

# **TAMIL NADU PLANNING AUTHORITIES PROCEDURE AND TRANSACTION OF BUSINESS REGULATIONS, 1980.**

## **PREAMBLE**

*In exercise of the powers conferred by sub-section (2) of section 124 of the Tamil Nadu Town and Country Planning Act, 1971 (Tamil Nadu Act 35 of 1972), the Governor of Tamil Nadu hereby approves the following regulations*

### **1. Short title.--**

These regulations may be called the "Tamil Nadu Planning Authorities" Procedure and Transaction of Business Regulations, 1980.

### **2. Definition.--**

In these Regulations, unless the context otherwise requires.--

- (i) "Act" means the Tamil Nadu Town and Country Planning Act, 1971 (Tamil Nadu Act 35 of 1972);
- (ii) "Chairman" means the Chairman of the Planning Authority appointed by the Government under the Act.
- (iii) "Executive Authority" means the Member-Secretary of the Planning Authority appointed by the Government under the Act;
- (iv) "Government" means Government of Tamil Nadu;
- (v) "Member-Secretary" means the Member-Secretary of the Planning Authority appointed by the Government under the Act;
- (vi) "Planning Authority" means a Regional Planning Authority 'Local Planning Authority' or a 'New Town Development Authority' constituted under the Act (and does not include Chennai Metropolitan Development Authority);
- (vii) "Presiding Authority" means a member elected as Presiding Authority in the absence of the Chairman by a majority of members present at the meeting of the Planning Authority;
- (viii) "Member" means a member of the Planning Authority appointed by the Government under the Act;

(ix) " Section" means section of the Tamil Nadu Town and Country Planning Act. 1971 (Tamil Nadu Act 35 of 1972).

### **3. Meeting of Planning Authority.--**

(a) The Planning Authority shall ordinarily convene at least one meeting in a month on such day and such time duly intimated in the meeting notice for the transaction of business and at other times as often as a meeting may be convened by the Chairman:

Provided that no meeting shall be held on a 'public holiday'.

**Explanation.--** The words 'public holiday include Sundays and any other day declared by the Government by notification in the Official Gazette to be a public holiday.

(b) Any meeting may be adjourned until the next or any subsequent date and an adjourned meeting may be further adjourned in the like manner.

(c) The agenda for the meeting shall be prepared by the Member-Secretary or the Executive Authority of the Local Planning Area concerned in consultation with the Chairman. The Member-Secretary or Executive Authority concerned of the Local Planning Authority may include in the agenda any subject, which in his opinion should be considered by the Local Planning Authority and shall also include therein any subject specified by the Chairman. On any subject included in the agenda, the Chairman as well as the Member-Secretary shall have the right of recording their views in a note and such note, shall be circulated to the Members of the Local Planning Authority or placed before the authority before or at the time of consideration of such subject by the Local Planning Authority.

### **4. Notice of meetings and business.--**

Five clear days notice of an ordinary meetings, or three clear days notice or such shorter period as is reasonable of a special meeting, specifying the time and place at which such meeting is to be held and the business to be transacted there at shall be given to the members and posted up at the office of the Planning Authority.

### **5. Place of meetings and maintenance of order thereof.--**

(a) Every meeting of the Planning Authority shall, except for reasons to be specified in the notice of convening the meeting, be held in the office of the Planning Authority.

(b) Every meeting of the Planning Authority shall be presided over by the Chairman and in his absence, a member shall be elected as Presiding Authority by a majority of members present at the meeting. The Presiding Authority so elected shall, for the meeting, have all the powers of the Chairman and be subject to all the obligations of the Chairman.

(c) The Chairman or the Presiding Authority shall preserve order there at and shall have all powers necessary for the purpose of preserving such order.

(d) The Chairman or the Presiding Authority may direct any member, whose conduct is in his opinion grossly disorderly, to withdraw immediately from the meeting and the member, so directed to withdraw shall do so forthwith and shall absent himself during the remaining part of the meeting. Notwithstanding anything contained in this clause in the case of grave disorder arising in a meeting, the Chairman or the Presiding Authority may if he thinks necessary to do so, adjourn the meeting to any later date.

## **6. Quorum.--**

No business shall be transacted at any meeting unless one-third of the members then in the Planning Authority are present. If at any meeting, quorum is not present, the Chairman or the Presiding Authority shall after waiting for 30 minutes Adjourn the meeting to such hour on the following day or some other future date, as he may reasonably fix and a notice of such adjournment shall be affixed on the notice board of the office of the Planning Authority and the business which should have been brought before the original meeting had there been a Quorum thereof shall be brought before the adjourned meeting and may be disposed off at such meeting.

## **7. Method of deciding questions.--**

(a) All questions which may come before the Planning Authority at any meeting shall be decided by the majority of the members present and voting at the meeting and in case of equality of votes the Chairman or the Presiding Authority shall have and exercise a second or casting vote.

(b) At any meeting unless voting is demanded by at least two-thirds of the members present, a declaration by the Chairman or the Presiding Authority

stating that a resolution is carried out or lost and an entry to that effect in the minutes of the proceedings shall for the number these rules, be conclusive evidence of the fact without proof of number or proportion of votes recorded in favour of or against such resolution.

(c) If voting as aforesaid is demanded, the votes of all the members present who desire to vote shall be taken under the direction of the Chairman or the Presiding Authority over such meeting and the result of the voting shall be deemed to be the resolution of the Planning Authority at such meeting.

#### **8. Business to be transacted.--**

Save as otherwise provided in the regulations mentioned above, no business shall be transacted and proposition shall be discussed at any meeting, unless it has been mentioned in the notice convening such meeting.

#### **9. Minutes of the proceedings.--**

(a) The minutes of the proceedings at each meeting of the Planning Authority shall be drawn up and entered in a book to be kept for that purpose and shall be signed by the Chairman or the Presiding Authority of the meeting.

(b) The Member-Secretary of the Planning Authority shall have the custody of proceedings and records of the meeting of the Planning Authority.

(c) The Member-Secretary of the Planning Authority shall submit a copy of the minutes of each meeting to the Government through the Director of Town and Country Planning within fifteen days from the day of meeting.

#### **10. Members not to vote on matters in which they are interested.--**

(a) No member of the Planning Authority shall vote or take part in the discussions on any question coming up for consideration at the meeting the Planning Authority, if the question is one in which, apart from its general application to the public he has any direct or indirect pecuniary or other interest for himself or his relatives;

(b) If the Chairman or the Presiding Authority is believed by any member to have such interest or interest in any matter under discussion and if a motion to that effect be carried, he shall not preside at the meeting during such discussion or

vote or take part in it Any other member may be chosen or elected to preside at the meeting during the continuance of such part of the meeting.

(c) The Chairman or the Presiding Authority may prohibit any member from voting or taking part in the discussions on any subject matter in the notice, in which the member is believed to have such interest or he may require the member to absent himself during the discussion and abstain from voting.

#### **11. Adjournment of meeting.--**

An ordinary meeting may with the consent of a majority of the members present, be adjourned, from time to time, to a later hour on the same day or to another day but no business shall be transacted at any adjourned meeting other than left indisposed of at the meeting from which the adjournment takes place. A notice of such adjournment posted in the office of the Planning Authority shall be deemed sufficient notice of the adjourned meeting.

#### **12. Modification and cancellation of resolution.--**

No resolution of the Planning Authority shall be modified or cancelled within three months after the passing thereof except at a meeting of the Planning Authority specially convened therefor and by a resolution of the Planning Authority by not less than one half of the total number of members appointed.

#### **13. Motions and amendments.--**

(a) Every motion or any amendment thereof shall be received in writing and then duly moved.

(b) Any motion or amendment included in the agenda may be withdrawn by its proposer with the consent of the Planning Authority through a resolution.

#### **14. Conduct of ordinary meetings.--**

(a) At any ordinary meeting, business shall be conducted in the following order:--

(i) The minutes of the previous ordinary meeting and special meeting held since shall be read and confirmed;

(ii) The business postponed at the previous meeting shall be considered;

(iii) Subjects included in the agenda shall then be considered

(b) Any member may propose any resolution connected with or incidental to the subjects included in the agenda:

Provided that the Chairman or the Presiding Authority may propose any subject relating to a routine matter of urgency not included in the list of business, if no member objects to it.

(c) All points of order shall be decided by the Chairman or the Presiding Authority with or without discussion, as hereby deem fit and his decision shall be final.