ABSTRACT

Housing and Urban Development Department – Chennai Unified Metropolitan Transport Authority Act, 2010 (Tamil Nadu Act 44 of 2010) - Framing of Rules – Orders - Issued.

HOUSING AND URBAN DEVELOPMENT [UD3(2)] DEPARTMENT

G.O.(Ms.) No.11

Dated: 16.01.2019.

Read:

1. G.O.(Ms.) No.1, Transport (E) Department, Dated 04.01.2011.
2. From the Chairman, Committee on Rule making under CUMTA and Chief Planner, Chennai Metropolitan Development Authority, Letter No.PMU/454/2011, dated 22.03.2011.

ORDER:

In the G.O. first read above, a committee has been constituted under the Chairmanship of the Chief Planner, Chennai Unified Metropolitan Transport Authority (CUMTA) to frame draft rules under the Chennai Unified Metropolitan Transport Authority Act, 2010. The Chief Planner, Chennai Metropolitan Development Authority has sent the proposal for making rules under sub-section (1) of section 25 of the Chennai Unified Metropolitan Transport Authority Act, 2010 (Tamil Nadu Act 44 of 2010).

2. The Government have examined the proposal in detail and decided to accept it. Accordingly, the Chennai Unified Metropolitan Transport Authority Rules, 2019 is hereby notified as appended with this order.

3. The Works Manager, Government Central Press is requested to publish the notification appended in the Tamil Nadu Government Gazette Extraordinary, dated the 16th January, 2019.

(BY ORDER OF THE GOVERNOR)

S.KRISHNAN,
PRINCIPAL SECRETARY TO GOVERNMENT.

To
The Works Manager, Government Central Press, Chennai-600 079. (w.e.) The
Additional Chief Secretary to Government,
Finance Department, Secretariat, Chennai-600 009.
The Additional Chief Secretary to Government,
Highways Department, Secretariat, Chennai-600 009.

P.T.O.

-2-

The Additional Chief Secretary to Government, Home
Department, Secretariat, Chennai-600 009.

The Principal Secretary to Government,
Housing and Urban Development Department, Secretariat, Chennai-600 009.
The Principal Secretary to Government,
Transport Department, Secretariat, Chennai-600 009.
The Principal Secretary to Government,
Municipal Administration and Water Supply Department,
Secretariat, Chennai-600 009.

The Secretary to Government, Law Department, Secretariat, Chennai-600 009.
The Vice Chairman,
Chennai Metropolitan Development Authority, Egmore, Chennai-600 008.
The Principal Secretary/Member-Secretary,
Chennai Metropolitan Development Authority, Egmore, Chennai-600 008. The Managing Director, Metropolitan Transport Corporation, Chennai-600 002.
The Commissioner,
Transport Department, Ezhilagam, Chepauk, Chennai – 600 005.
The Commissioner, Chennai City Municipal Corporation,
Ezhilagam Annex Building, Kamarajar Promenade, PWD Estate, Chepauk, Triplicane, Chennai-600 005.
The Commissioner, Greater Chennai Corporation, Chennai-600 003.
The Commissioner of Police,
Greater Chennai, No.132, Commissioner Office Building, EVK
Sampath Road, Vepery, Chennai-600 007.
The General Manager, Metropolitan Transport Plan, Southern Railway, Chennai-600 008.
The Divisional Railway Manager, Southern Railway, Egmore, Chennai-600 008. The Managing Director, Chennai Metro Rail Limited, Chennai-600 018.
The Chief Planner(Transport), Chennai Metropolitan Development Authority, Egmore, Chennai-600 008.

Copy to:
The Chief Minister's Office, Secretariat, Chennai-600 009.
The Deputy Chief Minister's Office, Secretariat, Chennai-600 009.
The Special Personal Assistant to Minister Law, Courts and Prisons, Secretariat, Chennai-600 009.
The Special Personal Assistant to Minister Transport, Secretariat, Chennai-600 009.
The Private Secretary to Chief Secretary to Government,
Secretariat, Chennai-600 009.
The Principal Private Secretary to Principal Secretary to Government,
Housing and Urban Development Department, Secretariat, Chennai-600 009.
The Housing and Urban Development (OP-1/Budget) Department, Secretariat, Chennai-600 009.
Stock File/Spare Copy.

//FORWARDED BY ORDER//

SECTION OFFICER.

APPENDIX.

NOTIFICATION.

In exercise of the powers conferred by sub-section (1) of section 25 of the Chennai Unified Metropolitan Transport Authority Act, 2010 (Tamil Nadu Act 44 of 2010), the Governor of Tamil Nadu hereby makes the following rules, namely:-

1. Short title and commencement.– (1)These rules may be called the Chennai Unified Metropolitan Transport Authority Rules, 2019.

2. Definitions.- In these rules, unless the context otherwise requires,- (a) "Act" means the Chennai Unified Metropolitan Transport Authority Act, 2010 (Tamil Nadu Act 44 of 2010);

(b) "Authority" means the Chennai Unified Metropolitan Transport Authority

established under section 3 of the Act;

(c) "Form" means a form appended to these rules;

(d) "Fund" means the fund owned and operated by the Authority;

(e) "Government" means the Government of Tamil Nadu;

(f) "Member-Secretary" means the Member Secretary of the Authority;

(g) "Regulations" means the regulations framed by the Authority under sub-section (1) of section 24 of the Act;

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

3. Terms and conditions of service of nominated member.-(1) The Government shall nominate one person, who is an eminent traffic and transportation expert to be a member of the Authority.

(2) The nominated member shall have special knowledge of and experience in the field of Transport Planning, Management, Operations, Engineering, Economics or such other discipline related to Urban Transport.

4. Terms and conditions of service of the co-opted members.-(1) The Authority may co-opt three persons as members to represent operators of new modes of transit, experts in the area of urban transportation, and fora representing public transportation, passengers, cyclists, pedestrians and similar groups.

(2) One member each shall be co-opted from among the Chief Executive Officers of the new modes of Transport, experts in the area of urban transportation who have special knowledge and experience in the field of Planning, Management, Operations, Engineering, Economics or such other discipline related to urban transport, and the Executive Presidents / Secretaries of the registered associations representing public transportations, passengers, cyclists, pedestrians and similar groups.

(3) The co-opted members shall have the same status, rights and privileges as that of nominated member. The co-opted members, unless co-opted by virtue of an office they hold in a public transport operator, shall hold the membership for a initial term of three years and shall be eligible for co-option for a further term of three years.

(4) No member shall be co-opted for more than two consecutive terms.

(5) The co-opted members of the Authority may, at any time by writing under his hand addressed to the Chairman, resign his office.

5. Payment of fees and allowances of nominated and co-opted members.- (1) The nominated and co-opted members shall be paid a sitting fee at such rates as may be specified by the Government in the Finance Department from time to time which are applicable to non-official Directors/non-official Members of Statutory Boards for each sitting of the Authority.

(2) If a nominated or co-opted member is not a resident of the place where the meeting of the Authority is held, he shall be paid, in addition to the sitting fee, a conveyance allowance as may be determined by the Authority, from time to time, when no vehicle is provided to him for attending the meeting.

(3) If a nominated or co-opted member is deputed to attend any official work on behalf of the Authority, such member shall be entitled to travelling allowance and daily allowance as per the rates admissible to the Grade A officer of the Government.

6. Disqualifications for membership.-A member may be disqualified from membership, if he is found−

(a) to have financial or other conflicts of interests that are likely to prejudicially affect his functioning as a member; or

(b) to have directly or indirectly, by himself or by any partner, any share or interest in any subsisting contract made with, or for any work being done for the Authority; or

(c) to have absented himself without leave of absence of the Authority for more than three consecutive meetings thereof without sufficient cause; or

(d) to be of being unsound mind and stands so declared by a competent Court; or

(e) to be an un-discharged insolvent; or

(f) to have been convicted by a Court of any offence involving moral turpitude or otherwise and sentenced to imprisonment.

7. The term of office and terms and conditions of service of Member-Secretary of the Authority.-(1)The Chief Urban Planner (Transport), Chennai Metropolitan Development Authority shall be the Member-Secretary of the Authority.

(2) The Member-Secretary shall be the Chief Executive Officer of the Authority and all the officers and employees appointed by the Authority shall function under the administrative control of the Member-Secretary. He shall be responsible for-

(i) the proper administration of the affairs and events of the Authority and shall keep the Secretary to the Government, Housing and Urban Development Department apprised of action taken or proposed to be taken on important matters;

(ii) prescribing the duties of all employees;

(iii) exercising supervision and disciplinary control over the work and conduct, of all employees;

(iv) co-ordination and exercising general supervision over all the activities; and

(v) executing all contracts deeds and other instruments on behalf of the Authority.

8. Committees constituted by the Authority.-(1)The Authority may from time to time, constitute committees consisting of such members as it deems fit and may associate with such committees in such manner and for such period as required, any experts, whose assistance or advice it may desire and refer matters to such committees for detailed consideration, any subject relating to the purposes of the Act.

(2) The persons appointed as non-official members of the committee or persons associated with the Committee under sub-rule (1) shall be entitled to sitting fees as specified by the Government in Finance Department from time to time.

(3) Every committee appointed under sub-rule (1) shall conform to any instructions that may, from time to time be given to it by the Authority and the Authority may at any time alter the constitution of any committee so appointed or rescind any such appointment.

(4) The Authority shall ordinarily nominate any one of its members as the chairperson of such committees.

(5) The procedure to be followed by the committees and all other matters relating to the committees shall be such as may be specified by Regulations framed under the Act.

9. Fund of the Authority.-(1) Any surpluses available in the Fund of the Authority shall be invested in accordance with the instructions and guidelines issued, from time to time by the Government in Finance Department as applicable to the Statutory Boards and Authorities.

(2) The Fund of the Authority shall be kept in an account with any branch of one or more scheduled banks or commercial banks, not exceeding seven in all at a time, to be opened in the name of "Chennai Unified Metropolitan Transport Authority" and shall be operated by the Member-Secretary of the Authority along with any officer authorized in this behalf by the Authority.

10. Budget of the Authority.-(1) The Authority shall prepare a budget of estimated receipts and expenditure in respect of the next financial year in

Form-I and shall forward the same to the Government on or before 15th September of every year.

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

(3) Any deviation from the expenditure proposed in the annual statement already approved by the Authority shall have to be specifically sanctioned by the Authority and for this purpose supplemental estimates may also be prepared.

(4) The Authority may also authorize such reappropriation of expenditure from one head of estimate to another within its overall budget.

11. Accounts and Audit Report of the Authority.- (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) as in

Form-II.

(2)The accounts of the Authority as certified by the Auditor together with audit report along with the remarks of the Authority thereon shall be forwarded to the Government, before the end of the second quarter of the next financial year.

Form III.

12. Rights, Privileges and Authority of the Auditor.- (1) The auditor shall have the same rights, privileges and authority in connection with the audit of the accounts of the Authority as the Comptroller and Auditor General of India has in connection with the audit of the Government accounts and in particular shall have the right to demand production of books of accounts, connected vouchers and other documents of the Authority.

(2)The remuneration of the auditor shall be fixed by the Authority in its general meeting or in such manner as may be determined therein.

(3) The remuneration under sub-rule (2) shall, in addition to the fee payable to an auditor, include the expenses, if any, incurred by the auditor in connection with the audit of the Authority and any facility extended to him but does not include any remuneration paid to him for any other service rendered by him at the request of the Authority.

13. Annual Report of the Authority.- The annual report prepared by the Authority under section 19 of the Act shall be in

Form IV. The annual report as so

prepared shall be submitted to the Government before the end of second quarter of the next financial year.

S.KRISHNAN,
PRINCIPAL SECRETARY TO GOVERNMENT.

//FORWARDED/BY ORDER//

SECTION OFFICER.

FORM-I

[See rule 10(1)]

Budget Estimate of Chennai Unified Metropolitan Transport Authority (CUMTA)

For the year ……

(Typical skeleton form)

Head of Account	Budget Estimate 2019-2020
(1)	(2)
A.Receipts …… …… ……	 …… …… ……
Total	
B.Expenditure …… …… ……	 …… …… ……
Total	
Excess / Savings (A-B)	……

FORM – II
[See rule 11(1)]
ACCOUNTS OF THE AUTHORITY
STATEMENT OF PROFIT AND LOSS

Name of the Authority …….

Statement of Profit and Loss for the period ended…….

(Rupees in……..……..)

	Particulars	Note No.		Figures for the current reporting		Figures for the previous reporting
	Revenue From Operations					
	Other Income					
I	Total Income (I+II)					
II	**EXPENSES** Cost of materials consumed					
	Purchases of Stock-in-Trade					
	Changes in inventories of finished goods, Stock-in-Trade and work-in-progress					
	Employee benefits expense					
	Finance costs					
	Depreciation and amortization expense					
	Other expenses					
	Total Expenses (IV)					
	VProfit/(loss) before exceptional items and tax (I-IV)					
V	V Exceptional Items					
V	VProfit/(loss) before tax (V-VI)					
VI	VITax expense: (1)Current tax (2)Deferred tax					
I	IXProfit/(loss) for the period from continuing operations (VII-VIII)					
	XProfit/(loss) from discontinued operations					
X	X Tax expense of discontinued operations					
X	Profit/(loss) from Discontinued operations (after tax) (X-XI)					
XI	XIProfit/(loss) for the period (IX+XII)					
XI	XIVOther Comprehensive Income A (i) Items that will not be reclassified to profit or loss (ii) Income tax relating to items that will not be reclassified to profit or loss					
	B (i) Items that will be reclassified to profit or loss (ii) Income tax relating to items that will be reclassified to profit or loss					
X	XVTotal Comprehensive Income for the period (XIII+XIV)(Comprising Profit (Loss) and Other Comprehensive Income for the period)					

XV	Earnings per equity share (for continuing operation): (1) Basic (2) Diluted					
XV	Earnings per equity share (for discontinued operation): (1) Basic (2) Diluted					
XVI	Earnings per equity share (for discontinued & continuing operation): (1) Basic (2) Diluted					

FORM III

[See rule 11(3)]

ANNUAL STATEMENT OF ACCOUNTS

BALANCE SHEET

Name of the Authority …….

Balance sheet as at…….

(Rupees in……..…..)

	Particulars	Note No.	Figures as at the end of current reporting period	Figures as at the end of the previous reporting period
	1	2	3	4
(1)	**ASSETS**			
(2)	**Non-current assets**			
	(a)Property, Plant and Equipment			
	(b)Capital work-in-progress			
	(c)Investment Property			
	(d)Goodwill			
	(e)Other Intangible assets			
	(f)Intangible assets under development			
	(g)Biological Assets other than bearer plants			
	(h)Financial Assets			
	(i) Investments			
	(ii) Trade receivables			
	(iii) Loans			
	(iv) Others (to be specified)			
	(i) Deferred tax assets (net)			
	(j)Other non-current assets			
	Current assets			
	(a)Inventories			
	(b)Financial Assets			
	(i) Investments			
	(ii) Trade receivables			
	(iii) Cash and cash equivalents			
	(iv) Bank balances other than (iii) above			
	(v) Loans			
	(vi) Others (to be specified)			
	(c)Current Tax Assets (Net)			
	(d)Other current assets			
	Total Assets			

(1) (2)	**EQUITY AND LIABILITIES** **Equity** (a)Equity Share capital (b)Other Equity **LIABILITIES** **Non-current liabilities** (a)Financial Liabilities (i)Borrowing (ii)Trade payables (iii)Other financial liabilities (other than those specified in item (b), to be specified) (b)Provisions (c)Deferred tax liabilities (Net) (d)Other non-current liabilities **Current liabilities** (a)Financial Liabilities (i)Borrowing (ii)Trade payables (iii)Other financial liabilities (other than those specified in item (c) (b) Other current liabilities (c)Provisions (d)Current Tax Liabilities (Net)			
	Total Equity and Liabilities			

STATEMENT OF CHANGES IN EQUITY

Name of the Authority …….

Statement of changes in Equity for the period ended…….

(Rupees in……..…..)

A. Equity Share Capital

Balance at the beginning of the reporting period	Changes in equity share capital during the year	Balance at the end of the reporting period

B. Other Equity

	Share application money pending allotment	Equity component of compound financial instruments	Reserves and Surplus				Debt instruments through Other Comprehensive Income	Equity Instruments through Other Comprehensive Income	Effective portion of Cash Flow Hedges	Revaluation Surplus	Exchange differences on translating the financial statements of a foreign operation	Other items of Other Compre-hensive Income (specify nature)	Money received against share warrants	Total
			Capital Reserve	Securities Premium Reserve	Other Reserves (specify nature)	Retained Earnings								
Balance at the beginning of the reporting period														
Changes in accounting policy or prior period errors														

Restated balance at the beginning of the reporting period														
Total Comprehensive Income for the year														
Dividends														
Transfer to retained earnings														
Any other change (to be specified)														
Balance at the end of the reporting period														

FORM IV

[See rule 13]

Annual Report of Authority

Sl.No.	Headings
1.	Introductory;
2.	Constitution of the Authority including changes therein;
3.	Meetings of the Authority and the deliberations made therein;
4.	Constitution of the Committees under the Authority including changes in composition and deliberations made therein;
5.	Meetings of the Committee or Committees under the Authority and deliberations made therein; and
6.	Details of the activities of the Authority.