TAMIL NADU METROPOLITAN PLANNING COMMITTEE ACT

ACT NO.30 OF 2009

ARRANGEMENT OF SECTIONS

SECTIONS

CHAPTER-I

PRELIMINARY

1. Short title, extend and commencement.
2. Definitions.

CHAPTER-II

CONSTITUTION OF METROPOLITAN PLANNING COMMITTEE,.

ITS FUNCTIONS AND MATTERS RELATED THERETO.

3. Metropolitan Planning Committee.
4. Chairperson, Vice-Chairperson, other members, not being elected members, term of office and filling up of vacancy.
5. Election of members of committee.
6. Term of office of, and allowance for, elected members of committee.
7. Validation.
8. Meeting of committee.
9. Sub-committees.
10. Power to remove difficulties.

CHAPTER-III

MISCELLANEOUS.

11. Power to give directions.
12. Authority to assist Metropolitan Planning Committee.
13. Power to make rules.

CHAPTER-IV

AMENDMENTS OF THE CHENNAI CITY MUNICIPAL CORPORATION ACT,1919

14. Amendment of section 3.

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TAMIL NADU METROPOLITAN PLANNING COMMITTEE ACT

ACT NO.30 OF 2009

[12th August 2009]

An Act to provide for the constitution of Metropolitan Planning Committee in every Metropolitan area in the State of Tamil Nadu for preparation of draft development plan for the Metropolitan area.

BE it enacted by the Legislative Assembly of the State of Tamil Nadu in the Sixtieth Year of the Republic of India as follows:

1. Short title, extent and commencement.- (1) This Act may be called the Tamil Nadu Metropolitan Planning Committee Act, 2009.

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

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

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

(a) "Constitution" means the Constitution of India;

(b) "district" means a revenue district of the State of Tamil Nadu;

(c) "Government" means the State Government;

(d) "Metropolitan area" means an area having a population of ten lakhs or more, comprised in one or more districts and consisting of two or more municipalities or panchayats or other contiguous areas, as may be specified by the Government by notification to be a Metropolitan area for the purposes of this Act;

(e) "municipality" means an institution of self-government constituted under Article 243-Q of the Constitution;

(f) "panchayat" means a panchayat constituted under Article 243-B of the Constitution;

(g) "population" means the population as ascertained at the last preceding census of which the relevant figures have been published.

CHAPTER-II.

CONSTITUTION OF METROPOLITAN PLANNING COMMITTEE, ITS FUNCTIONS AND MATTERS RELATED THERETO.

3.Metropolitan Planning Committee.- (1) There shall be constituted in every Metropolitan area a Metropolitan Planning Committee (hereinafter referred to as the committee) consisting of such number of members, including a Chairperson and a Vice-Chairperson, as

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the Government may determine, to prepare a draft development plan for the Metropolitan area as a whole:

Provided that not less than two-thirds of the members of the committee shall be elected by, and from amongst, the elected members of the municipalities and Presidents of the panchayats in the Metropolitan area in proportion to the ratio between the population of the municipalities and of the panchayats in that area.

(2) The representation in the committee of the Government of India and the State Government and of such organizations and institutions as may be deemed necessary for carrying out the functions assigned to the committee shall be such as may be notified by the Government from time to time.

(3) The committee shall perform such functions relating to planning and co-ordination for the Metropolitan area as the Government may, by notification, assign to it.

(4) The committee shall, in preparing the draft development plan,—

(a) have regard to—

(i) the plans prepared by the Municipalities and the panchayats in the Metropolitan area;

(ii) matters of common interest between the Municipalities and the panchayats, including co-ordinated spatial planning of the area, sharing of water and other physical natural resources, the integrated development of infrastructure and environmental conservation;

(iii) the overall objectives and priorities set by the Government of India and the State Government;

(iv) the extent and nature of investments likely to be made in the Metropolitan area by agencies of the Government of India and of the State Government and other available resources, whether financial or otherwise;

(b) consult such institutions and organizations as the Government may, by order, specify.

(5) The Chairperson of every committee shall forward the development plan, as recommended by the committee, to the Government.

4. Chairperson, Vice-Chairperson, other members, not being elected members, term of office and filling up of vacancy.-

(1) The Chairperson, Vice-Chairperson and other members, not being elected members, of every committee shall be appointed by the Government.

(2) The term of office and other conditions of service of the Chairperson, Vice-Chairperson, and other members, not being elected members, of the committee shall be such as may be prescribed.

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(3) Any vacancy in the office of the Chairperson, Vice-Chairperson, or any other member, not being an elected member, of the committee shall be filled by fresh appointment by the Government.

5. Election of members of committee.- The manner of election of members of the committee and all matters related thereto shall be such as may be prescribed.

6. Term of office of, and allowance for, elected members of committee.-

The elected members of the committee shall hold office for a term of five years from the date of their election, and shall receive such allowance for attending the meeting of the committee or any sub-committee thereof as may be prescribed:

Provided that every such member shall, on his ceasing to be an elected member of a municipality or President of a panchayat, as the case may be, cease to be a member of the committee notwithstanding that the term of five years has not expired, and the vacancy shall be filled by election in the manner prescribed.

7. Validation.- No act or proceeding of the committee shall be invalid or called in question by reason of any vacancy, initial or subsequent, in, or defect in the constitution of, the committee.

8. Meeting of committee.-

(1) The committee shall meet at such places and at such times, and shall observe such rules of procedure in regard to the transaction of business at its meeting (including the quorum for a meeting), as may be prescribed.

(2) The Chairperson or, if, for any reason, he is unable to attend any meeting, the Vice-Chairperson or, if, for any reason, both are unable to attend any meeting, any other member elected by the members present, shall preside at the meeting.

9. Sub-committees.-

(1) The committee may constitute, for such purpose as it may think fit, as many sub-committees consisting wholly of members of the committee or wholly of other persons or partly of members of the committee and partly of other persons as it may consider necessary or expedient.

(2) The members of a sub-committee, not being members of the committee, shall be paid such fees and allowances for attending the meetings thereof as may be prescribed.

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CHAPTER-III.

MISCELLANEOUS.

10. Power to remove difficulties.- 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 the difficulties:

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

11. Power to give directions.- The Government may, from time to time, issue such directions to the committee as it may deem fit, for giving effect to the provisions of this Act and it shall be the duty of the committee to comply with such directions.

12. Authority to assist Metropolitan Planning Committee.- Notwithstanding anything contained in this Act or any other law for time being in force, the Government may, by notification, appoint any authority constituted under section 11, including the Metropolitan Development Authority established under section 9-A of the Tamil Nadu Town and Country Planning Act, 1971, to assist the Metropolitan Planning Committee in preparation of draft development plan and the authority so appointed shall also act as the office of the Metropolitan Planning Committee.

13. Power to make rules.- (1) The Government may make rules for carrying out all or any of the purposes of this Act.

(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 be published in the Tamil Nadu Government Gazette and unless they are expressed to come into force on a particular day, shall come into force on the day on which they are so published.

(3) Every rule, notification or order made or 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 in the next session, the Legislative Assembly makes any modification in any such rule, notification or order, or the Legislative Assembly decides that the rule, notification or order should not be made or issued, the rule, 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

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shall be without prejudice to the validity of anything previously done under that rule, notification or order.

CHAPTER-IV.

AMENDMENTS TO THE CHENNAI CITY MUNICIPAL CORPORATION ACT, 1919.

14. Amendment of section 3.- (1) In section 3 of the Chennai City Municipal Corporation Act, 1919 (hereafter referred to as the 1919 Act), (Tamil Nadu Act IV of 1919.) clause (13-AA) shall be omitted.

(2) Section 27-B of the 1919 Act shall be omitted. (Omission of section 27-B)

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