

## **List of Amendments Acts – 23 of 2020, 7 of 2024**

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

### **ACT No. 44 OF 2010.**

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

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

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

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

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

**1. Short title, extent and commencement.** (1) This Act may be called the Chennai Unified Metropolitan Transport Authority Act, 2010.

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

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

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

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

<sup>1</sup>[(aa) “Comprehensive Mobility Plan” means a policy document outlining the strategies and related actions, for the provision of efficient urban transport and mobility of people and goods in the notified planning area,]

(b) “Government” means the State Government;

<sup>2</sup>[(ba) “notified planning area” means the Chennai Metropolitan Planning Area as notified under the Tamil Nadu Town and Country Planning Act, 1971]

(c) “prescribed” means prescribed by rules;

<sup>3</sup>[(ca) “regulations” mean the regulations made by the Authority under this Act.

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

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

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

(d) words and expressions used but not defined in this Act shall have the meanings assigned to them in the Tamil Nadu Town and Country Planning Act, 1971(Tamil Nadu Act 35 of 1972.).

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1. Inserted by s. 2 (1) of TNA 7 of 2024 (w.e.f. to be updated).

2. Inserted by s. 2 (2) of TNA 7 of 2024 (w.e.f. to be updated).

3. Inserted by s. 2 (3) of TNA 7 of 2024 (w.e.f. to be updated).

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**3. Establishment of Chennai Unified Metropolitan Transport Authority.** (1) There shall be established an Authority by the name “the Chennai Unified Metropolitan Transport Authority”.

<sup>1</sup>[(2) The Authority shall be a body corporate, having perpetual succession and a common seal, with power subject to the provisions of the Act, to acquire,

hold and dispose of properties, both movable and immovable and enter into contract, and shall by the said name sue and be sued.]

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1. Substituted by s.3 of TNA 7 of 2024 (w.e.f. to be updated).

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<sup>1</sup><sup>2</sup><sup>3</sup>**4. Composition of the Authority.** (1) The Authority shall consist of the following members, namely:-

- <sup>3</sup><sup>1</sup>[(a) the Chief Minister, who shall be the Chairman, *ex-officio*;
- (b) Minister in-charge Chennai Unified Metropolitan Transport Authority, who shall be the Vice-Chairperson, *ex-officio*;
- (c) Minister in-charge of Transport, who shall be the Co-Vice Chairperson, *ex-officio*;
- (d) the Mayor, Greater Chennai Corporation, *ex-officio*;
- (e) the Chief Secretary to Government, *ex-officio*;
- (f) the Vice-Chairperson of the Chennai Metropolitan Development Authority, *ex-officio*;
- (g) the Secretary to Government in charge of Transport Department, *ex-officio*;
- (h) the Secretary to Government in charge of Finance Department, *ex-officio*;
- (i) the Secretary to Government in charge of Housing and Urban Development Department, *ex-officio*;
- (j) the Secretary to Government in charge of Highways department, *ex-officio*;
- (k) the Secretary to Government in charge of Home department, *ex-officio*;
- (l) the Secretary to Government in charge of Municipal Administration and Water Supply department, *ex-officio*;

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

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

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

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

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

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

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1. Amended by s.2 (1) of TNA 23 of 2020 (w.e.f. 29.09.2020)

2. Amended by s.2 (2) of TNA 23 of 2020 (w.e.f. 29.09.2020)

3. Substituted by s. 4 of TNA 7 of 2024 (w.e.f. to be updated)

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**5. Disqualification for membership of the Authority.** A person shall be disqualified for being nominated <sup>1</sup>[\*\*\*\*\*] as a member of the Authority or for being such member, if—

(a) he is of unsound mind;

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

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

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

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1. Omitted by s.5 of TNA 7 of 2024 (w.e.f. to be updated).

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

<sup>1</sup>[\*\*\*\*\*]

(2) The nominated member may, by writing under his hand addressed to <sup>2</sup>[the Authority], resign his office but he shall continue to hold office until his resignation is accepted by <sup>2</sup>[the Authority].

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

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1. Omitted by s.6 (1) of TNA 7 of 2024 (w.e.f. to be updated)

2. Substituted by s.6 (2) of TNA 7 of 2024 (w.e.f. to be updated)

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**<sup>1</sup>[7. Removal from membership of the Authority.** If, at any point of time, it appears to the Authority that a member nominated has conducted himself in a manner unfit to hold office or has been guilty of misconduct or neglect, which in the opinion of the Authority renders his removal from the membership of the Authority as expedient, the Authority may, after giving such member, a reasonable opportunity to show cause, by an order, remove such member from the office.]

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1. Substituted by s.7 of TNA 7 of 2024 (w.e.f. to be updated)

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**<sup>1</sup>[8. \*\*\*\*\*]**

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1. Omitted by s.8 of TNA 7 of 2024 (w.e.f. to be updated)

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**9. Member- Secretary and employees of the Authority.** <sup>1</sup>[(1) The Member-Secretary of the Authority shall be the Chief Executive Officer of the Authority.]

(2) The Authority may appoint such number of officers and employees as it considers necessary <sup>2</sup>[in such manner as may be prescribed] for the efficient performance of its functions.

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

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1. Substituted by s.9 (1) of TNA 7 of 2024 (w.e.f. to be updated)

2. Inserted by s.9 (2) of TNA 7 of 2024 (w.e.f. to be updated)

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**<sup>1</sup>[10. Powers and functions of the Authority.-** The Authority shall, for the purposes of this Act, have the following powers and functions, namely: -

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

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

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

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

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

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

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

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

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

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

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

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

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

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

(f) the Transport Commissioner, *ex-officio*;

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

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

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

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

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

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

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

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

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

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

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

(c) oversee, coordinate, promote and monitor the implementation of various traffic and transportation measures including promoting the cause of public passenger transport systems and regulate their operations, besides

implementation of certain traffic and transportation measures of special nature in the notified planning area;

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

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

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

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

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

(i) manage a road safety cell;

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

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

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

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

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

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

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1. Substituted by s.10 of TNA 7 of 224 (w.e.f. to be updated)

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**<sup>1</sup>[11. Exemption from compliance.-** The Government may, in public interest, subject to such condition as they deem fit, by general or special order exempt any agency involved in planning, operating or managing transportation system in the notified planning area, from the compliance of any of the decision of the Authority.]

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1. Substituted by s.11 of TNA 7 of 2024 (w.e.f. to be updated).

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**<sup>1</sup>[12. Meetings of the Authority.** The Authority shall meet, as often as may be necessary, and observe such rules of procedure as may be prescribed in the regulations:

Provided that the Authority shall meet at least once in a year.

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

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

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1. Substituted by s.12 of TNA 7 of 2024 (w.e.f. to be updated)

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

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

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

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

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

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

**<sup>1</sup>[14. Delegation.-** The Authority or the Executive Committee may, by general or special order, delegate to any of its member or to any officer of the Authority, subject to such conditions, as may be specified in the order, any of its powers and functions, as the Authority or the Executive Committee may deem necessary]

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**15. Appointment of consultants of the Authority.** <sup>1</sup>[The Authority may appoint] from time to time, consultants required to assist the Authority in the discharge of its functions on such terms and conditions as may be prescribed by the Authority.

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1. Substituted by s. 14 of TNA 7 of 2024 (w.e.f. to be updated).

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

<sup>1</sup>[**17. Urban Transport Fund.-** (1) The Authority shall have its own Fund called the 'Urban Transport Fund'.

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

(3) All sums which may, from time to time, be paid to it by the Government and all the receipts of the Authority shall be credited to such Fund.

(4) All expenditure incurred by the authority under or for the purposes of this Act, including financing or transport investment programmes, shall be defrayed from out of the said Fund and any surplus remaining, after such expenditure has been met, shall be invested in such manner as may be prescribed].

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1. Substituted by s. 15 of TNA 7 of 2024 (w.e.f. to be updated).

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

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

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

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

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

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

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

**<sup>1</sup>[19. Annual Report.-** (1) The Authority shall, as soon as may be, after the end of each financial year, prepare and submit to the Government, before such date and in such form as may be prescribed, a report giving an account of its activities during the previous year and the report shall also give an account of the activities, if any, which are likely to be undertaken by the Authority in the next financial year.

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

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1. Substituted by s. 16 of TNA 7 of 2024 (w.e.f. to be updated).

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**20. Power to issue directions.** <sup>1</sup>[(1)] The Government may issue such directions as in their opinion, are necessary or expedient for carrying out the purposes of this Act and the Authority shall give effect to all such directions.

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

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

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1. Renumbered by s.17 of TNA 7 of 2024 (w.e.f. to be updated)

2. Added by s.17 of TNA 7 of 2024 (w.e.f. to be updated)

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**21. Proceedings of the Authority not to be invalidated by infirmities.**

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

**22. Members and employees of the Authority to be public servants.**

The Chairman, <sup>1</sup>[Vice-Chairman], Members, Member-Secretary and other officers and employees of the Authority shall be deemed, when acting or purporting to act in pursuance of any of the provisions of this Act, or any rule or regulation or order or direction made or issued under this Act, to be public servants within the meaning of section 21 of the Indian Penal Code (Central Act XLV of 1860).

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

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

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

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

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

(2) Every rule made under this Act or order made under section 26 shall, as soon as possible after it is made, be placed on the Table of the Legislative Assembly and if before the expiry of the session in which it is so placed or the next session, the Assembly makes any modification in any such rule or order, or the Assembly decides that the rule or order should not be made, the rule or order shall thereafter have effect only in such modified form or be of no effect, as the case may be, so, however, that any such modification or annulment shall be without prejudice to the validity of anything previously done under that rule or order.

**26. Power to remove difficulties.** If any difficulty arises in giving effect to the provisions of this Act, the Government may, by order, not inconsistent with

the provisions of this Act do anything which appears to be necessary or expedient for the purpose of removing the difficulty:

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

(By order of the Governor)

S. DHEENADHAYALAN,  
Secretary to Government,  
Law Department.

தமிழ்நாடு அரசு  
Government of Tamil Nadu  
சட்டத்துறை | Law Department

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