

PROCEEDINGS OF THE MEMBER SECRETARY, CMDA, CHENNAI-8.

PRESENT: THIRU VIKRAMKAPUR, I.A.S.,

Proc.No. RT /5039 /2008-A

Dated: 04.09.2008.

Sub: CMDA - Planning Permission - Delegation of powers to the Officials of Chennai Corporation - orders - issued.

The Government in G.O.Ms.No 190 H&UD Department, dated 2.09.2008 have approved the Second Master Plan for Chennai Metropolitan Area (CMA) which was notified in the Tamil Nadu Government Gazette on 2.09.2008. The Second Master Plan for CMA including the Development Regulations contained therein comes into operation from the date of publication of the notification in the Tamil Nadu Government Gazette.

2. Powers for issue of planning permissions, to the Commissioner, City Engineer and Executive Engineers of Zones of Chennai Corporation have been delegated earlier in different Authority proceedings. Since the revised Development Regulations (forming part of the Second Master Plan) have come into force, a need has arisen to issue a revised delegation of powers with reference to the Second Master Plan Development Regulations to the Commissioner, City Engineer and Executive Engineers of Zones of Chennai Corporation for issue of planning permissions.

3. Under Sub-section (3) of section 9 C of the Tamil Nadu Town and Country Planning Act, 1971 (as amended from time to time), the CMDA hereby delegates its powers to the Commissioner, Corporation of Chennai for revocation of Planning Permission issued by Chennai Corporation under section 54 of the T.N. Town and Country Planning Act.

4. Under Sub-section (3) of section 9 C of the Tamil Nadu Town and Country Planning Act, 1971 (as amended from time to time), the CMDA hereby delegates its

powers in respect of the following developments subject to the restrictions mentioned hereunder:

A). Construction, addition, alteration or modification of buildings for residential, commercial, institutional or industrial including installation of machineries therein, etc., as the case may be (except for special buildings, group developments, and multistoreyed buildings), subject to permissibility as per land use regulations,

- (i). on the plots that existed with the same use (except in the case of residential plots which could have been vacant) and with the same dimensions prior to 5.8.1975, or
- (ii). on the plots in an unapproved layout made prior to 3.8.1976 wherein development approvable with reference to the guidelines issued in A.P.Ms.No.110, dated 7.10.76 (extracted in the annexure-I), or
- (iii). on the plots in an unapproved layout made prior to 31.12.1989 wherein development approvable with reference to the guidelines issued in CMDA letter No. RT/16638/92, dated 23.10.1992 (extracted in Annexure-II), or
- (iv). on the plots in approved layouts / subdivisions approved by DTCP earlier or CMDA or local body concerned under the delegated powers,

Subject to quarry / crushers, airport authority and other Development Regulations, only for the following activities listed under the normally permissible category of the land use zones listed below:

- (a) In Primary Residential Use Zone, the activities listed as D.R. No. 14(1) A(i) to (x) except special buildings, group developments and multistoreyed buildings,

- (b). In mixed residential use zone, the activity listed as D.R.No.15 (1)A (i) to (xi) excluding special buildings, group developments and multistoreyed buildings,
- (c). In commercial use zone, the activities listed as D.R. No. 16(1)A(i) to (iv) except special buildings, group developments and multistoreyed buildings,
- (d). In Industrial use zone, the activities listed as D.R.No.17(1) A(i) to (iii) except special buildings, group developments and multistoreyed buildings.
- (e). In Institutional use zone the activities listed as D.R.No.19(1) A(i) to (xi) except special buildings, group developments and multistoreyed buildings,
- (f). In O & R use zone, the activities listed in DR No.20 (1) (A) (i) & (ii) except special buildings, group developments and multistoreyed buildings,
- (g). In Urbanisable use zone, the activities listed as DR No. 21(1)A except special buildings, group developments and multistoreyed buildings,
- (h). In Non-urban use zone, the activities listed in DR No.22 (1) A (i) to (vii) except special buildings, group developments and multistoreyed buildings,
- (i). In Agricultural use zone, the activities listed in DR No.23 (1) A (iii) to (viii) excluding special buildings, group developments and multistoreyed buildings,

Provided that the developments conform to the planning parameters stated in DR No.25; Tables No. (1), (2), (3), (4), (7) and (8), and do not fall in the CRZ area.

I. To City Engineer

- (i). Issue of Planning Permission for developments other than special buildings, group developments, and multistoreyed buildings and

cinema theatres on sites abutting and gaining access from the 9 corridors mentioned in the annexure.

- (ii). Planning permission for Places of public assembly as defined in the Madras City Police Act 1988 excluding cinema theatres, special buildings, group developments and multistoreyed buildings.
- (iii) Change of activity in any land or building excluding special buildings, group developments or multistoreyed buildings
- (iv). Refusal of planning permission for violation of land use and/or violation of planning parameters in respect of the activities and categories of developments (to which powers for issue of planning permission delegated to the City Engineer)
- (v). Relaxation of set back requirements (Front/Side/Rear) under DR No. 33, provided the extent of violation does not exceed 10% area wise, only for the activities and categories of developments for which powers to issue planning permission have been delegated to the City Engineer and the Executive Engineers of Zones.

II. To Executive Engineers of Zones in their respective jurisdiction:

(A). Issue of Planning Permission for ordinary buildings (defined in the Development Regulations)

(B). Subdivision or layout of land (for residential) of total extent not exceeding 2 Hectares subject to satisfying land use and all other requirements of the DR, provided the site abuts on a public road of width conforming to the DR.

(C). Refusal of planning permission for violation of land use and/or violation of planning parameters in respect of the activities and categories of developments

(to which powers for issue of planning permission delegated to the Executive Engineers of Zones).

- 5(a) The above delegation of powers is subject to over all control and superintendence of the Commissioner, Corporation of Chennai.
- (b) The above delegation of powers does not include the issue of planning permission for developments / subdivisions in the following areas and no development shall be permitted in the following areas without prior approval from CMDA.
 - i) CRZ area.
 - ii) The land falling within 50 metres on either side of the proposed Metro Rail Corridor.

6. Development Charge, equivalent land cost in lieu of community recreational space (i.e. normally called as OSR charge), Infrastructure and Amenities Charges as applicable shall be collected by way of Demand Draft drawn in favour of Member Secretary, CMDA and shall be transferred to CMDA.

7. The above delegation of powers takes immediate effect.

8. In spite of Prima-facie objections if there are demonstratable hardships or extenuating circumstances for relaxing planning parameters the Chennai Corporation may forward the proposal to CMDA with their specific remarks in this regard.

9. All the functions and powers exercised by the responsible Authority in the old sanctioned Detailed Town Planning Scheme area within Chennai City Corporation prior to the constitution of the CMDA shall continue to be exercised by the Council or Commissioner as the case may be with the restrictions stated in paras above.

10. The delegation of powers made earlier for taking enforcement action under various sections of the Tamil Nadu Town and Country Planning Act (not only for the

above said developments, but also for all types of developments including special buildings, group developments, multistoreyed buildings etc. continues and there is no change/modification made to it now). CMDA circular No.RT1/12393/2005, dated 27.4.2005 is annexed.

Sd/xxxxx

MEMBER SECRETARY.

Encl: (i) As above.

To

- (i) The Commissioner,
Corporation of Chennai,
Rippon Buildings,
Chennai-600 003.
- (ii) The City Engineer,
Corporation of Chennai,
Rippon Buildings,
Chennai-600 003.
- (iii) The Executive Enigneers of
Zone I to X,
Corporation of Chennai,
Chennai-600 003.

Copy to:

In CMDA

- i. P.S. to VC
- ii. P.S. to M.S
- iii. P.C. to CEO
- iv. P.C. to CP's
- v. P.C. to SP's
- vi. P.C. to DP's in APU
- vii. A.P's in APU
- viii. A.O.
- ix. Stock File/Spare

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Sd. x x x x x
ASSISTANT PLANNER