall cease to exercise the powers, discharge the duties and perform the functions which they are competent to do under the Tamil Nadu Town and Country Planning Act, 1971.

Tamil Nadu Act 35
of 1972.

Functions of the
Authority.

9. The Authority shall –

(1) promote, facilitate and secure orderly, holistic and sustainable development of Special Development Area in a planned manner;

(2) prepare Special Area Master Plan for the development of the Special Development Area;

(3) implement the Special Area Master Plan so prepared after its approval by the Government;

(4) frame guidelines to regulate development activities in such area;

(5) develop resources, infrastructure and other avenues for facilitating comprehensive development of the Special Development Area in a sustainable manner;

(6) raise funds for any project or scheme for the development of the Special Development Area;

(7) advise the local authorities or statutory authorities concerned regarding formulation of projects and determination of priorities in accordance with the Special Area Master Plan;

(8) entrust any local authority or statutory authority or any other agency, the work of execution of any plan for the development of the Special Development Area;

(9) create an enabling framework for private sector investments and establish mechanisms to support industry-driven initiatives and entrepreneurship;

(10) assist the Government in improving travel and tourism sectors through cost effective policies;

(11) promote tourism related activities and develop environment-friendly tourist sites in the Special Development Area without adversely affecting the ecosystem of that area, in collaboration with the departments concerned;

(12) take steps to bring aesthetics, efficiency and sustainability in the Special Development Area;

(13) ensure that the local authorities and statutory authorities make sustainable arrangements for providing and maintaining civic amenities such as water supply, sewerage, power supply, transportation, communication, infrastructure and other services, especially, relating to cleanliness, aesthetics, health and hygiene in the Special Development Area;

(14) review the expenditure incurred under the Special Area Master Plan and the performance of various departments, local authorities or statutory authorities with reference to that plan;

(15) promote and encourage proper research to understand, preserve and conserve the archaeological, historical, cultural and environmental values of the Special Development Area;

(16) leverage technology as a key instrument for achieving effective growth, planning and monitoring in the Special Development Area;

(17) take steps and perform such duties for the development and preservation of the ecosystem of the area, in such manner which is conducive to tourism;

(18) do such other acts and things as may be entrusted to it by the Government or as may be necessary for or incidental or conducive to any matter which are necessary for furtherance of the objectives of the Act.

10. The Authority shall, for the purposes of this Act, have the following powers, namely:—

Powers of the Authority.

(1) to oversee, coordinate, promote, control and monitor the implementation of development activities in the Special Development Area;

(2) to call for information from the Government departments, local authorities and statutory authorities concerned with regard to their projects, schemes and priorities, if any, relating to the Special Development Area;

(3) to take decisions on matters that would impinge the development of the Special Development Area and co-ordinate with the Government departments, local authorities and statutory authorities concerned to remove difficulties;

(4) to make general or specific regulations or issue directions on the standards and norms for buildings, structures, infrastructure development, aesthetics and other construction activities to be implemented in the Special Development Area;

(5) to remove encroachments and constructions, which are not duly authorised or made in violation of the plans, regulations, directions and norms, from the Special Development Area;

(6) to prepare investment programmes enriching sustainable development and promotion of the Special Development Area and recommend implementation of such programmes;

(7) to carry out building construction, engineering activities and to develop resources, infrastructure and other avenues for facilitating and promoting the Special Development Area;

(8) to levy and collect such fees, tolls, cess, development charges, betterment fee, infrastructure and amenities charges as may be prescribed by the Government from time to time;

(9) to issue directions to the local authorities or statutory authorities concerned with regard to the implementation of any plan, scheme or project under this Act, and such authorities shall be bound to comply with such directions;

(10) to engage with the private sector through joint venture or public-private partnership for the effective planning, development and management of the Special Development Area;

(11) to acquire, hold, develop, manage and dispose of lands and any other property for the purpose of implementation of the Special Area Master Plan, with the prior approval of the Government;

(12) to take such measures as may be prescribed for the preservation of any land, building or any other property having any tourist, archaeological, historical and environmental value in the Special Development Area;

(13) to subscribe for or acquire any stock, share, bond, debenture or any other financial instrument in any company, with the prior approval of the Government;

(14) to enter into a contract, agreement or concession agreement with any person, entity, developer or organization, as it may deem necessary for performing its functions;

(15) to associate with experts or organisations, public or private, national or international, for assistance or advice;

(16) to form sub-committees and nominate members to such sub-committees;

(17) to undertake surveys, studies, research and training, as may be required, for the sustainable development of the Special Development Area;

(18) to exercise such other powers as may be prescribed.

Delegation of powers and functions of the Authority to Special Purpose Vehicle.

11.(1) The Authority may, with the prior approval of the Government, delegate all or any of its powers and functions to a Special Purpose Vehicle, except the power under section 73.

(2) The powers and functions delegated under sub-section (1) shall stand withdrawn if the Government ceases to hold at least fifty-one per cent of the paid-up share capital of the Special Purpose Vehicle.

12.(1) The Authority may, in order to implement the plans and schemes formulated under this Act, or to carry out any other development activities in the Special Development Area, issue such directions to any local authority or statutory authority concerned.

Directions by the Authority.

(2) Notwithstanding anything contained in any other law for the time being in force, every direction issued under sub-section (1) shall be complied with by the local authority or statutory authority to whom it is issued. On failure, it shall be competent for the Authority to take necessary action to carry out the directions issued under sub-section (1) and recover expenses, if any, incurred therefor from the local authority or statutory authority concerned.

CHAPTER – III.

STATE LEVEL STEERING COMMITTEE AND SPECIAL DEVELOPMENT AREA ADVISORY COMMITTEE.

13.(1) The Government shall constitute a State Level Steering Committee to co-ordinate and monitor the activities of the Authorities, and to provide guidance in matters relating to the planning and development of the Special Development Areas.

Constitution of the State Level Steering Committee.

(2) The State Committee shall consist of the following members, namely:—

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

(ii) the Secretary to the Government in charge of Tourism, Culture and Religious Endowment, who shall be the Member-Secretary, ex-officio;

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

(iv) the Secretary to the Government in charge of Environment, Climate Change and Forest, ex-officio;

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

(vi) the Secretary to the Government in charge of Public Works, ex-officio;

(vii) the Secretary to the Government in charge of Water Resources, ex-officio;

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

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

(x) the Secretary to the Government in charge of Animal Husbandry and Fisheries, ex-officio;

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

(xii) the Secretary to the Government in charge of Transport, ex-officio;

(xiii) the Secretary to the Government in charge of Health and Family Welfare, ex-officio;

(xiv) the Secretary to the Government in charge of Rural Development and Panchayat Raj, ex-officio;

(xv) the Secretary to the Government in charge of Energy, ex-officio.

(3) The State Committee may co-opt four persons having such ability, integrity and high repute as members, as it deems fit.

(4) The State Committee may invite such number of persons of eminence or high repute as it deems fit, to attend any of its meetings as special invitees.

Powers and
functions of
the State
Committee.

14. The State Committee shall have the following powers and functions, namely:—

(a) to advise the Government to lay down policies and guidelines for the development and promotion of the Special Development Areas;

(b) to conceptualise, prepare and approve investment programmes for the promotion and sustainable development of the Special Development Areas;

(c) to make recommendations to the Government, wherever necessary, in regard to the promotion and development of the Special Development Areas;

(d) to foster the growth and development of tourism in the Special Development Areas;

(e) to co-ordinate and promote the implementation of various tourism development measures in the Special Development Areas;

(f) to negotiate with foreign or international organisations in connection with the matters relating to comprehensive and sustainable development of the Special Development Areas, with the prior approval of the Government;

(g) to suggest modifications in the draft Special Area Master Plan prepared by the Authority;

(h) to exercise such other powers and to perform such other functions, as may be prescribed;

(i) to exercise such other powers and to perform such other functions, as may be vested or assigned to it by the Government from time to time.

Meetings of
the State
Committee.

15.(1) The State Committee shall meet at least once in every three months at such place as it deems fit and shall observe such rules of procedure governing the transaction of its business at its meetings, including the quorum thereat, as may be prescribed:

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

(2) Where a Secretary to the Government is unable to attend the meetings of the State Committee for any reason, he may depute any officer of his department not lower in rank than that of a Deputy Secretary to the Government to attend the meeting and the officer so deputed shall have the right to take part in the proceedings of such meetings and shall have the right to vote.

(3) All the members other than the special invitees referred to in sub-section (4) of section 13 shall have the right to vote.

(4) No act or proceedings of the State Committee shall be invalid merely on the ground of existence of any vacancy, or deficiency in the quorum or any defect in the constitution or conduct of meetings of the Committee.

16. (1) As soon as may be, after an Authority is constituted under sub-section (1) of section 4 for a Special Development Area, the Government shall, by notification in the Tamil Nadu Government Gazette, for the purpose of advising that Authority, constitute an advisory committee, namely, the Special Development Area Advisory Committee.

Special
Development
Area Advisory
Committee.

(2) The Special Development Area Advisory Committee shall consist of the following members, namely:—

(a) District Collector, within whose territorial jurisdiction the majority of the Special Development Area lies, who shall be the Chairperson, ex-officio;

(b) Chief Executive Officer of the Special Area Development Authority, who shall be the Member- Secretary;

(c) Member of the Parliament of the parliamentary constituency, within which the whole or majority of the area of the Special Development Area lies;

(d) Member of the Legislative Assembly of the assembly constituency, within which the whole or majority of the area of the Special Development Area lies;

(e) Chairperson of the municipal corporation, municipal council or the town panchayat, as the case may be, within which the whole or majority of the area of the Special Development Area lies;

(f) Chairman of the panchayat union council within whose territorial jurisdiction, the whole or majority of the area of the Special Development Area lies;

(g) not more than two presidents of village panchayats functioning within the Special Development Area, as may be nominated by the Chairperson of the Authority;

(h) one person as may be nominated by the Chairperson of the Authority, from any non-governmental organisation, involved in matters relating to the special nature of the Special Development Area for such period as the Government may determine.

(3) The Advisory Committee may, wherever necessary, make recommendations to the Authority on matters relating to the promotion and development of the Special Development Area.

(4) The Advisory Committee shall render advice to the Authority, whenever the Authority seeks such advice on any matter, as it deems necessary.

(5) The members specified in clauses (c) to (g) of sub-section (2) shall hold office till they cease to be a member of the Parliament, or the Legislative Assembly, or the Chairperson, the Chairman or the President of the local bodies concerned, as the case may be.

CHAPTER – IV.

SPECIAL AREA MASTER PLAN AND DETAILED DEVELOPMENT PLAN.

Special Area
Master Plan.

17. (1) The Authority shall, as soon as it is constituted, but not later than such time as may be prescribed and after consulting the local authorities concerned, prepare and submit to the State Committee, a plan hereinafter called the "Special Area Master Plan" for the Special Development Area or any part of it and such other area or areas contiguous or adjacent to the Special Development Area, as the Government may direct to be included in the Special Area Master Plan.

(2) The Special Area Master Plan may propose or provide for all or any of the following matters, namely: –

(a) long term strategies with vision, goals, and targets for sustainable development of the Special Development Area including action plans and mechanisms to leverage resources, empower sustainable travel choices and help commercial as well as industrial establishments to reduce their environmental impact;

(b) the manner in which the land in the Special Development Area shall be used;

(c) comprehensive planning and infrastructure development;

(d) the allotment or reservation of land for residential, commercial, tourism, industrial and agricultural purposes and for parks, play-fields and open spaces;

(e) provision for regulating the location, height, number of storeys and size of buildings and other structures, the size of the yards and other open spaces and the use of buildings, structures and lands in the Special Development Area;

(f) the allotment or reservation of lands for public buildings, institutions and civic amenities;

(g) the allotment or reservation of lands for the development of wellness tourism, ethnic tourism, hospitality tourism, business and leisure tourism, caravan tourism, heritage tourism, rural and plantation tourism, coastal tourism, religious tourism, water tourism, adventure tourism, film tourism, and eco-tourism and for conventions and exhibitions, wherever necessary;

(h) provision for the development of special areas, if any, such as, tribal areas, coastal areas, areas for establishment of new towns;

(i) provision for the development and preservation of heritage sites including the regulation and control of any developmental activity that may affect such heritage sites or their vicinity;

(j) provision for the preservation, conservation and development of nature reserves, animal sanctuaries, forests, wildlife, natural resources, landscaping, botanical and zoological gardens, in tune with the laws in force;

(k) provision for highways, arterial roads, ring roads, major streets, lines of communication and transportation, as may be necessary, for ensuring connectivity and integrated infrastructure within and around the Special Development Area;

(l) provision for the improvement of areas of unorganised layout or obsolete development and slum areas and for relocation of occupants thereof;

(m) provision for detailed development of specific areas for housing, tourism, shopping, industries, civic amenities, educational and cultural facilities;

(n) provision for traffic and transportation pattern and traffic circulation pattern;

(o) provision for major road and street improvements;

(p) provision for areas reserved for future development and expansion;

(q) provision for new housing projects and other projects providing for amenities, services and utilities;

(r) provision for resorts, heritage hotels, caravan parks, destination weddings, farm stay, bed and breakfast, camping sites, way-side amenities, convention centers, museums, aquariums, theme parks, golf courses, ropeways, water parks, water sports, etc;

(s) the control of architectural features, elevation and frontage of buildings and structures;

(t) the stages by which the Special Area Master Plan shall be carried out;

(u) provision to indicate the projects which can be developed through Central schemes, State schemes, joint ventures or public private partnerships; and

(v) such other matters as may be prescribed.

(3) The Special Area Master Plan may provide for any other matter as may be necessary for the proper development of the Special Development Area, not inconsistent with this Act.

Directions to the appropriate planning authority.

18. The Authority may, at any time, before the date of publication of approval of the Special Area Master Plan under section 22, if it deems necessary, direct the appropriate planning authority to impose such restrictions on the construction or development of lands, buildings or any other properties in the Special Development Area in such manner as may be prescribed and such authority shall be bound to comply with such directions.

Consent of the Government to the publication of notice of preparation of the Special Area Master Plan.

19.(1) As soon as may be, after the draft Special Area Master Plan has been submitted to the State Committee under sub-section (1) of section 17, but not later than such time as may be prescribed, the State Committee may direct the Authority to make such modifications, if any, in the draft Special Area Master Plan as it thinks fit and thereupon the Authority shall make such modifications, if any, and then submit the plan to the Government, for their consent to the publication of the notice of the preparation thereof, within such time as may be prescribed.

(2) The Government may, not later than such time as may be prescribed, direct the Authority to make such modifications, if any, in the draft Special Area Master Plan as they think fit and thereupon the Authority shall make such modifications, if any, and resubmit the plan to the Government for consent to the publication of the notice of the preparation thereof, within such time as may be prescribed.

(3) The Government shall, after the modifications, if any, directed by them, have been made, give their consent to the Authority, to the publication of a notice under section 20, of the preparation of the draft Special Area Master Plan.

Notice of preparation of the Special Area Master Plan.

20. (1) As soon as may be, after receiving the consent of the Government under sub-section (3) of section 19 to the publication of the notice, but not later than such time as may be prescribed, the Authority shall publish the notice in the *Tamil Nadu Government Gazette* and in at least two leading daily newspapers of the region, of which one shall be in the vernacular language, of the preparation of the draft Special Area Master Plan. The notice shall specify that the draft Special Area Master Plan has been prepared and indicate the place or places where copies of the same may be inspected, inviting objections and suggestions in writing from any person in respect of the said plan within such period as may be specified in the notice:

Provided that such period shall not be less than one month from the date of the publication of the notice in the *Tamil Nadu Government Gazette*.

(2) After the expiry of the period specified in sub-section (1), the Authority shall give a reasonable opportunity of being heard to any person, including representatives of Government departments, local authorities and statutory authorities, who have made a request for being so heard and may make such amendments to the draft Special Area Master Plan, as it considers proper and shall submit the said plan, with or without modifications, to the Government for approval.

21. As soon as may be, after the submission of the draft Special Area Master Plan to the Government, but not later than such time as may be prescribed, the Government may, after consulting the State Committee, approve the said plan with or without modifications, as they may consider necessary.

Approval of the Special Area Master Plan.

22. (1) The approval of the Government to the Special Area Master Plan under section 21 shall be published by the Government by a notification in the *Tamil Nadu Government Gazette* and in at least two leading daily newspapers of the region, of which one shall be in the vernacular language, and such notification shall state the place or places and the time at which the Special Area Master Plan shall be open to the inspection of the public.

Coming into operation of the Special Area Master Plan.

(2) A notification published under sub-section (1) shall be conclusive evidence that the Special Area Master Plan has been duly made and approved. The said plan shall come into operation from the date of publication of such notification in the *Tamil Nadu Government Gazette*.

23. (1) The Authority may, by resolution, decide to prepare a development plan to be called the "Detailed Development Plan" in respect of any land within the Special Development Area, either along with the preparation of the draft Special Area Master Plan or thereafter and submit the draft Detailed Development Plan to the Government.

Detailed Development Plan.

(2) A Detailed Development Plan may propose or provide for all or any of the following matters, namely:—

(a) the laying out or re-laying out of land, either vacant or already built upon, as building sites;

(b) the construction, diversion, extension, alteration, improvement or closure of lanes, streets, roads and communications;

(c) the construction, alteration, removal or demolition of buildings, bridges and any other structures;

(d) the acquisition by purchase, exchange or otherwise of any land or other immovable property within the area included in the Detailed Development Plan, whether required immediately or not;

(e) the redistribution of boundaries and the reconstitution of plots belonging to owners of the property;

(f) the disposal by sale, exchange, lease or otherwise of land acquired or owned by the Authority;

(g) transport facilities, water supply, lighting, drainage including sewage, surface draining and sewage disposal;

(h) the planned development of amenity blocks which provides for essential facilities like toilets, changing rooms, drinking water stations, help-desks, cafeterias, rest areas, shoe stands, cloak rooms, souvenir shops, medical rooms, and charging stations;

(i) the means of accessibility for the persons with disabilities, such as, walkways, ramps, elevators and toilets;

(j) the deployment of hop-on hop-off vehicles to connect the airports, railway stations, and major tourism sites;

(k) the allotment or reservation of land for streets, roads, squares, houses, buildings for religious and charitable purposes, open spaces, gardens, recreation grounds, schools, markets, shops, factories, hospitals, dispensaries, public buildings, public purposes of all kinds;

(l) defining and demarcating the reconstituted plots or the areas allotted to or reserved for the purposes mentioned in clause (k);

(m) the allotment or reservation of land for establishment of tourism related infrastructure;

(n) the construction of buildings for housing or re-housing of persons displaced by the Detailed Development Plan;

(o) the demarcation of places or objects for the development or protection of buildings of archaeological or historical importance, scenic beauty, religious importance or veneration by the public;

(p) the protection of canals, tanks or river sides, coastal areas and any other places of natural or landscape beauty;

(q) the identification and demarcation of various places or sites for comprehensive and sustainable development and for making suitable provision for attendant infrastructure;

(r) the demarcation of water bodies, forests, coastal and hilly areas for the development of projects such as hotels, health and wellness resorts, camp-sites, museums, aquariums, amusement parks, house boats, theme parks, heritage hotels, convention centres, new tourist destinations, village or farm stays, tourist centres or wildlife resorts;

(s) the planned development of facilities such as in-water adventure, in-land adventure and in-sky adventure tourism near major water bodies, forests or hills;

(t) the planned development for—

(i) recreation tourism such as theme parks, golf courses or sports facilities;

(ii) caravan tourism such as caravan parks with basic or advanced facilities;

(iii) rural and plantation tourism such as home stays, plantation stays or experiential resorts;

(iv) coastal, aquatic or underwater tourism such as water-based activities, surfing, speed boats or water-skiing;

(v) medical and wellness tourism such as health resorts;

(vi) religious tourism such as pilgrimage to temples, churches, mosques or any other religious places;

(vii) eco-tourism such as camping, bird watching, trekking or boardwalks in national parks, mangroves or coastlines;

(viii) any other kinds of tourism;

(u) the planned development for promotion of sustainable development through green initiatives, such as daylight or movement sensors in corridors or roads, solar energy usage, solar-powered street lights, water-saving fixtures, or rain-water harvesting;

(v) the imposition of conditions and restrictions in regard to the character, density, architectural features and height of buildings;

(w) the building lines or control lines for roads, railway lines or power supply lines;

(x) the purposes for which buildings or specified areas may be or may not be appropriate;

(y) sufficient open spaces abutting buildings and their maintenance;

(z) payment of advance to the owners of land, buildings or any other properties comprised within the area covered by the Detailed Development Plan upon such terms and conditions as may be provided by the said plan, of the whole or part of the amount required for the erection of buildings or for carrying out the works, alterations or improvements in accordance with the said plan;

(za) ensuring tourist safety, deployment of police personnel, installation and monitoring of Closed Circuit Television Cameras; and

(zb) such other matters as may be prescribed.

(3) Without prejudice to the generality of the foregoing provisions, every Detailed Development Plan shall contain the following particulars, namely:—

(a) plan showing the lines of existing and proposed streets;

(b) areas covered by the plan;

(c) full description of all details of the plan;

(d) description of all lands acquired or to be acquired for the purposes specified in sub-section (2);

(e) particulars regarding the number and nature of houses or projects to be developed by the Authority in cases where the Detailed Development Plan provides for any housing or re-housing;

(f) the approximate extent and other details of land to be acquired and all matters supplemental, incidental or consequential to such housing or re-housing; and

(g) zoning regulations and regulations for enforcing or carrying out the provisions of the plan.

Consent of Government to the publication of notice of preparation of the Detailed Development Plan.

24. (1) As soon as may be, after the draft Detailed Development Plan has been submitted, but not later than such time as may be prescribed, the Government may direct the Authority to make such modifications, if any, in the draft Detailed Development Plan as they think fit and thereupon, the Authority shall make such modifications, if any, and resubmit the plan to the Government for consent, to the publication of the notice of the preparation thereof within such time as may be prescribed.

(2) The Government shall, after the modifications, if any, directed by them, have been made, give their consent to the Authority to the publication of a notice under section 25 of the preparation of the draft Detailed Development Plan.

Notice of preparation of the Detailed Development Plan.

25.(1) As soon as may be, after receiving the consent of the Government under sub-section (2) of section 24 to the publication of the notice, but not later than such time as may be prescribed, the Authority shall publish the notice in the *Tamil Nadu Government Gazette* and in at least two leading daily newspapers of the region, of which one shall be in the vernacular language, of the preparation of the draft Detailed Development Plan. The notice shall specify that the draft Detailed Development Plan has been prepared and indicate the place or places where copies of the same may be inspected, inviting objections and suggestions in writing from any person in respect of the said plan within such period as may be specified in the notice:

Provided that such period shall not be less than one month from the date of publication of the notice in the *Tamil Nadu Government Gazette*.

(2) After the expiry of the period specified in sub-section (1), the Authority shall give a reasonable opportunity of being heard to any person, including representatives of Government departments, local authorities and statutory authorities, who have made a request for being so heard and may make such amendments to the draft Detailed Development Plan, as it considers proper and shall submit the said plan, with or without modifications to the Government for the approval.

Approval of the Detailed Development Plan.

26. As soon as may be, after the submission of the draft Detailed Development Plan to the Government, but not later than such time as may be prescribed, the Government may approve the said plan with or without modifications, as they may consider necessary.

Coming into operation of the Detailed Development Plan.

27.(1) The approval of the Government to the Detailed Development Plan under section 26 shall be published by the Authority by a notification in the *Tamil Nadu Government Gazette* and in at least two leading daily newspapers of the region, of which one shall be in the vernacular language, and such notification shall state the place or places and the time at which the Detailed Development Plan shall be open to the inspection of the public.

(2) A notification published under sub-section (1) shall be conclusive evidence that the Detailed Development Plan has been duly made and approved. The said plan shall come into operation from the date of publication of such notification in the *Tamil Nadu Government Gazette*.

28.(1) A Special Area Master Plan or a Detailed Development Plan approved under this Act may, at any time, be varied or revoked by a subsequent plan, by the Authority.

(2) The provisions of sections 17 to 27, with such modifications, as may be necessary, shall apply to such subsequent plan referred to in sub-section (1).

(3) The Government may, at any time, by notification in the *Tamil Nadu Government Gazette*, vary or revoke a Special Area Master Plan or a Detailed Development Plan prepared and approved under this Act.

Variation and revocation of Special Area Master Plan and Detailed Development Plan.

CHAPTER – V.

ACQUISITION AND DISPOSAL OF LAND.

29. Any land required, reserved or designated in a Special Area Master Plan or a Detailed Development Plan, for the development or re-development or improvement of the area, as the case may be, within the jurisdiction of a Special Area Development Authority, shall be deemed to be the land needed for a public purpose within the meaning of the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013.

Land required for development deemed to be land needed for public purpose.

Central Act 30 of 2013.

30. (1) Where after the publication of the notice in the *Tamil Nadu Government Gazette*, of preparation of a Special Area Master Plan, or a Detailed Development Plan, any land is required, reserved or designated in such plan for the development or re-development or improvement of the Special Development Area, the Authority may acquire the land,—

Power to purchase or acquire lands specified in the plan.

(a) by agreement, by paying an amount agreed to; or

(b) in lieu of any amount agreed to, by granting the land owner, the transfer of development rights against the area of land surrendered free of cost and free from all encumbrances, and also further additional floor space index or transfer of development rights against the development or construction of the amenity on the surrendered land at his cost, in such manner as may be prescribed; or

(c) by making an application to the Government for acquiring such land under the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013, and the land (together with the amenity, if any, so developed or constructed) so acquired by agreement or by grant of floor space index and additional floor space index in the form of transfer of development rights under this section or under the said Central Act, as the case may be, shall vest absolutely free from all encumbrances in the Authority.

Central Act 30 of 2013

(2) On receipt of an application made under clause (c) of sub-section (1), if the Government are satisfied that the land specified in the application is needed for the public purpose specified therein, they may acquire the said land by following the procedure laid down in the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013.

Central Act 30 of 2013

Contractual
acquisition
of rights and
interests in a
land.

31. Notwithstanding anything contained in section 30, where any land is needed for the purpose of a Special Area Master Plan or a Detailed Development Plan or for performing any other duties or functions of the Authority, the Authority may enter into an agreement with any person for the acquisition, by purchase, lease, exchange or otherwise, of his rights and interests in such land, either wholly or in part, on payment of an amount proportionate to the loss or deprivation caused to the enjoyment of that land.

Release of land.

32. If within five years from the date of the publication of the notice in the *Tamil Nadu Government Gazette* under section 20 or section 25—

(a) no acquisition of land as provided in sub-section (2) of section 30 is made in respect of any land reserved, allotted or designated for any purpose specified in a Special Area Master Plan or a Detailed Development Plan covered by such notice; or

(b) such land is not acquired by agreement, such land shall be deemed to be released from such reservation, allotment or designation:

Provided that the Government may, by notification, extend the period for such time as they may think proper, but such extended period shall, in no case, exceed five years.

Land pooling area
development
scheme.

33.(1) The Authority may, for the implementation of any of the plans or schemes formulated under this Act, with the prior approval of the Government, make a scheme for land pooling area development, namely, the "Special land pooling area development scheme".

(2) For making a scheme under sub-section (1), sections 39-A to 39-Y of Chapter- IV A of the Tamil Nadu Town and Country Planning Act, 1971 shall *mutatis mutandis* apply.

Tamil Nadu Act 35
of 1972.

CHAPTER – VI.

CONTROL OF DEVELOPMENT AND USE OF LAND IN SPECIAL DEVELOPMENT AREA.

Use and
development
of land to be in
conformity with
plans.

34. After the coming into operation of a Special Area Master Plan or a Detailed Development Plan in any Special Development Area, no person other than any State Government or the Central Government or any local authority shall use or cause to be used any land or carry out any development in that area otherwise than in conformity with such plan:

Provided that the continuance of the use of any land for the purpose and to the extent for, and to which it is being used on the date on which such plan comes into operation, may be allowed for such period and upon such terms and conditions as may be specified in such plan.

35.(1) When any department of any State Government or the Central Government or any local authority intends to carry out development of any land or building in the Special Development Area, the officer in charge thereof shall inform, in writing to the Authority of their intention to do so, giving full particulars thereof, and accompanied by such plans and documents, as may be prescribed, at least thirty days before undertaking such development.

Development undertaken on behalf of any State Government or Central Government or local authority.

(2) Where the Authority raises any objection to the proposed development on the ground that the development is not in conformity with the provisions of the Special Area Master Plan or the Detailed Development Plan, or any other plan under preparation or for any other material consideration, the officer of the State Government, Central Government or local authority, as the case may be, shall either make necessary modifications in the proposal for development to meet the objections raised by the Authority, or submit the proposal for the development together with the objections raised by the Authority to the Government for decision.

(3) The Government, on receipt of proposal for development together with the objections of the Authority, shall, either approve the proposal with or without modifications or direct the officer to make such modifications in the proposal as they consider necessary in the circumstances and the officer concerned shall be bound to make such modifications as directed by the Government.

36.(1) On or after the date of publication of the approval of the Special Area Master Plan under section 22, any person other than any State Government or Central Government or local authority intending to carry out any development on land or building shall make an application in writing to the Authority for permission in such form along with such documents as may be prescribed.

Application for permission for development.

(2) Every application under sub-section (1) shall be accompanied by such fee as may be prescribed.

(3) The Authority shall keep, in such form as may be prescribed, a register of applications for permission under this section.

(4) The said register shall contain such particulars, including information as to the manner in which application for permission have been dealt with and shall be made available for inspection by the public at all reasonable hours on payment of such fee as may be prescribed.

37.(1) On receipt of the application for permission under sub-section (1) of section 36, the Authority or such person as may be authorised by it in this behalf, shall, after making such inquiry as it consider necessary, by order in writing, either grant permission, subject to such conditions, if any, as may be specified in the order or refuse to grant such permission.

Grant or refusal of permission for development.

(2) The Authority shall levy a fee for grant of permission under sub-section (1) at such rate as may be prescribed.

(3) The Authority shall, before passing any order on application for permission, give an opportunity to the applicant, if need be, to make any correction therein or to supply any further particulars or documents or to make good any deficiency in the requisite fee with a view to bringing the application in conformity with the relevant rules or regulations.

(4) Every permission granted shall remain in force for a period, as may be prescribed:

Provided that any expiry of permission shall not bar any subsequent application for fresh permission under this Act.

(5) Where permission is refused, the grounds of such refusal shall be recorded in writing and communicated to the applicant forthwith:

Provided that before making an order refusing such permission, the applicant shall be given a reasonable opportunity to show cause.

Appeal against
refusal to grant
permission.

38.(1) Any person aggrieved by an order of refusal under sub-section (5) of section 37 may prefer an appeal to the Director of Town and Country Planning within two months from the date on which such order was communicated to him:

Provided that the Director of Town and Country Planning may admit an appeal preferred after the expiry of aforesaid period if he is satisfied that the appellant had sufficient cause for not preferring the appeal within the said period.

(2) In disposing of an appeal, the Director of Town and Country Planning may, after giving the parties an opportunity of making their representation, pass such orders as he deems fit. The order passed by the Director shall be final. The Director of Town and Country Planning may pass such interlocutory orders pending decision on such appeal as he deems fit.

Restriction on
lands and
buildings in
the Special
Development
Area.

39. On or after the date of publication of approval of the Special Area Master Plan under section 22, no person shall carry out any development of land or construct any building within the Special Development Area—

(a) without permission required under this Act; or

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

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

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

Power to require
removal of
unauthorised
development.

40.(1) Where any unauthorised development of land or building has been carried out as described in clauses (a) to (d) of section 39, the Authority may, at any time, serve a notice, requiring the owner to take any of the following steps, within such period being not less than one month from the date of the service of the notice, as may be specified therein, namely:—

(i) in cases specified in clause (a) or (c) of section 39, to restore the land or building to its condition before the said development took place;

(ii) in cases specified in clause (b) or (d) of section 39, to secure compliance with the permission or with the conditions of the permission, as the case may be.

(2) In particular, any such notice may, for the purposes aforesaid, require—

(i) the demolition or alteration of any building or works;

(ii) the carrying out on land, of any building or other operations;

(iii) the discontinuance of any use of land or building:

Provided that in case the notice requires the discontinuance of any use of land or building, the Authority shall serve a notice on the occupier also.

(3) If the owner or occupier, as the case may be, of land or building has not discontinued, the use of such land or building as required in the notice served under sub-section (1), within the time specified therein, the Authority if prima-facie satisfied, may take action to discontinue the use of such land or building by locking and sealing the premises in such manner as may be prescribed irrespective of pendency of any application under section 36 or appeal under section 38 or any litigation before a Court. The owner or occupier, as the case may be, of such land or building shall provide security for such sealed premises.

(4)(a) Any person aggrieved by the notice served under sub-section (1) may, within the period specified in the notice and in the manner prescribed, apply for permission under section 36 for the retention of the land, or any buildings or works or for the continuance of any use of the land or building to which the notice relates.

(b) The foregoing provisions of sections 36, 37 and 38 shall so far as may be, apply to an application made under this sub-section:

Provided that for the grant of permission, the Authority shall, in addition to the permission fee as prescribed under sub-section (2) of section 37, also levy five times of such permission fee as penal fee.

(5) The notice issued under sub-section (1) shall not be of any effect pending the final determination or withdrawal of the application for permission, except the cases covered by clause (c) of section 39.

(6) If such permission applied for is granted on that application, the notice shall not take effect, or if such permission applied for is not granted, the notice shall have full effect, or if such permission is granted for the retention only of some buildings or works, or for the continuance of use of only a part of the land or building, the notice shall not take effect regarding such buildings or works or such part of the land or building, but shall have full effect regarding other buildings or works or other parts of the land or building, as the case may be.

(7) If within the period specified in the notice or within such period after the disposal or withdrawal of the application for permission, the notice or so much of it as continues to have effect, is not complied with, the Authority may—

(a) prosecute the owner for not complying with the notice; and in case where the notice requires the discontinuance of any use of land or building, prosecute any other person who uses the land or building or causes or permits the land or building to be used in contravention of the notice; and

(b) (i) in the case where the notice requires the demolition or alteration of any building or works or carrying out of any building or other operations, itself cause the restoration of the land to its original condition before the development took place and secure the compliance with the conditions of the permission or with the permission as modified, by taking such steps as the Authority may consider necessary, including demolition or alteration of any building or works or carrying out of any building or other operations; and

(ii) the Authority may recover the cost of any expenses incurred by it in this behalf from the owner as an arrear of land revenue.

Power to stop
unauthorised
development.

41.(1) Where any unauthorised development as described in clauses (a) to (d) of section 39 is being carried out, the Authority may serve on the owner and the person carrying out the development, a notice requiring the development to be discontinued from the time of service of such notice.

(2) Where the notice under sub-section (1) has been served, the owner or the person carrying out any development shall discontinue the development from the date of service of such notice and inform the fact of discontinuance to the Authority.

(3) If the owner or the person carrying out the development has not discontinued the development as required in the notice served under sub-section (1),—

(a) the Authority may serve a notice on the owner requiring him within such period, being not less than seven days to remove that part of the building built subsequent to the notice served under sub-section (1). If the direction is not complied with, within the period specified therein, the Authority may demolish that part of the building built subsequent to the notice served under sub-section (1) and reserve the right to recover the cost of any expenses incurred by it in this behalf from the owner, as an arrear of land revenue;

(b) the Authority may also proceed to seize any construction material, tool, machinery, equipment, scaffolding, vehicle or any other thing used for such development and kept within the site for development;

(c) the material, tool, equipment, scaffolding, vehicle or any other thing so seized may be confiscated by the Authority and sold by auction in such manner as may be prescribed and the sale proceeds shall be credited to the Fund. No claim shall be made by the owner or any other person, on the material, tool, equipment, scaffolding, vehicle or any other thing confiscated and on the sale proceeds:

Provided that before taking any action to sell the confiscated property under this clause, the Authority shall afford a reasonable opportunity to the owner of such property to show cause as to why such property should not be sold.

(4) Where any unauthorised development as described in clauses (a) to (d) of section 39 is being carried out, the Authority may also take action to discontinue the development by locking and sealing the premises, in such manner as may be prescribed, till the production of the planning permission from the Authority as required under this Act.

(5) If the owner or the person carrying out the development has not complied with the requirement in the notices served under sub-section (1) or (3), within the period specified therein, the Authority may prosecute the owner for not complying with the notice.

(6) If, in compliance of the notices served under sub-section (1) or (3), the unauthorised development as described in clauses (a) to (d) of section 39 is discontinued, sub-sections (4), (5) and (6) of section 40 shall apply.

42.(1) The Director of Town and Country Planning may, on application, by the owner or occupier, in such form and manner as may be prescribed, call for and examine the records of the Authority in respect of locking and sealing of any premises under sub-section (3) of section 40 and sub-section (4) of section 41. If it appears to the Director that action or decision should be modified, annulled, reversed or remitted for reconsideration, may pass orders accordingly:

Appeal against
locking and
sealing.

Provided that every application to the Director under this section shall be preferred within 30 days from date of locking and sealing.

(2) No order prejudicial to any person shall be passed under sub-section (1) unless such person has been given an opportunity of making his representation.

43. Any money certified by the Authority as due to it from any person, on account of fees, charge, cess, toll, or from the disposal of lands, buildings or any other properties, whether movable or immovable, or by way of rents and profits shall be recovered by the Authority from such person or his successor-in-interest in such lands or buildings or any other properties, as an arrear of land revenue.

Recovery of
expenses
incurred.

Power of the
Authority to
provide amenity
or carry out
development.

44.(1) If the Authority is satisfied that any amenity has not been provided but which ought to be provided as per the planning permission or that any development of the land or building for which permission had been obtained under this Act or under any law in force before the commencement of this Act has not been carried out, it may, after affording the owner of the land or the person providing or responsible for providing the amenity, a reasonable opportunity to show cause, by order require him to provide the amenity or carry out the development within such time as may be specified in the order.

(2) If any amenity is not provided or any such development is not carried out within the time specified in the order, then, the Authority may itself provide the amenity or carry out the development or have it provided or carried out through such agency as it deems fit:

Provided that before taking any action under this subsection, the Authority shall afford a reasonable opportunity to the owner of the land or to the person providing or responsible for providing the amenity to show cause as to why such action should not be taken.

(3) The Authority may, from the owner or the person providing or responsible for providing the amenity, recover all the expenses incurred by it or by the agency employed by it, in providing the amenity or carrying out the development together with interest at such rate as the Government may, by order specify, from the date when demand for the expenses is made until the date of its payment, as an arrear of land revenue.

Betterment charge.

45. Where in the opinion of the Authority, as a consequence of any development scheme having been executed by it in any Special Development Area, the value of any property, in that area which has been benefitted by the development, has increased or will increase, such Authority shall be entitled to levy in such manner as may be prescribed upon the owner of the property or any person having an interest therein, a betterment charge at such rate as may be prescribed in respect of the increase in value of the property resulting from the execution of the development:

Provided that no betterment charge shall be levied in respect of lands owned by any State or Central Government:

Provided further that where any land belonging to the Government has been granted by way of lease or licence by the Government to any person, then that land and any building situated thereon shall be subject to a betterment charge under this section.

Penal interest for
delayed payment
of betterment
charge.

46.(1) The Authority shall, by a notice in writing, fix a date by which the betterment charge shall be paid. Where any amount is outstanding, the Authority shall levy interest on such amount at the rate of State Bank of India's highest Marginal Cost of Lending Rate plus two per cent, from the date of outstanding. Such outstanding amount may be paid in such number of instalments, as the Authority may determine.

(2) The betterment charge along with interest due up to the date of realisation, be recoverable by the Authority from the owner of the property or his successor in interest or any person having an interest therein, as an arrear of land revenue.

CHAPTER – VII.

OFFENCES AND PENALTIES.

47. Whoever—

Punishment for offences.

(a) having been imposed with a penalty under section 49 or section 50 for having carried out or for carrying out any of the unauthorised developments as described in clauses (a) to (d) of section 39, has carried out or continues to carry out further unauthorised development in the same land or building or in any other land or building in any manner as described in clauses (a) to (d) of said section 39; or

(b) fails to comply with the requirements of the notice served under sub-section (1) of section 40 within the period specified therein or within such period after the disposal or withdrawal of the application for permission; or

(c) fails to comply with the requirements of the notice served under sub-section (1) or sub-section (3) of section 41 within the period specified therein or within such period after the disposal or withdrawal of the application for permission, shall, on conviction, be punishable with imprisonment of either description for a term which may extend to three years or with fine which may extend to five lakh rupees or with both.

Explanation.— For the purpose of this section and section 48, the term “whoever” means and includes the land owner, power of attorney holder, occupier, builder, promoter, architect and licensed surveyor, jointly and severally.

48. Whoever contravenes any of the provisions of this Act or of any rule or regulation made thereunder, except the offences punishable under section 47, shall be liable for a penalty which may extend to five lakh rupees and in case of continuing contraventions, other than the contraventions under sub-section (1) of section 40 and sub-section (1) of section 41, shall be liable for an additional penalty which may extend to five thousand rupees for every day during which such contravention continues, after the imposition of penalty.

Penalty for contraventions.

49.(1) The Government may, for the purposes of adjudicating the contraventions and determining penalties under this Act, by notification in the Tamil Nadu Government Gazette, appoint an officer to be the adjudicating officer to hold an inquiry and impose penalty in such manner as may be prescribed:

Adjudication.

Provided that the Government may appoint as many adjudicating officers as may be required.

(2) The adjudicating officer may summon and enforce the attendance of any person acquainted with the facts and circumstances of the case to give evidence or to produce any document, which in the opinion of the adjudicating officer, may be useful for, or relevant to, the subject matter of the inquiry and if, on such inquiry, he is satisfied that the person concerned has failed to comply with any of the provisions of this Act, he may impose such penalty as he deems fit:

Provided that no such penalty shall be imposed without giving a reasonable opportunity of being heard.

Appeal.

50.(1) Any person who is aggrieved by an order passed by the adjudicating officer under section 49 may prefer an appeal to appellate officer as may be notified by the Government in the Tamil Nadu Government Gazette, within sixty days from the date of receipt of order in such manner as may be prescribed:

Provided that an appeal may be admitted after the expiry of the period of sixty days if the appellate officer is satisfied that the appellant had sufficient cause for not preferring the appeal within that period.

(2) The appellate officer may, after giving the parties to the appeal an opportunity of being heard, pass such order as he may think fit.

(3) The appellate officer shall dispose of the appeal within sixty days from the date of filing of appeal.

Recovery.

51. If the penalty imposed under section 49 or under section 50, by the adjudicating officer or the appellate officer, as the case may be, is not deposited in such manner as may be prescribed, the amount due shall be recovered as an arrear of land revenue.

Offences by
companies.

52.(1) Where an offence punishable under this Act has been committed by a company, every person who, at the time the offence was committed, was in-charge of, and was responsible to the company for the conduct of the business of the company, as well as the company, shall be deemed to be guilty of the offence and shall be liable to be proceeded against and punished accordingly:

Provided that nothing contained in this sub-section shall render any such person liable to any punishment, if he proves that the offence was committed without his knowledge or that he had exercised all due diligence to prevent the commission of such offence.

(2) Notwithstanding anything contained in sub-section (1), where any offence under this Act has been committed by a company and it is proved that the offence, has been committed with the consent or connivance of, or it attributable to, any negligence on the part of, any director, manager, secretary or other officer of the company, such director, manager, secretary or other officer shall also be deemed to be guilty of that offence and shall be, liable to be proceeded against and punished accordingly.

Explanation.— For the purposes of this section,—

(a) “company” means any body corporate and includes a firm or other association of individuals, and

(b) “director” in relation to a firm means a partner in the firm.

53. Where a contravention of any of the provisions of this Act, or any rules or regulations made thereunder has been committed by a company, the provisions contained in section 52 shall, *mutatis mutandis*, apply.

Contraventions by companies.

54. No court shall take cognizance of any offence punishable under this Act, except upon a complaint in writing, made by an officer as may be authorised by the Authority in this behalf and no court inferior to that of the Judicial Magistrate shall try any such offence.

Cognizance of offences.

CHAPTER – VIII.

FINANCE, ACCOUNTS AND ANNUAL REPORTS.

55. (1) Every Authority shall constitute and maintain its own Fund to which the following shall be credited:—

Fund of the Authority.

(a) all moneys received by the Authority from the State Government or the Central Government by way of grants, loans, advance or otherwise;

(b) all moneys borrowed by the Authority from sources other than the State Government or the Central Government by way of loans or debentures;

(c) all fees, tolls, cess, charges, penalties and the like, received by the Authority under this Act;

(d) all moneys received by the Authority from the disposal of lands, buildings and other properties, whether movable or immovable; and

(e) all moneys received by the Authority by way of rents, profits or from any other source.

(2) All expenditure incurred by the Authority under or for the purposes of this Act shall be defrayed from out of the said Fund.

56.(1) The Government may, make such grants, advances and loans to the Authority as they may deem necessary for the performance of the functions of the Authority under this Act, on such terms and conditions as they may determine.

Grants, advances, borrowings and investments.

(2) The Authority may, from time to time, borrow any sum required, with prior approval of the Government, from the public or from any corporation owned or controlled by the Central Government or any State Government, banks, Financial Institutions, International Financial Institutions, International Multilateral Agencies, social bodies, trusts or companies for the implementation of objects of this Act and, channelise and appropriate such funds itself or through other agencies as may be prescribed by the Government.

(3) The Authority may, after meeting its expenditure, invest any surplus amount in banks, financial institutions or such other securities as may be approved by the Government in such manner as may be prescribed.

Budget of the
Authority.

57.(1) The Authority shall prepare a budget, in such form and at such time as may be prescribed, of estimated receipts and expenditure in respect of the next financial year and shall forward the same to the Government within such time as may be prescribed.

(2) The statement shall be supplemented by an explanatory note highlighting the activities, programmes and projects proposed to be undertaken in the ensuing year.

Power of Authority
to incur
expenditure.

58. The Authority may, subject to budget provision and availability of funds, incur expenditure to execute any work or project or any other expenditure for carrying out any of the purposes of this Act:

Provided that the Authority shall not, without the previous approval of the Government, execute any work or project, the total expenditure of which exceeds one hundred crore.

Accounts and
audit.

59.(1) The Authority shall maintain accounts in the double entry book keeping format applicable to companies under the Companies Act, 2013.

Central Act 18 of
2013.

(2) The accounts of the Authority shall be audited atleast 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 the purposes of audit, have such rights, privileges and authority as may be prescribed.

(4) The Member-Secretary of the Authority 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 rectify 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 therein, to rectify, 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.

Annual Report.

60. 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.

CHAPTER – IX.

MISCELLANEOUS.

61.(1) The Government may, by notification, delegate to any officer or authority subordinate to them, all or any of the powers conferred on them, by or under this Act other than the power to make rules under section 72.

Delegation of powers.

(2) Subject to the provisions of this Act and to such restrictions as may be imposed by the Government by a general or special order, the Authority may, by an order in writing, delegate to any officer subordinate to it, all or any of the powers exercisable by it or by its Chairperson, as the case may be, under this Act, or the rules or regulations made thereunder, except the power to make regulations under section 73.

62.(1) The Authority shall carry out such directions as may be issued to it from time to time by the Government for the efficient administration of this Act.

Control by the Government.

(2) If in, or in connection with the exercise of its powers and discharge of its functions by the Authority under this Act, any dispute arises between the Authority and the Government, the decision of the Government on such dispute shall be final.

(3) The Government may, at any time either on its own motion or on application made to them in this behalf, call for the records of any case disposed of or order passed by the Authority or any officer authorised by it to perform any function under this Act and shall pass such orders as they deem fit:

Provided that the Government shall not pass any order prejudicial to any person without affording such person a reasonable opportunity of being heard.

(4) Every order of the Government made in exercise of the powers conferred by this section shall be final.

63. When acting or purporting to act in pursuance of this Act, every member, officer and employee of the Authority shall be deemed to be a public servant within the meaning of clause (28) of section 2 of the Bharatiya Nyaya Sanhita, 2023.

Members, officers and staff to be public servants.

64. No suit, prosecution or other legal proceedings shall lie against any of the members, officers or staff of the Authority, in respect of anything done or intended to be done by them in good faith in the discharge of official functions or in exercise of the powers under this Act, or the rules or regulations made thereunder.

Protection of action taken in good faith.

65.(1) The Authority shall furnish to the Government such reports, returns and other information as the Government may, from time to time, require.

Returns and inspections.

(2) The Government may give such directions on such reports, returns and other information, as they think fit, and it shall be the duty of the Authority to carry out such directions.

Powers of entry.

66. The Authority may authorize any person to enter into or upon any land or building with or without assistance of any other person for the purposes of,—

- (a) making any enquiry, inspection, measurement or survey or taking levels for such land or building;
- (b) examining works under construction and ascertaining the course of sewers and drains;
- (c) digging or boring into the sub-soil;
- (d) setting out boundaries and intended lines of work;
- (e) making such levels, boundaries and lines by placing marks and cutting trenches;
- (f) ascertaining whether any land is being or has been developed in contravention of any plan or in contravention of any conditions subject to which such permission has been granted; or
- (g) doing any other thing necessary for the efficient administration of this Act:

Provided that, no such entry shall be made except between the hours of sunrise and sunset and without giving reasonable notice to the occupier, or if there is no occupier, to the owner of the land or building.

Explanation.— Every person authorised to enter into or upon any land or building under this section, shall while so acting in pursuance of such authority, be deemed to be a public servant for the purposes of clause (28) of section 2 of the Bharatiya Nyaya Sanhita, 2023.

Central Act 45 of
2023.

Service of notice
etc.

67. When any notice, bill or other document is required by this Act or any rules or regulations made thereunder to be served upon or issued or presented to any person, such service, issue or presentation of such notice, bill or document shall be effected—

- (a) by giving or tendering it to such person;
- (b) if such person is not found, by leaving it at his last known place of abode, or by giving or tendering the same to some adult member or servant of his family;
- (c) by forwarding it to such person by speed post to his ordinary place of residence or office; or
- (d) if his address elsewhere is known, by forwarding it to him by speed post to such address; or
- (e) through any electronic mode; or
- (f) if none of the above means of service aforesaid is feasible, by causing a copy of it to be affixed on some conspicuous part of the building or land, if any, to which it relates.

68. Every public notice given under this Act or any rules or regulations made thereunder shall be widely made known in the locality to be affected thereby, by affixing copies thereof in conspicuous public places within the said locality, by advertisement at least in two leading daily newspapers of the region, of which one shall be in the vernacular language, by publishing it in the official web portal of the Authority and by any other means that the Authority may deem fit. Every such notice shall also be affixed in the notice board in the office of the Authority.

Public notice how to be made known.

69. All permissions, orders, directions, decisions, notices and other documents of the Authority shall be authenticated by the signature of the Member-Secretary of the Authority or any other officer authorised by the Authority in that behalf.

Authentication of orders and documents.

70.(1) Whenever in the opinion of the Government, the continued existence of any Authority constituted under this Act is unnecessary or undesirable, the Government may, by notification, declare that such Authority shall be dissolved from such date as may be specified therein and such Authority shall stand dissolved accordingly.

Dissolution of Authorities.

(2) On and from the said date of dissolution—

(a) all properties, funds and dues which are vested in or realisable by the Authority, shall vest, in, or be realisable by, the Government;

(b) all liabilities which are enforceable against the Authority shall be enforceable against the Government;

(c) all powers and functions to be exercised or discharged by the Authority under this Act or the rules or the regulations made thereunder shall be exercised or discharged in such manner as may be prescribed, by such person as may be appointed or designated by the Government in this behalf.

71. On and from the date of publication of the approval of the Special Area Master Plan under section 22, no civil court shall have, or be entitled to exercise, any jurisdiction, powers or authority in relation to matters specified in this Act.

Bar of civil jurisdiction.

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

Power to make Rules.

(2) (a) 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.

(b) All notifications issued under this Act shall, unless they are expressed to come into force on a particular day, 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.

Power to make
Regulations.

73. The Authority may, with the previous approval of the Government, by notification, make regulations not inconsistent with the provisions of this Act or the rules made thereunder to carry out the provisions of this Act.

Power to remove
difficulties.

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

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

Application of other
laws not barred.

75. The provisions of this Act shall be in addition to, and not in derogation of, the provisions of any other law for the time being in force as long as the provisions of other laws are not inconsistent with this Act.

Overriding effect of
the Act.

76. Upon publication of the approval of the Special Area Master Plan under section 22, any area declared to be a Special Development Area under this Act shall be deemed to be excluded from the existing local planning area, regional planning area, new town development area, urban planning area or the Chennai metropolitan planning area and also from the existing master plan, regional plan, new town development plan or detailed development plan, as the case may be, constituted or approved under the Tamil Nadu Town and Country Planning Act, 1971, and notwithstanding such exclusion, anything done or any action taken under the referred Act, shall be deemed to have been done or taken under this Act, as if this Act were in force at all material times.

Tamil Nadu Act 35
of 1972.

Savings.

77. With effect from the date on which the approval of the Special Area Master Plan is published under section 22, the following consequences shall ensue:—

Tamil Nadu Act 35
of 1972.

(a) anything done or any action taken (including any appointment, delegation, notification, order or scheme, made, granted or issued, any certificate or permission or approval granted) by the appropriate planning authority, under the Tamil Nadu Town and Country Planning Act, 1971 shall be deemed to have been done or made, issued or granted by the Authority under this Act, unless and until it is superseded by anything done or any action taken under this Act;

(b) all debts, obligations and liabilities incurred, all contracts entered into, and all matters and things engaged to be done by, with, or for the appropriate planning authority in the Special Development Area shall be deemed to have been incurred, entered into, or engaged to be done by, with, or for the Authority;

(c) all properties, whether movable or immovable and all interests of whatsoever nature and kind therein vested in the appropriate planning authority in the Special Development Area shall, with all rights of whatsoever description used, enjoyed or possessed by the appropriate planning authority, vest in the Authority;

(d) all rents, fees and other sums of money due to the appropriate planning authority shall be due to the Authority;

(e) all suits, prosecutions and other legal proceedings instituted or which might have been instituted by, for or against the appropriate planning authority may be continued or be instituted by, for or against the Authority.

STATEMENT OF OBJECTS AND REASONS

On the guidance of the Hon'ble Chief Minister of Tamil Nadu, an announcement was made in the Tamil Nadu Budget Speech 2025-2026 that an investment of Rs.300 crore will be made to develop modern infrastructure facilities in major tourist hubs such as Mamallapuram, Kanyakumari and to ensure the effective coordination and implementation of major projects in collaboration with various Government departments.

2. The ever-growing population explosion, industrialisation, huge-scale infrastructure development, substantial growth of tourism sector are the challenges being faced in the planning of our modern cities. The haphazard and fragmented development of land and buildings causes strain on civic infrastructure and services. Lack of public amenities, environmental degradation and disturbance of ecological balance have adversely affected the sustainable growth of such areas in the field of industry, tourism apart from habitability and the ecosystem. Hence, there is a need to establish dedicated development authorities to handle these types of challenges.

3. Though the provisions of Tamil Nadu Town and Country Planning Act, 1971 (Tamil Nadu Act 35 of 1972), which governs the planning, development and use of rural and urban land in the State of Tamil Nadu at present, provides for declaration of planning areas and constitution of planning authorities for such areas, it is found that they are inadequate for the development of certain special areas of historical, ecological, archaeological or tourism importance. The Government, have therefore decided to enact a special law to create an institutional framework for the planned development of such areas without infringing the powers or jurisdiction of local authorities or heritage commission.

4. Accordingly, it has been proposed to empower the Government with the power to notify any area as Special Development Area and constitute a Special Development Authority for that area under the proposed legislation. In the first instance, it has been proposed to establish Special Area Development Authority for areas such as Mamallapuram and Kanyakumari, considering their historical, ecological and tourism importance. The Special Area Development Authority to be constituted under the proposed legislation will prepare a Special Area Master Plan for the comprehensive and sustainable infrastructure development of those areas and such Authority shall be the planning authority for the Special Development Area concerned with effect from the date of publication of the Special Area Master Plan, to carry out the purposes of the Act.

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

R. RAJENDRAN,
Minister for Tourism.

MEMORANDUM REGARDING DELEGATED LEGISLATION.

Clauses 1(3), 2(zi), 3, 4, 5, 7, 10, 14(h), 15(1), 16(1), 17(1), 17(2)(v), 18, 19, 20,21, 22, 23(2)(Zb), 24, 25,26, 27, 28(3), 30(1)(b), 32, 35(1), 36, 37, 40, 41, 42, 44, 45, 49, 50, 51, 56, 57, 59, 60, 61, 70, 72, 73, 74 of the Bill authorise the Government and the Special Area Development Authority, as the case may be, to make rules, regulations, and to issue notifications, orders and directions for the purposes specified therein.

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

R. RAJENDRAN,
Minister for Tourism.

Secretariat,
Chennai,
23rd January 2026.

K. SRINIVASAN,
Principal Secretary.