
Chennai City Municipal Corporation (Amendment) Act, 2003**41 of 2003**

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Chennai City Municipal Corporation (Amendment) Act, 2003**41 of 2003**

An Act further to amend the Chennai City Municipal Corporation Act, 1919. BE it enacted by the Legislative Assembly of the State of Tamil Nadu in the Fifty fourth Year of the Republic of India as follows: Statement of Objects and Reasons² In Chennai City Municipal Corporation, the financial powers of Commissioner for sanction of estimates and approval of contracts is Rs. 10 lakhs, for the Standing Committees (other than Taxation and Finance), it is upto Rs. 15 lakhs and for the Taxation and Finance Committee, the powers are upto Rs. 20 lakhs. All works upto the above value have to be approved by the respective Standing Committee and that the Standing Committees meet only once in a month and the procedure of requiring files to go through the Standing Committees for approval of such estimated involves delay. 2. In order to speed up the execution of development works for the benefit of the public, the Government have decided to revise the financial powers of the Commissioner of Chennai Corporation from Rs. 10 lakh to Rs. 35 lakhs. Consequently, it has also been decided to raise the financial powers of the Standing Committees, other than the Taxation and Finance Committee and the Standing Committee (Taxation and Finance) to Rs. 40 lakhs and Rs. 45 lakhs, respectively. The Government have decided to retain the financial powers of the Council at Rs. 50 lakhs. Accordingly, the Government have decided to amend the Chennai City Municipal Corporation Act, 1919 (Tamil Nadu Act IV of 1919) suitably, for the above purpose. Accordingly, the Chennai City Municipal Corporation (Amendment) Ordinance, 2003 (Tamil Nadu Ordinance 9 of 2003) was promulgated by the

Governor on the 29th October 2003 and the same was published in the Tamil Nadu Government Gazette, Extraordinary, dated the 30th October 2003. 3. The Bill seeks to replace the said Ordinance. 1. Received the assent of the Governor on the 14th November, 2003 - Published in Tamil Nadu Government Gazette, Extraordinary, Part IV, Section 2, Issue No. 319, Page 177, dated 15th November, 2003. 2. Vide T.N. Bill No. 41 of 2003 - Published in Tamil Nadu Government Gazette, Issue No. 308, dated 6th November 2003.

1. Short Title And Commencement :-

(1) This Act may be called the Chennai City Municipal Corporation (Amendment) Act, 2003.

(2) It shall be deemed to have come into force on the 30th October, 2003.

2. Substitution Of Sections 78 And 79 :-

In the Chennai City Municipal Corporation Act, 1919 (Tamil Nadu Act IV of 1919) (hereinafter referred to as the Principal Act), for Sections 78 and 79, the following Sections shall be substituted, namely:

"78. Powers of municipal authorities to sanction estimates: The powers of the different municipal authorities to sanction estimates shall be as follows:

(a) when the amount of estimate does not exceed one lakh of rupees, the sanction of the concerned wards committee shall be required;

(b) when the amount of estimate exceeds one lakh of rupees but does not exceed thirty-five lakhs of rupees, the sanction of the commissioner shall be required;

(c) when the amount of estimate exceeds thirty-five lakhs of rupees but does not exceed forty lakhs of rupees, the sanction of the concerned standing committee (other than the standing committee on taxation and finance) shall be required;

(d) when the amount of estimate exceeds forty lakhs of rupees but does not exceed forty-five lakhs of rupees, the sanction of the standing committee on taxation and finance shall be required;

(e) when the amount of estimate exceeds forty-five lakhs of rupees but does not exceed fifty lakhs of rupees, the sanction of the council shall be required;

(f) when the amount of estimate exceeds fifty lakhs of rupees, the sanction of the State Government shall be required.

79. Works costing more than thirty-five lakhs of rupees.- (1) Where a project is framed for the execution of any work or series of works the entire estimated cost of which exceeds thirty-five lakhs of rupees,-

(a) the commissioner shall cause a detailed report to be prepared including such estimates and drawings as may be requisite and shall lay the same,-

(i) before the concerned standing committee (other than the standing committee on taxation and finance), if the entire estimated cost exceeds thirty-five lakhs of rupees but does not exceed forty lakhs of rupees;

(ii) before the standing committee on taxation and finance, if the entire estimated cost exceeds forty lakhs of rupees but does not exceed forty-five lakhs of rupees;

(iii) before the council, if the entire estimated cost exceeds forty-five lakhs of rupees.

(b) the concerned standing committee or the standing committee on taxation and finance or the council, as the case may be, shall consider the report and may approve it either in its entirety or subject to modification or may reject the same.

(2) (a) Where the council approves the project, subject to any modification or otherwise, the entire estimated cost of which exceeds fifty lakhs of rupees, the same shall be submitted to the State Government.

(b) The State Government may sanction the project either in its entirety or subject to modification or may reject the same and the work shall not be commenced without such sanction of the State Government.

(c) No material change in the project sanctioned as aforesaid shall be carried into effect without the sanction of the State Government."

3. Amendment Of Section 80 :-

In Section 80 of the Principal Act, for sub-section (2), the following sub-section shall be substituted, namely:

"(2) Every contract on behalf of the corporation shall be made by the commissioner subject to the following provisions, namely:

(a) no contract the estimated cost of which does not exceed one lakh of rupees shall be made by the commissioner unless it has been sanctioned by the concerned wards committee;

(b) any contract the estimated cost of which exceeds one lakh of

rupees but does not exceed thirty-five lakhs of rupees may be made by the commissioner;

(c) no contract the estimated cost of which exceeds thirty-five lakhs of rupees but does not exceed forty lakhs of rupees shall be made by the commissioner unless it has been sanctioned by the concerned standing committee (other than the standing committee on taxation and finance);

(d) no contract the estimated cost of which exceeds forty lakhs of rupees but does not exceed forty-five lakhs of rupees shall be made by the commissioner unless it has been sanctioned by the standing committee on taxation and finance;

(e) no contract the estimated cost of which exceeds forty-five lakhs of rupees but does not exceed fifty lakhs of rupees shall be made by the commissioner unless it has been sanctioned by the council;

(f) no contract the estimated cost of which exceeds fifty lakhs of rupees shall be made by the commissioner unless it has been sanctioned by the State Government;

(g) every contract the estimated cost of which exceeds forty thousand rupees made by the commissioner shall be reported to the concerned standing committee within fifteen days from the date on which it has been made,"

4. Repeal And Saving :-

(1) The Chennai City Municipal Corporation (Amendment) Ordinance, 2003 (Tamil Nadu Ordinance 9 of 2003) is hereby repealed.

(2) Notwithstanding such repeal, anything done or any action taken under the Principal Act, as amended by the said Ordinance, shall be deemed to have been done or taken under the Principal Act, as amended by this Act.