



ABSTRACT

Urban Development - To extend the cut-off date to 20.10.2016 for the purpose of examining the unauthorized sub-division and calculating OSR charges for the planning permission applications in plots registered on or before 20.10.2016 - Orders - Issued.

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Housing and Urban Development [UD4(1)] Department

G.O.(Ms).No.95

Dated: 04.08.2023

சோபகிருது, ஆடி 19,

திருவள்ளூர் ஆண்டு 2054

Read

1. G.O.(Ms).No.78, Housing and Urban Development Department, dated 04.05.2017.
2. G.O.(Ms).No.172, Housing and Urban Development Department, dated 13.10.2017.
3. From the Director of Town and Country Planning Letter Roc.No.24057/2022/TCP-5, dated 16.11.2022.
4. From the Member-Secretary, Chennai Metropolitan Development Authority Letter No.C3(S)/15623/ 2021, dated 31.03.2023.

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ORDER:

In the Government order first and second read above, the Government have introduced the scheme for regularization of layouts and plots for regularizing all the unauthorized plots and sub-divisions made before 20.10.2016. Under this scheme, OSR charges was not collected for the plots registered on or before 20.10.2016 and reservation of land was insisted only for the area of unsold plots as on that date.

2. In the letter fourth read above, the Chennai Metropolitan Development Authority has proposed revision of the cut-off date for examining unauthorized sub-division and OSR computation in the planning permission applications from 05.08.1975 (Date of notification of First Master Plan for Chennai Metropolitan Area) to 20.10.2016 (cut-off date prescribed for regularization of plots and layouts under Regularization scheme, 2017). In the letter third read above, the Director of Town and Country Planning

has proposed revision of cut-off dates from 29.11.1972 in rural areas and 01.01.1980 in urban areas to 20.10.2016.

3. According to section 47 of Tamil Nadu Town and Country Planning Act, 1971 all new developments proposed after notification of the Master plan have to comply with the prescribed development regulations. Whereas large number of layouts and sub-division of lands were made without obtaining planning permission or approval as required under the Act. Rules regarding layout, sub-division and OSR have been violated. However planning permission applications for developments in the plots of these unauthorized layouts and sub-divisions are considered first by examining the violations to the open space regulations as well as the regularisability of the site and proposals are allowed after regularizing the site in which development is proposed. In this process, the sub-divisions that have been made after the cut-off dates prescribed by Chennai Metropolitan Development Authority & Director of Town and Country Planning are examined and the OSR charges applicable are collected. Documents registered post cut-off dates are examined to find out the applicability of OSR regulations and charges are levied proportionate to the GLV of the land. In the letter 4th read above Chennai Metropolitan Development Authority has informed that scrutiny of documents for this purpose is enormously time consuming and causes considerable delay in grant of approval.

4. The Chennai Metropolitan Development Authority has also requested to revise the slabs for OSR charges, wherein a new slab has been introduced to levy charges for 5% of land area for plots less than 3000m² and reduce the existing 10% to 8% for plots of area between 3000m² to 10000m². This will impose huge costs in small residential proposals even in plots less than 100 m² area.

5. Applications for building approvals in the plots of old unapproved layouts and sub-divisions constitute a large proportion in the total number of applications made every year. Therefore extending the benefit of cut-off date of 20.10.2016 (as in regularization scheme, 2017) to applications for new development in plots / sites registered on or before 20.10.2016 will avoid cumbersome scrutiny of documents from 05.08.1975 in case of Chennai Metropolitan Area, 29.11.1972 and 01.01.1980 in case of Director of Town and Country Planning.

6. After careful examination of the proposal of the Chennai Metropolitan Development Authority and Director of Town and Country Planning the Government hereby order to extend the cut-off date to 20.10.2016 for the purpose of examining the unauthorized sub-division and calculating OSR charges for the planning permission applications in plots registered on or before 20.10.2016 subject to collection of all the charges prescribed under the Regularization scheme, 2017. The Tamil Nadu Regularisation of Unapproved Layouts and Plots Rules, 2017 will not apply to these cases except for the collection of charges and fees

prescribed in this rules. These charges may be collected only for the planning permission applications wherein the site proposed for development is indicated as a 'plot' or 'மெய்கள' in the document registered on or before 20.10.2016. For other cases, charges normally applicable may be collected. The existing rules for reservation of OSR will continue without change.

(BY ORDER OF THE GOVERNOR)

**APOORVA
PRINCIPAL SECRETARY TO GOVERNMENT**

To

The Member-Secretary,
Chennai Metropolitan Development Authority,
Chennai - 600 008.
The Director of Town and Country Planning,
Chennai-600 107.

Copy to:

The Special Personal Assistant to Hon'ble Minister for Housing and Urban Development, Chennai- 600 009.

The Special Personal Assistant to Hon'ble Minister for Hindu Religious and Charitable Endowments Department, Chennai- 600 009.

The Private Secretary to Principal Secretary to Government,
Housing and Urban Development Department,
Chennai - 600 009.

The Housing and Urban Development (Budget/OP-1) Department,
Chennai-600 009.

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//FORWARDED BY ORDER//

Apoorva
2/18/23
SECTION OFFICER.

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2/13/23