TAMIL NADU INFRASTRUCTURE DEVELOPMENT BOARD,
FINANCE DEPARTMENT,
SECRETARIAT, CHENNAI 600 009.

ABSTRACT

Tamil Nadu Infrastructure Development Board (TNIDB) **–**Tamil Nadu Infrastructure Development Board Regulations, 2013 – Amendment to certain regulations related to the Tamil Nadu Infrastructure Development Board Regulations, 2013 - Orders - Issued.

B.P.No.502 **Date:17.09-2022.**

Subakrith, Aavani -32,
Thiruvalluvar Aandu-2053

READ:

1. Tamil Nadu Infrastructure Development Act, 2012.
2. Tamil Nadu Infrastructure Development Rules, 2012.
3. Tamil Nadu Infrastructure Development Board Regulations, 2013.

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ORDER:

To enable the speedy and expeditious disposal of business of the Board, Tamil Nadu Infrastructure Development Board is delegating its powers and to make certain amendments under TNIDB Regulations, 2013 to make the function and the operations of the Board responsive and efficient to the Executive Committee, Finance Secretary and Chief Executive Officer, TNIDB as detailed below:-

Regulation No	**Revised Regulations**
7(3)	Project Concept Note - On receipt of the Project Concept Note, the Chief Executive Officer shall first make a determination whether the project is within the ambit of the TNID Act 2012 and if not, he shall return the project proposal to the public agency
7(5)	The Chief Executive Officer shall based on the Project Concept Note and the feasibility study prepare a note for the consideration of the **Executive committee**
7 (7)	(**7)The Public Agency or the Executive Committee may simultaneously move a proposal to get in-Principle Sanction from the Government for the Project**

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10 (1)	**Decision of the Executive Committee:** On considering the note prepared under clause (5) of regulation 7, the project concept note and the feasibility study, the Executive Committee shall make a determination as to the feasibility and the desirability of implementing the project on account of its socio-economic benefits, including the priority of such implementation vis a vis other projects under its consideration.
10 (2)	The **Executive Committee** shall satisfy itself that all options to increase efficiency in project scoping have been considered, the same level of service delivery needs cannot be met with a reduced scope and scale of the Project and that the capital and operating costs have been optimized and are reasonable;
10 (3)	Upon deciding that the project is feasible and is of priority, the Executive Committee shall, subject to the provisions of regulation 11, make a determination as to whether the Public-Private Partnership mode would be appropriate
10 (4)	The Executive Committee shall then determine that those projects which are to be implemented in the public sector mode, those which may be implemented in either mode, and those which are to be implemented in the public-private partnership mode. Where the Executive Committee determines the Public-Private Partnership mode of implementation, it shall also indicate the appropriate form of concession agreement to be entered into from out of those in Schedule II of the Act.
10(5)	In cases where the Executive Committee determines implementation through the Public-Private Partnership mode, it shall also indicate the possible extent and form of public financial support that the project may require in accordance with rule 12:
10 (6)	The Executive Committee shall also indicate the public agency which is to implement the project in the public sector mode, or which is to be designated as the sponsoring agency for Public-Private Partnership mode of implementation.
11	Factors to be considered by the **Executive Committee** in determining whether to recommend Public-Private Partnership implementation.

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11 (1)	The **Executive Committee** shall examine the Project Concept Note and the Feasibility Study and recommend implementation through the Public-Private Partnership on a consideration of the following factors
12	**Project Implementation by Public Sector Mode**
12 (1)	On receipt of Government's decision to implement a project in the public sector mode, if the **Executive Committee** is of the view that the information available regarding the technical, economic, social or financial parameters of the project are adequate to proceed with the implementation of the project, it shall inform the designated public agency and direct them to commence implementation forthwith.
12 (2)	In cases where the **Executive Committee** is of the view that the information is inadequate it may cause further detailed project study covering all or any specific aspects of the project for which further information is required and upon being satisfied with the further information provided, it will direct the designated public agency to commence implementation forthwith.
12(3)	Provided that if even after three successive tender notices, there is inadequate response and it has not been possible to finalize the tenders, the **Executive Committee** may decide that the public agency has not commenced implementation of the project and proceed to act under sub-section (2) of section 15 of the Act.
14	**Project Structuring and Final Approval for Public-Private Partnership Projects**
14 (1)	Based on the report from the Sponsoring Agency under regulation 13, if the **Executive Committee** is of the view that the information available regarding the technical, economic, social or financial parameters of the project are adequate to proceed with Public-Private Partnership procurement, it will finalize the scope and structure of the project
14 (2)	In cases where the **Executive Committee** is of the view that the information is inadequate it may cause further detailed project study covering all or any specific aspects of the project for which further information is required and upon being satisfied with the further information provided, it will finalize the scope and structure of the project based on such further information.

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14 (3)	**Deleted**
14 (4)	**Deleted**
14 (6)	If the **Executive Committee** concludes that project cannot be implemented in the Public-Private Partnership mode, it may recommend to Government that the project may be implemented in the public sector mode or dropped.
15	**Approval of Tender Documents and Concession Agreement**
15 (2)	Until such standard tender documents are prescribed, the public agency or sponsoring agency, as the case may be, shall submit the draft tender documents for the prior approval of the **Executive Committee**
15 (4)	**Deleted**
15 (5)	The sponsoring agency may with the prior concurrence of the **Executive Committee** issue a Request for Expression of Interest at any time and even before the project scope and structure are finalized under section 17 of the Act.
15 (6)	The sponsoring agency shall issue the Request for Quotations only after the project scope and structure have been finalized by the **Executive Committee** under section 17 of the Act and the financial support from Tamil Nadu Infrastructure Development Fund, if any, is approved under rule 12 of the Tamil Nadu Infrastructure Development Rules.
15 (7)	The sponsoring agency shall forward to the **Executive Committee**, the Concession Agreement to be signed with the tenderer whose tender has been accepted with a certificate that no changes have been affected in the final Draft Concession Agreement which formed part of the Request for Proposal (RFP).
15 (8)	The Executive Committee, in turn shall obtain the final Sanction from the Government for the Concept and structure of the project along with the form and extent of public financial support for the project

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16	**Appointment of Project Management Facility (PMF):**
16 (1)	For projects of large size and complexity, at any time after recommending a project for implementation under section 14 of the Act, the **Executive Committee may determine** the constitution of a Project Management Facility under section 20 of the Act
18	**Project Monitoring**
18 (3)	The CEO shall cause to be laid before the **Executive Committee at each of the** regular meetings, a summary of the most recent reports maintained under sub - regulations 5 and 6 on the status of implementation of projects

2. Any delegated powers exercised by the lower authorities shall be reported to the Board at the next meeting.

(BY ORDER OF THE GOVERNOR)

PRASHANT M WADNERE
ADDITIONAL SECRETARY TO GOVERNMENT/
CHIEF EXECUTIVE OFFICER, TNIDB

To
The Additional Chief Secretary to Government, Finance Department,
Chennai -600009.
All Secretaries to Government, Secretariat, Chennai-9
The Additional Secretary to Government/CEO, TNIDB, Finance Department, Chennai 600009
The Accountant General (CAB), Chennai 600009.
Copy to:
The Senior Personal Assistants to the Hon'ble Finance Minister, Chennai-9
The Private Secretary to the Chief Secretary to Government, Chennai-9
Stock file/Spare copies

//FORWARDED / BY ORDER//

SECTION OFFICER

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