

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

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

Proc.No. RT /5039 /2008-D

Dated: 04.09.2008.

Sub: CMDA - Planning Permission - Delegation of powers to Commissioners of Panchayat Unions within CMA - orders - issued.

The Government in G.O.Ms.No 190 H&UD Department, dated 2.09.2008 has 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 of the Panchayat Unions within CMA 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 Commissioners 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 for issue of planning permission to the Commissioners of Panchayat Unions within CMA (i.e. (i) Minjur, (ii) Puzhal, (iii) Villivakkam, (iv) Thiruvallur, (v) Poonamallee, (vi) Kundrathur, (vii) Sriperumbudur, (viii) St. Thomas Mount, (ix) Sholavaram, and (x) Kattankulathur Panchayat Unions 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 airport authority, quarry / crushers 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 multi storeyed 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).

(B). Subdivision of land (for residential purpose) of total extent not exceeding 1000 sq.m. (one thousand square meters), number of plots not exceeding 8 nos. and the proposed passage/street/road within is a cul-de-sac or a dead end road (i.e. not a through passage/street/road with opening on both ends) 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).

(D). Relaxation of set back requirements (Front/Side/Rear) under DR No. 33 provided the extent of violation does not exceed 10% areawise, only for the activities and categories of developments for which powers to issue planning permission have been delegated.

(E). To exercise and carryout the function of the Responsible Authority as defined in the Detailed Development Plans (DDPs) in the approved DDP areas within the Panchayat Unions.

4. The above delegation of powers doesn't 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:

- (a) CRZ area.
- (b) Aquifer Recharge Area restricted for development.
- (c) The land falling within 50 metres on either side of the proposed Metro Rail Corridor.

5. 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.

6. The above delegation of powers takes immediate effect.

7. 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/xxxx

Encl: (i) As above.

Member Secretary

To

1. The Commissioner,
Minjur Panchayat Union,
Minjur
2. The Commissioner,
Puzhal Panchayat Union
Puzhal
3. The Commissioner,
Villivakkam Panchayat Union
Villivakkam
4. The Commissioner,
Thiruvallur Panchayat Union,
Thiruvallur.
5. The Commissioner,
Poonamallee Panchayat Union,
Poonamallee.
6. The Commissioner,
Kundrathur Panchayat Union,
Kundrathur.
7. The Commissioner,
Sriperumbudur Panchayat Union,
Sriperumbudur
8. The Commissioner,

St.Thomas Mount Panchayat Union,
Chitalapakkam

9. The Commissioner,
Sholavaram Panchayat Union,
Sholavaram.
10. The Commissioner,
Kattankulathur Panchayat union.
Kattankulathur.

Copy to:

1. The Director of Rural Development,
Panagal Building,
4th & 5th Floors,
Jennis Road, Saidapet,
Chennai-600 015.
2. 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

/TRUE COPY/FORWARDED/BY ORDER/

Sd. xxxxxxxxxxxxxx
ASSISTANT PLANNER