No.K-14011/40/2003-MRTS/Metro
Government of India
Ministry of Urban Development
(Metro Rail Cell)

To

The All Chief Secretaries

Sir,

The Parliament has recently passed the Metro Railways (Amendment) Bill, 2009 which provides for extension of the Metro Railways (Construction of Works) Act, 1978 and the Delhi Metro Railway (Operation and Maintenance) Act, 2002 (which after amendment is renamed as the Metro Railway (Operations and Maintenance Act, 2002) to National Capital Region. Metropolitan cities (which means Metropolitan city of Mumbai, Kolkata, Delhi or Chennai and Metropolitan area (as defined in Article 243 P of the Constitution). The Bill has become an Act as per the notification in the Official Gazette dated 27th August, 2009. The Metro Railway (Construction of Works) Act, 1978 is already applicable to Kolkata and National Capital Territory of Delhi with provisions for extension to Mumbai and Chennai through notification while the Delhi Metro (Operation and Maintenance) Act, 2002 is currently applicable to only National Capital Territory of Delhi. The extension of these Acts to other cities/Metropolitan areas will be done through notification.

2. Safety certification of metro rail projects is of paramount importance and the Attorney General had also opined that only a Central Safety Commission can uniformly provide the same for all metro rail projects. With this amendment, there will be uniform legislative cover for all Metro projects in the country whether within one Municipal area or beyond which will provide uniformity of standards as well as safety certification by Commission of Railway Safety. As such all metro rail projects in the country would be covered under the above amended Acts. Copy of the Metro Railways (Amendment) Act, 2009 is attached for ready reference.

This issues with the approval of the Competent Authority.

Yours faithfully,
(S.K. Lobha)
Officer on Special Duty (MRTS)
Tel:23061114
FAX:23061102

Encl: As above.
MINISTRY OF LAW AND JUSTICE
(Legislative Department)

New Delhi, the 27th August, 2009/Bhadra 5, 1931 (Saka)

The following Act of Parliament received the assent of the President on the 26th August, 2009, and is hereby published for general information:

THE METRO RAILWAYS (AMENDMENT) ACT, 2009

No. 34 of 2009

[26th August, 2009.]

An Act further to amend the Metro Railways (Construction of Works) Act, 1978 and to amend the Delhi Metro Railway (Operation and Maintenance) Act, 2002.

Be it enacted by Parliament in the Sixtieth Year of the Republic of India as follows:

CHAPTER I
PRELIMINARY

1. (1) This Act may be called the Metro Railways (Amendment) Act, 2009.

(2) It shall come into force on such date as the Central Government may, by notification in the Official Gazette, appoint.
CHAPTER II

AMENDMENT TO THE METRO RAILWAYS (CONSTRUCTION OF WORKS) ACT, 1978

2. In the Metro Railways (Construction of Works) Act, 1978 (hereafter in this Chapter referred to as the Metro Railways Act), in section 1, in sub-section (3), for the portion beginning with the words “such other metropolitan city” and ending with the words “to that city accordingly”, the following shall be substituted, namely:—

“the National Capital Region, such other metropolitan city and metropolitan area, after consultation with the State Government, and with effect from such date as may be specified in that notification and thereupon the provisions of this Act shall apply to the National Capital Region, such metropolitan city or metropolitan area accordingly.”

3. In the Metro Railways Act, for the words “metropolitan city” occurring in clause (h) of sub-section (1) of section 2, clause (c) of sub-section (1) of section 4 and clause (a) of sub-section (7) of section 32, the words “metropolitan city, metropolitan area and the National Capital Region” shall be substituted.

4. In section 2 of the Metro Railways Act, in sub-section (1),—

(i) after clause (h), the following clause shall be inserted, namely:—

‘(ha) “metropolitan area” shall have the meaning assigned to it in clause (c) of article 243P of the Constitution;’;

(ii) after clause (o), the following clause shall be inserted, namely:—

‘(oa) “National Capital Region” means the National Capital Region as defined in clause (f) of section 2 of the National Capital Region Planning Board Act, 1985;’.

CHAPTER III

AMENDMENT TO THE DELHI METRO RAILWAY (OPERATION AND MAINTENANCE) ACT, 2002

5. Throughout the Delhi Metro Railway (Operation and Maintenance) Act, 2002 (hereafter in this Chapter referred to as the Delhi Metro Railway Act), for the words “metropolitan city of Delhi” wherever they occur, the words “the National Capital Region, metropolitan city and metropolitan area” shall be substituted.

6. In section 1 of the Delhi Metro Railway Act, for sub-sections (1) and (2), the following sub-sections shall be substituted, namely:—

“(1) This Act may be called the Metro Railways (Operation and Maintenance) Act, 2002.

(2) It extends in the first instance to the National Capital Region and the Central Government may, by notification, after consultation with the State Government, extend this Act to such other metropolitan area and metropolitan city, except the metropolitan
7. In section 2 of the Delhi Metro Railway Act, in sub-section (1),—

(i) for clause (a), the following clauses shall be substituted, namely:—

(a) "Central Government", in relation to technical planning and safety of metro railways, means the Ministry of the Government of India dealing with Railways;

(aa) "Claims Commissioner" means a Claims Commissioner appointed under section 48;"

(ii) for clause (h), the following clauses shall be substituted, namely:—

(h) "metropolitan area" shall have the meaning assigned to it in clause (c) of article 243P of the Constitution;

(ha) "metropolitan city" means the metropolitan city of Bombay, Calcutta, Delhi or Madras;"

(iii) after clause (h), the following clause shall be inserted, namely:—

(ko) "National Capital Region" means the National Capital Region as defined in clause (f) of section 2 of the National Capital Region Planning Board Act, 1985;".

8. In section 6 of the Delhi Metro Railway Act, in sub-section (2), after clause (b), the following clauses shall be inserted, namely:—

"(ha) develop any metro railway land for commercial use;

(bb) provide for carriage of passengers by integrated transport services or any other mode of transport;"

9. Section 7 of the Delhi Metro Railway Act shall be renumbered as sub-section (1) thereof and after sub-section (1) as so renumbered, the following sub-section shall be inserted, namely:—

"(2) The Commissioner shall function under the administrative control of the Chief Commissioner of Railway Safety appointed under section 5 of the Railways Act, 1989."

10. For section 12 of the Delhi Metro Railway Act, the following section shall be substituted, namely:—

"12. The Chief Commissioner of Railway Safety shall, for each financial year, prepare in such form, and within such time, as may be prescribed, an annual report giving a full account of the activities of the Commissioner during the financial year immediately preceding the financial year in which such report is prepared and forward copies thereof to the Central Government.".

11. In section 13 of the Delhi Metro Railway Act, for the word "Commissioner", the words "Chief Commissioner of Railway Safety" shall be substituted.

12. In section 23 of the Delhi Metro Railway Act, in sub-section (I), for the words "Hindi and English", the words "Hindi, English and official language of the State in which such station is located" shall be substituted.

13. In section 26 of the Delhi Metro Railway Act, in sub-section (1), the words "a small" shall be omitted.

14. In section 34 of the Delhi Metro Railway Act, for sub-section (4), the following sub-section shall be substituted, namely:—
“(4) The Central Government and the State Government shall nominate one member each to the Fare Fixation Committee:

Provided that a person who is or has been an Additional Secretary to the Government of India or holds or has held an equivalent post in the Central Government or the State Government shall be qualified to be nominated as a member.”.

15. In section 38 of the Delhi Metro Railway Act, in sub-section (2), for the words “Government of the National Capital Territory of Delhi”, the words “State Government” shall be substituted.

16. In section 85 of the Delhi Metro Railway Act,—

(i) in sub-section (7), for the words “Government of the National Capital Territory of Delhi”, the words “State Government” shall be substituted;

(ii) in sub-section (2), for the words “Government of the National Capital Territory of Delhi in the Delhi Gazette”, the words “State Government” shall be substituted.

T.K. VISWANATHAN,
Secretary to the Govt. of India.
का.आ. 2625(अ)— केंद्रीय सरकार, सूचीगत रूप से (संबंध-संनिर्माण) अधिनियम, 1978 (1978 का 33) की धारा 1 की उपधारा (3) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, संबंध राज्य सरकार से परम्परागत रूप से प्राप्त यह घोषणा करती है कि उक्त अधिनियम के उपर्युक्त इस अवधिसूचना के राजपत्र में प्रकाशन की साक्षात्कार से नीचे सारणी में यथा विनिर्दिष्ट क्षेत्रों को विस्तारित किए जाएंगे, अतः :-

<table>
<thead>
<tr>
<th>क्षेत्र या महानगर क्षेत्र का नाम</th>
<th>राज्य का नाम</th>
</tr>
</thead>
<tbody>
<tr>
<td>(1)</td>
<td>(2)</td>
</tr>
<tr>
<td>1. राष्ट्रीय राजधानी क्षेत्र</td>
<td>1. राष्ट्रीय राजधानी राज्यक्षेत्र - दिल्ली, हरियाणा, राजस्थान और उत्तर प्रदेश</td>
</tr>
<tr>
<td>2. बंगालीय</td>
<td>2. कन्नड़</td>
</tr>
<tr>
<td>3. मुंबई</td>
<td>3. महाराष्ट्र</td>
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<tr>
<td>4. चेन्नई</td>
<td>4. तमिलनाडु</td>
</tr>
</tbody>
</table>

[फा. सं. के- 14011/40/2003 - एमआरटीएस/मंटटा] बिलाल कुर्रा, अतिरंजित
MINISTRY OF URBAN DEVELOPMENT  
(METRO RAIL CELL)  
NOTIFICATION  
New Delhi, the 16th October, 2009  

S.O. 2625(E).— In exercise of the powers conferred by sub-section (3) of section 1 of the Metro Railways (Construction of Works) Act, 1978 (33 of 1978), the Central Government, after consultation with the concerned State Government, hereby declare that the provisions of the said Act shall extend to the areas as specified in the Table below with effect from the date of publication of this notification in the Official Gazette of India, namely:—

**TABLE**

<table>
<thead>
<tr>
<th>Name of region or metropolitan area</th>
<th>Name of State</th>
</tr>
</thead>
<tbody>
<tr>
<td>National Capital Region</td>
<td>National Capital Territory-Delhi, Haryana, Rajasthan and Uttar Pradesh</td>
</tr>
<tr>
<td>Bangalore</td>
<td>Karnataka</td>
</tr>
<tr>
<td>Mumbai</td>
<td>Maharashtra</td>
</tr>
<tr>
<td>Chennai</td>
<td>Tamil Nadu</td>
</tr>
</tbody>
</table>

[F. No. K-14011/40/2003-MRTS/Metro]  
BIMAL KUJUR, Under Secy.

अधिसूचना  
नई दिल्ली, 16 अक्टूबर, 2009  

का.अ. 2626(31).—केंद्रीय सरकार द्वारा मेट्रो रेल (प्रबन्धन और अनुरुप) अधिनियम, 2002 (2002 का 60) की धारा 1 की उपदाश (2) द्वारा प्रदत्त व्यवस्थाओं का प्रयोग करते हुए, संबंध राज्य सरकार से प्रश्नात्मक प्रश्न करने के पश्चात् यह घोषणा करती है कि उक्त अधिनियम के उपरें इस अधिसूचना के राजपत्र में प्रकाशन की तारीख से नीचे सारणी में उक्त विनिर्दिष्ट क्षेत्रों को विस्तारित किए जाएंगे, अर्थात् :-
NOTIFICATION
New Delhi, the 16th October, 2009

S.O. 2626(E).—In exercise of the powers conferred by sub-section (2) of section 1 of the Metro Railways (Operation and Maintenance) Act, 2002 (60 of 2002), the Central Government, after consultation with the concerned State Government, hereby declare that the provisions of the said Act shall extend to the metropolitan areas as specified in the Table below with effect from the date of publication of this notification in the Official Gazette of India, namely:-

**TABLE**

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<thead>
<tr>
<th>Name of metropolitan area</th>
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<td>Tamil Nadu</td>
</tr>
</tbody>
</table>

[F. No. K-14011/40/2003-MRTS/Metro]
BIMAL KUJUR, Under Secy.
MINISTRY OF URBAN DEVELOPMENT

(Metro Rail Cell)

NOTIFICATION

New Delhi, the 7th September, 2009

S.O. 2279(E).—In exercise of the powers conferred by sub-section (2) of Section 1 of the Metro Railways (Amendment) Act, 2009 (34 of 2009) the Central Government hereby appoints the Seventh September, 2009 as the date on which the provisions of the said Act, shall come into force.

[F. No.K-140114/40/2003-MRTS/Metro]

BIMAL K. SHUKLA, Under Secy