



ABSTRACT

Rules – Rules under section 113-C of the Tamil Nadu Town and Country Planning Act, 1971 for Assessment and Collection of Amount for Exemption of Buildings, 2017 – Notification – Issued.

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HOUSING AND URBAN DEVELOPMENT [UD4(3)] DEPARTMENT

G.O.(Ms).No.110

Dated:22.06.2017

ஹேவிளம்பி வருடம், ஆனித் திங்கள் 8,
திருவள்ளூர் ஆண்டு 2048

ORDER:

The appended Notification shall be published in the Tamil Nadu Government Gazette Extraordinary dated the 22nd June, 2017.

(BY ORDER OF THE GOVERNOR)

**DHARMENDRA PRATAP YADAV
SECRETARY TO GOVERNMENT.**

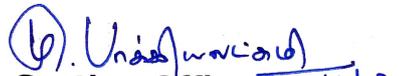
To
The Works Manager,
Government Central Press, Chennai-600 079.
The Secretary to Governor, Raj Bhavan, Chennai – 600 032.
All District Collectors.
The Additional Chief Secretary to Government,
Finance Department, Chennai- 600 009.
The Additional Chief Secretary to Government,
Rural Development and Panchayat Raj Department, Chennai-600 009.
The Principal Secretary to Government,
Municipal Administration and Water Supply Department, Chennai-600 009.
The Secretary to Government, Law Department, Chennai – 600 009.
The Commissioner of Town and Country Planning, Chennai-600 002.
The Member Secretary,
Chennai Metropolitan Development Authority, Chennai – 600 008.

Copy to:

The Chief Minister's Office, Chennai- 600 009.
The Secretary to Chief Minister, Chennai – 600 009.
The Senior Personal Assistant to Minister (Hg&UD), Chennai – 600 009.
The Public (SC) Department, Chennai-600 009.
UD I, UD VI and UD VII Sections in Housing and Urban Development
Department, Chennai – 600 009.

SF/SC.

//Forwarded//By order//


Section Officer. 22/6/17


22/6/17

APPENDIX.

NOTIFICATION.

In exercise of the powers conferred by clause (bb) of sub-section (2) of section 122 read with section 113-C of the Tamil Nadu Town and Country Planning Act, 1971 (Tamil Nadu Act 35 of 1972), the Governor of Tamil Nadu hereby makes the following rules, namely:-

RULES.

1. Short title and application: (1) These rules may be called the Tamil Nadu Assessment and Collection of Amount for Exemption of Buildings Rules, 2017.

(2) They shall be applicable to the areas covered by the provisions of the Tamil Nadu Town and Country Planning Act, 1971 (Tamil Nadu Act 35 of 1972).

2. Definition.- In these rules, unless the context otherwise requires,-

- (a) "Act" means the Tamil Nadu Town and Country Planning Act, 1971 (Tamil Nadu Act 35 of 1972);
- (b) "amount for exemption" means an amount collected under these rules for exempting the development of any building or class of buildings referred to in section 113-C of the Act;
- (c) "Competent Authority" means, -

(1) In respect of Chennai Metropolitan Planning area-

- i) in respect of "buildings as specified under Category-A, in Development Regulations 14 to 21 in Development Regulations of Second Master Plan for Chennai Metropolitan Area," the Commissioner of Greater Chennai Corporation or Municipalities or Executive Officer of the Town Panchayats or Block Development Officers of the Panchayat Unions, as the case may be, who will receive regularisation applications and issue suitable orders by following the procedures set in the guidelines.
- (ii) in respect of the "Buildings other than those specified in item (i) above," the Member-Secretary of the Chennai Metropolitan Development Authority who will receive the regularisation applications and issue suitable orders by following the procedures set out in the guidelines.

(2) In respect of Directorate of Town and Country Planning Areas-

- (i) in case of "ordinary buildings", the concerned Commissioner of the Municipal Corporation or Municipality, the Executive Officer of the Town Panchayat and the Block Development Officer (Village Panchayat) of the concerned Block in which the Village Panchayat falls, who will receive regularisation applications and pass suitable orders by following the procedures set out in the guidelines;
- ii) in case of "buildings other than ordinary buildings", the field level officer of the Town and Country Planning Department of the concerned area, the Composite Local Planning Authority or the New Town Development Authority or the office of the Regional Deputy Director or the Assistant Director of the Town and Country Planning, as the case may be, who will receive regularisation applications and process the applications and pass suitable orders by following the procedures set out in the guidelines;
- (iii) in case of a "Multi-Storied Building", the Director of Town and Country Planning, who will receive and process the regularisation application and give concurrence to the respective Regional Deputy Directors of Town and Country Planning or Member-Secretary of the Planning Authorities, as the case may be to pass suitable orders by following the procedures set out in the guidelines;
- (d) "Floor Space Index (FSI)" means the quotient obtained by dividing the total covered (plinth) area on all floors excepting the areas specifically exempted under the respective rules and regulations prevailing in the respective areas, by the plot area which includes part of the site used as exclusive passage. (FSI = Total covered area on all floors ÷ Plot area);
- (e) "Guidelines" means the Guidelines for the Exemption of Buildings, 2017;
- (f) "guideline value" means the prevailing guideline value of land in terms of rupees per square meter fixed by the Registration Department of the State of Tamil Nadu, as on the date of filing of application for regularisation;
- (g) "Multi-storied building" means the building as defined as multi-storied building in the respective rules and regulations prevailing as on the date of notification of these guidelines; For the purpose of this rules, Multi-storied building includes buildings of height exceeding 17.25 m.

- (h) "group development" means the building defined as group development in the respective rules and regulations prevailing as on the date of notification of these rules;
- (i) "special building" means the building defined as special building in the respective rules and regulations prevailing as on the date of notification of these rules;
For the purpose of this rules, the special building shall include all buildings of height upto 17.25 m irrespective of number of floors;
- (j) "ordinary building" means a building, which does not fall within the definition of special building, group development or multi-storied building defined in the respective rules and regulations prevailing as on the date of notification of these rules;
- (k) "setback" means open space across front or sides or rear of a plot between the building and street alignment or boundary of the plot, as the case may be;
- (l) words and expression used in these rules, but not defined shall have the same meaning assigned to them in section 2 of the Act, or the Guidelines for the Exemption of Buildings, 2017 or any other law relating to the local authorities for the time being in force or in any other rule or bye-law or regulation made thereunder or in the respective rules prevailing as on the date of notification of these rules.

3. Application of these rules.- The following shall be the rules for exemption of any building or class of building developed on or before the 1st day of July 2007 and deviated from certain provisions of the Act or any rule or regulation made thereunder:-

- (i) The constructions of building should have been completed on or before the 1st July 2007;
- (ii) These rules are applicable for the entire State of Tamil Nadu excepting the hill areas, falling within the purview of Hill Area Conservation Authority;
- (iii) The grant of exemption shall be with reference to the Development Regulations for Chennai Metropolitan Area and the Development Control Regulations in cases of areas falling within the purview of the Director of Town and Country Planning prevailing as on the date of notification of these rules;
- (iv) The requirements for compliance of certain planning parameters viz., Road Width, Setbacks, Floor Space Index, Vehicular Parking, Open Space Reservation (OSR) shall be as per Annexure-IA and IB for Chennai Metropolitan Planning Area and

Directorate of Town and Country Planning areas, respectively, for exemption under these rules to the extent indicated herein. Therefore, similar requirements under the provisions of other Statutes/Rules like Tamil Nadu District Municipalities Building Rules, 1972, Tamil Nadu Panchayats Building Rules, 1997 and Multi-Storied and Public Buildings Rules, 1973, etc., will stand exempted to the extent as provided under these rules;

- (v) The definitions of the Development Regulations or Development Control Regulations, as the case may be, shall apply;
- (vi) In the event of applicant providing offsite parking, the same shall be provided within a distance of 500 m and produce the ownership or lease document in his favour for that site having a minimum validity period of 33 years;
- (vii) The penalty leviable over and above the fees or charges normally leviable as per Annexure-II;
- (viii) For the purpose of calculation of penalty, the Guideline Value prevailing on the date of filing of application for regularisation;
- (ix) (a) The applicant shall file online application for regularization within 6 months from the date of notification of these rules.
 (b) The applicant shall assess the violation in the building, workout the applicable regularisation fees as prescribed in Annexure-II and submit the same online for the full assessed amount. If any under assessment in the self assessment, is detected at any stage, the regularization application shall be rejected, the amount shall be forfeited and enforcement action against the violation shall be taken.
- (x) In cases where the applicant withdraws his application filed under Regularisation Scheme under section 113-A of the Act and apply afresh under section 113-C of the Act, the regularisation fee already paid by him under section 113-A of the Act will be adjusted;
- (xi) In cases where the applications filed under section 113-B of the Act which are eligible for exemption under section 113-C of the Act shall be remitted back to Competent Authority for processing under Section 113-C of the Act, the regularisation fee already paid by the applicant under section 113-B of the Act will be adjusted;
- (xii) The Structural Stability Certificate issued by an registered Structural Engineer in cases of Special Buildings, Group Developments and Multi-Storied Buildings in consultation with

the competent Geo-Technical Engineer is a pre-requisite for filing the application seeking exemption under section 113-C of the Act;

- (xiii) In case of ordinary building, certification by a Registered Civil Engineer is sufficient for filing application seeking exemption under section 113-C of the Act;
- (xiv) No Objection Certificate and Compliance Certificate from the Directorate of Fire and Rescue Services for Commercial Special Buildings, all Multi-Storied Buildings and all public buildings is a prerequisite for filing the regularization application under section 113-C of the Act;
- (xv) The plans accompanying the applications for Ordinary, Special Buildings, Group Developments and Multi-Storied Buildings irrespective of usage category of the building have to be signed by the Registered Architect / Registered Civil Engineer/ Licenced Surveyor as per requirement;
- (xvi) The Competent Authority shall scrutinise the applications submitted for exemption under section 113-C of the Act, along with the structural stability certificate and other data related to site and building and the Competent Authority shall decide on the corrective measures, if any, and communicate the same to the applicant for carrying out the corrections, within a time period as may be specified by the Competent Authority but not more than six months, failing which the regularization application shall be rejected.
- (xvii) Rs.1 per square feet for ordinary buildings applications and Rs.2 per sq.ft for applications other than ordinary buildings will be collected as scrutiny fee which has to be paid along with the application. The applications for exemptions under section 113-C of the Act is not applicable for regularization of vacant site or plot;
- (xviii) An affidavit sworn by the applicant in Rs.100/- non judicial stamp paper that planning permission issued for exemption under section 113-C of the Act will not confer any right on the applicant to obliterate acquisition proceedings and to compensation for the building so permitted contrary to the provisions contained in the said Land Acquisition Act, 1894 (Central Act I of 1894) or any other land Acquisition Laws.

4. Transitory provisions.- (a) The appeals qualifying under these guidelines, pending before the Government shall be remitted to the competent authority and the competent authority shall deal with these cases in accordance with these rules.

- (b) Any person whose application was rejected or refused under the Act and Rules, but qualify under these rules may make an application afresh to the competent authority, within 30 days.
- (c) The applicant whose regularisation application is under process or refused under section 113-A of the Act, may apply for exemption under section 113-C of the Act to the competent authority by withdrawing the application and by preferring a fresh application, subject to compliance of these rules.
- (d) The scheme of regularisation of unauthorised buildings in the areas falling under the Municipal Corporations of Coimbatore, Madurai, Salem, Tiruchirappalli and Tirunelveli under section 113-B announced by the Government in the year 2002 was stayed and subsequently quashed in the year 2008 by the Hon'ble High Court of Madras in W.P.No.17879 of 2003. Many applications received earlier under the said scheme are still pending for disposal in respective City Municipal Corporations. Those applications which are eligible for exemption under section 113-C of the Act shall be remitted back to the Competent Authority for processing the same in accordance with these rules.

5. Assessment of regularisation charges- (1) The unauthorised or deviated development shall be considered in its entirety to classify it in a particular category as per the Development Regulations / Development Control Regulations applicable to the developments:-

(i) Regularisation Charges shall be collected as per the charges provided for various types of deviations in Annexure IA, IB and II along with collection of routine charges;

(ii) When any development is made without prior approval or in excess of earlier approval, but the whole development is in conformity with the prevailing Development Regulations or Development Control Regulations, as the case may be, only development charges and other applicable charges normally leviable at current rates shall be levied and collected and any previous fees or charges remitted shall be duly adjusted.

6. Regularisation of individual flats.-

Individual flats in a building shall be eligible for regularization. However, such units shall be regularized following two stage process, wherein the applicant has to submit drawings for the entire building along with detailed drawings for the Unit owned by him in the building and scrutiny shall be made as follows:-

- i) An in-principle clearance shall be given for the full building in which the said residential / commercial flat is situated.
- ii) If the full building is found approvable, then regularisation of the individual flat / floor under reference shall be done.

7. Problem solving:

The Director of Town and Country Planning and the Member-Secretary, Chennai Metropolitan Development Authority shall issue operational guidelines and clarifications to carry out the provisions of these rules.

DHARMENDRA PRATAP YADAV
SECRETARY TO GOVERNMENT.

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(b). Unadunnicid
Section Officer. 22/6/17

B. N. N. S.
22/6/17

Annexure-IA

Planning Parameters for Section 113 C of the Act for Chennai Metropolitan Area

I. Ordinary Buildings - the buildings that do not fall under the categories of Special Building/Group Development/ Multi-storied Buildings

S. No.	Category & use of building	Minimum Road width required	Minimum setback required	Maximum FSI allowable	Parking required	Open Space Reservation required
1	Residential and Commercial buildings in CBA	Access to a public road	FSB – Nil SSB – Nil RSB - Nil	2	As per DR	OSR charges for 5% and 10% of the plot area to be collected as per the GLV in cases of construction in an unauthorized sub-division / layouts laid on or before 1-07-2007 for residential and commercial buildings respectively.
2	Residential and Commercial buildings in areas other than CBA	Access to a public road	FSB – Nil SSB – Nil RSB - Nil	2	As per DR	OSR charges for 5% and 10% of the plot area to be collected as per the GLV in cases of construction in an unauthorised sub-division / layouts laid on or before 1-07-2007 for residential and commercial buildings respectively.
3	Industrial	Access to a public road	FSB – Nil SSB – Nil RSB – Nil	2	As per DR	OSR charges for 10% of the plot area to be collected as per the GLV in cases of construction in an unauthorised sub-division / layouts laid on or before 1-07-2007.
4	Institutional	Access to a public road	FSB – Nil SSB – Nil RSB - Nil	2	As per DR	OSR charges for 10% of the plot area to be collected as per the GLV in cases of construction in an unauthorised sub-division / layouts laid on or before 1-07-2007.

II. Special buildings

S. No.	Category & use of building	Minimum Road width required	Minimum setback required	Maximum FSI allowable	Parking Required	Open Space Reservation Required
1	Residential buildings in CBA	7m	FSB - nil RSB - nil SSB - nil	3	As per DR. Shortfall condonable on payment of charges as prescribed	In cases where a site falls in an unauthorised subdivisions / layouts laid prior to 1.7.2007, with the total extent more than 3000 sq.m. the applicant has the option to reserve the required open space in the site and handover to the Competent Authority or pay the OSR charges for 10% of open space to be reserved as per the guideline value.
2	Residential buildings in areas other than CBA	7m	1.5m on all sides	3	As per DR. Shortfall condonable on payment of charges as prescribed	In cases where a site falls in an unauthorised subdivisions / layouts laid prior to 1.7.2007, with the total extent more than 3000 sq.m. the applicant has the option to reserve the required open space in the site and handover to the Competent Authority or pay the OSR charges for 10% of open space to be reserved as per the guideline value.
3	Commercial buildings in CBA	7m	FSB - 1.5m RSB - nil SSB - nil	3	As per DR. Shortfall condonable on payment of charges as prescribed	In cases where a site falls in an unauthorised subdivisions / layouts laid prior to 1.7.2007, with the total extent more than 3000 sq.m. the applicant has the option to reserve the required open space in the site and handover to the Competent Authority or pay the OSR charges for 10% of open space to be reserved as per the guideline value.
4	Commercial buildings in areas other than CBA	7m	1.5m on all sides	3	As per DR. Shortfall condonable on payment of charges as prescribed	In cases where a site falls in an unauthorised subdivisions / layouts laid prior to 1.7.2007, with the total extent more than 3000 sq.m. the applicant has the option to reserve the required open space in the site and handover to the Competent Authority or pay the OSR charges for 10% of open space to be as per the guideline value.

III. Group Developments

S. No.	Category & use of building	Minimum Road width required	Minimum setback required	Maximum FSI allowable	Parking required	Open Space Reservation Required						
1	Residential	7m	1.5m on all sides Distance between the blocks <table border="1" data-bbox="622 512 907 647"> <tr> <td>Ordinary buildings</td> <td>-</td> <td>1.5m</td> </tr> <tr> <td>Other buildings</td> <td>-</td> <td>3m</td> </tr> </table>	Ordinary buildings	-	1.5m	Other buildings	-	3m	3	As per DR. Shortfall condonable on payment of charges as prescribed	In cases where a site falls in an unauthorised subdivisions / layouts laid prior to 1.7.2007, with the total extent more than 3000 sq.m. the applicant has the option to reserve the required open space in the site and handover to the Competent Authority or pay the OSR charges for 10% of open space to be reserved as per the guideline value.
Ordinary buildings	-	1.5m										
Other buildings	-	3m										
2	Commercial	7m	1.5m on all sides. Distance between the blocks –ordinary buildings -1.5m Other Buildings-3m	3	As per DR. Shortfall condonable on payment of charges as prescribed	In cases where a site falls in an unauthorised subdivisions / layouts laid prior to 1.7.2007, with the total extent more than 3000 sq.m. the applicant has the option to reserve the required open space in the site and handover to the Competent Authority or pay the OSR charges for 10% of open space to be reserved as per the guideline value.						
3	Industrial	7m	1.5m on all sides with a feasible driveway.	3	As per DR. Shortfall condonable on payment of charges as prescribed	In cases where a site falls in an unauthorised subdivisions / layouts laid prior to 1.7.2007, with the total extent more than 3000 sq.m. the applicant has the option to reserve the required open space in the site and handover to the Competent Authority or pay the OSR charges for 10% of open space to be reserved as per the guideline value.						
4	Institutional	7m	1.5m on all sides with a feasible driveway.	3	As per DR. Shortfall condonable on payment of charges as prescribed	In cases where a site falls in an unauthorised subdivisions / layouts laid prior to 1.7.2007, with the total extent more than 3000 sq.m. the applicant has the option to reserve the required open space in the site and handover to the Competent Authority or pay the OSR charges for 10% of open space to be reserved as per the guideline value .						

IV. Multi- Storied Buildings

S. No.	Category and use of building	Road width required		Minimum setback required	Maximum FSI allowable	Parking required	Open Space Reservation Required
		Minimum Road width	Maximum No. of floors				
1	Residential	9m	SF + 7F or GF + 6F	50% of the normally permissible on all sides	5.0	At least 50% of the requirement shall be provided either on site or off site. Balance 50% is chargeable as per rates prescribed.	In cases where a site falls in an unauthorised sub-divisions / layouts laid prior to 1.7.2007, with the total extent more than 3000 sq.m. the applicant has the option to reserve the required open space in the site and handover to the Competent Authority or pay the OSR charges for 10% of open space to be reserved as per the guideline value.
		12m	SF + 9F or GF + 8F		5.0		
		15m	SF+20F or GF+19F		5.0		
		18m	Floors permissible as in 30.5 m road				
2	Commercial	9m	SF + 7F or GF + 6F	50% of the normally permissible on all sides	5.0	At least 50% of the requirement shall be provided either on site or off site. Balance 50% is chargeable as per rates prescribed.	In cases where a site falls in an unauthorised sub-divisions / layouts laid prior to 1.7.2007, with the total extent more than 3000 sq.m. the applicant has the option to reserve the required open space in the site and handover to the Competent Authority or pay the OSR charges for 10% of open space to be reserved as per the guideline value.
		12m	SF + 9F or GF + 8F		5.0		
		15m	SF+20F or GF+19F		5.0		
		18m	Floors permissible as in 30.5 m road				

3	Industrial	9m	SF + 7F or GF + 6F	50% of the normally permissible on all sides	5.0	At least 50% of the requirement shall be provided either on site or off site. Balance 50% is chargeable as per rates prescribed.	In cases where a site falls in an unauthorised sub-divisions / layouts laid prior to 1.7.2007, with the total extent more than 3000 sq.m. the applicant has the option to reserve the required open space in the site and handover to the Competent Authority or pay the OSR charges for 10% of open space to be reserved as per the guideline value.
		12m	SF + 9F or GF + 8F		5.0		
		15m	SF+20F or GF+19F		5.0		
		18m	Floors permissible as in 30.5 m road				
4	Institutional	9m	SF + 7F or GF + 6F	50% of the normally permissible on all sides	5.0	At least 50% of the requirement shall be provided either on site or off site. Balance 50% is chargeable as per rates prescribed.	In cases where a site falls in an unauthorised sub-divisions / layouts laid prior to 1.7.2007, with the total extent more than 3000 sq.m. the applicant has the option to reserve the required open space in the site and handover to the Competent Authority or pay the OSR charges for 10% of open space to be reserved as per the guideline value.
		12m	SF + 9F or GF + 8F		5.0		
		15m	SF+20F or GF+19F		5.0		
		18m	Floors permissible as in 30.5 m road				

DHARMENDRA PRATAP YADAV
SECRETARY TO GOVERNMENT.

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(b) Uniajwalia
Section Officer. 22/6/17

22/6/17

Annexure –IB
Planning Parameters for Section 113 C of the Act for areas falling under
Directorate of Town and Country Planning Areas

**I Ordinary Buildings – the buildings that do not fall under the categories of Special Buildings/Group Development/
Multistoried Buildings**

S. No.	Category & use of building	Minimum Road width required	Minimum setback required	Maximum FSI allowable	Parking required	OSR requirement
1	Residential and Commercial Buildings in EWS/LIG/Poor Class areas/ Declared as Slum by local body and Continuous Building Area	Access to a public road	FSB – Nil RSB – Nil SSB – Nil	2	As per DCR. Shortfall condonable on payment of charges as prescribed	In case of unauthorized constructions in a plot forming part of an unauthorised layout, laid on or before 1-7-2007, OSR charges amounting to 5% and 10% of the plot area to be collected as per the guideline value.
2	Residential and Commercial buildings (maximum of G+1 and not exceeding 300 sq.m. floor area), other than areas covered in Sl. No. 1 above	Access to a public road	FSB – Nil RSB – Nil SSB – Nil	2	As per DCR. Shortfall condonable on payment of charges as prescribed	In case of unauthorized constructions in a plot forming part of an unauthorised layout, laid on or before 1-7-2007, OSR charges amounting to 5% and 10% of the plot area to be collected as per the guideline value.
3	Industrial (maximum of G+1 and not exceeding 300 sq.m. floor area)	Access to a public road	FSB – Nil RSB – Nil SSB – Nil	2	As per DCR. Shortfall condonable on payment of charges as prescribed	In case of unauthorized construction in a plot in an unauthorized layout laid on or before 1-7-2007, OSR charges 10% of the plot area to be collected as per the guideline value.
4	Institutional (maximum of G+1 and not exceeding 300 sq.m. floor area)	Access to a public road	FSB – Nil RSB – Nil SSB – Nil	2	As per DCR. Shortfall condonable on payment of charges as prescribed	In case of unauthorized construction in a plot in an unauthorized layout laid on or before 1-7-2007, OSR charges 10% of the plot area to be collected as per the guideline value.

II Special Buildings

S.No.	Category & use of building	Minimum Road width	Minimum setback	Maximum FSI	Parking	OSR requirement
1	Residential and Commercial Buildings in EWS/ LIG/ Poor Class areas/ Declared as Slum by local body and Continuous Building Area.	7m	FSB – Nil RSB – Nil SSBs – Nil	3	As per DCR. Shortfall condonable on payment of charges as prescribed	<p>a) In case of unauthorized construction in a site of extent > 2500 sq.m, the applicant has option to reserve the required 10% open space in the site and hand over to the Local Authority or the OSR charges to be paid for 10% of open space to be reserved as per the guideline value.</p> <p>b) In case of unauthorized construction in a plot of extent ≤ 2500 sq.m., in an unauthorized layout, laid on or before 1-7-2007, OSR charges for 10% of the plot area to be collected as per the guideline value.</p>
2	Residential building having a maximum of basement/ stilt floor and 4 floors and more than 4 dwelling units. (other than areas covered in Sl. No. 1 above)	7m	1.5m on all sides	3	As per DCR. Shortfall condonable on payment of charges as prescribed	<p>a) In case of unauthorized construction in a site of extent > 2500 sq.m, the applicant has option to reserve the required 10% open space in the site and hand over to the Local Authority or the OSR charges to be paid for 10% of open space to be reserved as per the guideline value.</p> <p>b) In case of unauthorized construction in a plot of extent ≤ 2500 sq.m., in an unauthorized layout, laid on or before 1-7-2007, OSR charges for 10% of the plot area to be collected as per the guideline value.</p>

3	Commercial (other than areas covered in Sl. No. 1 above)	7m	1.5m on all sides	3	As per DCR. Shortfall condonable on payment of charges as prescribed	<p>a) In case of unauthorized construction in a site of extent > 2500 sq.m, the applicant has option to reserve the required 10% open space in the site and hand over to the Local Authority or the OSR charges to be paid for 10% of open space to be reserved as per the guideline value.</p> <p>b) In case of unauthorized construction in a plot of extent ≤ 2500 sq.m., in an unauthorized layout, laid on or before 1-7-2007, OSR charges for 10% of the plot area to be collected as per the guideline value.</p>
4	Industrial	7m	1.5m on all sides	3	As per DCR. Shortfall condonable on payment of charges as prescribed	In case of unauthorized construction in a plot which is in an unauthorized layout, laid on or before 1-7-2007, OSR charges for 10% of the plot area to be collected as per the guideline value.
5	Institutional	7m	1.5m on all sides	3	As per DCR. Shortfall condonable on payment of charges as prescribed	<p>a) In case of unauthorized construction in a site of extent > 2500 sq.m, the applicant has an option to reserve the required 10% open space in the site and hand over to the Local Authority or the OSR charges to be paid for 10% of open space to be reserved as per the guideline value.</p> <p>b) In case of unauthorized construction in a plot of extent ≤ 2500 sq.m., in an unauthorized layout laid on or before 1-7-2007, OSR charges for 10% of the plot area to be collected as per the guideline value.</p>

III Group Developments

S.No.	Category and use of building	Minimum Road width	Minimum setback	Maximum FSI	Parking	OSR requirement
1	Residential	7m	1.5m on all sides. Distance between the blocks – Ordinary buildings 1.5m Other Buildings-3m	3	As per DCR. Shortfall condonable on payment of charges as prescribed	<p>a. In case of unauthorised construction in a site of extent > 2500 sq.m, the applicant has option to reserve the required 10% open space in the site and hand over to the Local Authority or the OSR charges to be paid for 10% of open space to be reserved as per the guideline value.</p> <p>b. In case of unauthorised construction in a plot of extent ≤ 2500 sq.m., in an unauthorised layout, laid on or before 1-7-2007, OSR charges for 10% of the plot area to be collected as per the guideline value.</p>
2	Commercial	7m	1.5m on all sides. Distance between the blocks – ordinary buildings-1.5m Other Buildings-3m	3	As per DCR. Shortfall condonable on payment of charges as prescribed	<p>a. In case of unauthorised construction in a site of extent > 2500 sq.m, the applicant has option to reserve the required 10% open space in the site and hand over to the Local Authority or the OSR charges to be paid for 10% of open space to be reserved as per the guideline value.</p> <p>a. In case of unauthorised construction in a plot of extent ≤ 2500 sq.m., in an unauthorised layout, laid on or before 1-7-2007, OSR charges for 10% of the plot area to be collected as per the guideline value.</p>

3	Industrial	7m	1.5m on all sides with a feasible driveway.	3	As per DCR. Shortfall condonable on payment of charges as prescribed	In case of unauthorised construction in a plot which is in an unauthorised layout, laid on or before 1-7-2007, OSR charges for 10% of the plot area to be collected as per the guideline value.
4	Institutional	7m	1.5m on all sides with a feasible driveway.	3	As per DCR. Shortfall condonable on payment of charges as prescribed	<p>a) In case of unauthorized construction in a site of extent > 2500 sq.m, the applicant has an option to reserve the required 10% open space in the site and hand over to the Local Authority or the OSR charges to be paid for 10% of open space to be reserved as per the guideline value.</p> <p>b) In case of unauthorized construction in a plot of extent \leq 2500 sq.m., in an unauthorized layout laid on or before 1-7-2007, OSR charges for 10% of the plot area to be collected as per the guideline value.</p>

IV Multi-Storied Building

S.No.	Category and use of building	Road width required		Minimum setback required	Maximum FSI allowable	Parking required	Open Space Reservation Required
		Minimum Road width	Maximum No. of floors				
1	Residential	9m	SF + 7F or GF + 6F	50% of the normally permissible on all sides	5.0	At least 50% of the requirement shall be provided either on site or off site. Balance 50% is chargeable as per rates prescribed.	<p>a. In case of unauthorized construction in a site of extent > 2500 sq.m, the applicant has an option to reserve the required 10% open space in the site and hand over to the Local Authority or the OSR charges to be paid for 10% of open space to be reserved as per the GLV.</p> <p>b. In case of unauthorised construction in a plot of extent ≤ 2500 sq.m., in an unauthorized layout laid on or before 1-7-2007, OSR charges for 10% of the plot area to be collected as per the GLV.</p>
		12m	SF + 9F or GF + 8F		5.0		
		15m	SF+20F or GF+19F		5.0		
		18m	Floors permissible as in 30.5m road				
2	Commercial	9m	SF + 7F or GF + 6F	50% of the normally permissible on all sides	5.0	At least 50% of the requirement shall be provided either on site or off site. Balance 50% is chargeable as per rates prescribed.	<p>a. In case of unauthorized construction in a site of extent > 2500 sq.m, the applicant has an option to reserve the required 10% open space in the site and hand over to the Local Authority or the OSR charges to be paid for 10% of open space to be reserved as per the GLV.</p> <p>b. In case of unauthorised construction in a plot of extent ≤ 2500 sq.m., in an unauthorized layout laid on or before 1-7-2007, OSR charges for 10% of the plot area to be collected as per the GLV.</p>
		12m	SF + 9F or GF + 8F		5.0		
		15m	SF+20F or GF+19F		5.0		
		18m	Floors permissible as in 30.5 m road				

3	Industrial	9m	SF + 7F or GF + 6F	50% of the normally permissible on all sides	5.0	At least 50% of the requirement shall be provided either on site or off site. Balance 50% is chargeable as per rates prescribed.	a. In case of unauthorized construction in a site of extent > 2500 sq.m, the applicant has an option to reserve the required 10% open space in the site and hand over to the Local Authority or the OSR charges to be paid for 10% of open space to be reserved as per the GLV. b. In case of unauthorised construction in a plot of extent ≤ 2500 sq.m., in an unauthorized layout laid on or before 1-7-2007, OSR charges for 10% of the plot area to be collected as per the GLV.
		12m	SF + 9F or GF + 8F		5.0		
		15m	SF+20F or GF+19F		5.0		
		18m	Floors permissible as in 30.5 m road				
4	Institutional	9m	SF + 7F or GF + 6F	50% of the normally permissible on all sides	5.0	At least 50% of the requirement shall be provided either on site or off site. Balance 50% is chargeable as per rates prescribed.	a. In case of unauthorized construction in a site of extent > 2500 sq.m, the applicant has an option to reserve the required 10% open space in the site and hand over to the Local Authority or the OSR charges to be paid for 10% of open space to be reserved as per the GLV. b. In case of unauthorised construction in a plot of extent ≤ 2500 sq.m., in an unauthorized layout laid on or before 1-7-2007, OSR charges for 10% of the plot area to be collected as per the GLV.
		12m	SF + 9F or GF + 8F		5.0		
		15m	SF+20F or GF+19F		5.0		
		18m	Floors permissible as in 30.5 m road				

DHARMENDRA PRATAP YADAV
SECRETARY TO GOVERNMENT.

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Section Officer. 22/6/17


22/6/17

Annexure –II

Penalty for exemption under Sec.113-C of Tamil Nadu Town and Country Planning Act, 1971

Penalty / Charges

- i) FSI violation – at premium FSI rates.
- ii) Single regularisation penalty instead of charging separate penalties each for Road width and Setback Violations as suggested by the Justice Rajeswaran Committee shall be charged at following multiples of Infrastructure and Amenities Charges on the total achieved FSI of the building to be regularised.

Road Width / Setback Violations not amounting to FSI Violation (FSI achieved upto 1.5)	FSI achieved between 1.5 and 3.0	FSI achieved above 3.0
100 %	200 %	300 %

- iii) **Parking regularization charges shall be collected at the following rates:**

Car Park	CMA	Outside CMA
Residential	Rs. 10,000/-	Rs.10,000/-
Commercial	Rs.1,00,000/-	Rs.50,000/-
Two Wheelers	Rs. 2,500/-	Rs. 2,500/-

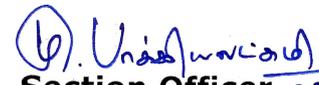
Note: Total penalty worked out as per the Table I to IV of Annexure-IA, IB and Annexure-II shall be restricted to an amount not exceeding 3 times of GLV of the site extent.

Routine Charges

- iv) OSR charges to be levied as prescribed in this Scheme, adopting Guideline Value.
- v) Scrutiny fee to be charged as prescribed in this Scheme.
- vi) Normal Infrastructure and Amenities charges, Development Charges and other routine charges at current rates as applicable to be charged.
- vii) Scrutiny Fee: Rs.1 per sq. ft. for ordinary buildings and Rs.2 per sq.ft. for buildings other than ordinary buildings to be paid as scrutiny fee along with the application.

DHARMENDRA PRATAP YADAV
SECRETARY TO GOVERNMENT.

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