

CHENNAI METROPOLITAN DEVELOPMENT
AUTHORITY, CHENNAI – 600 008.
(ADMINISTRATION DIVISION)

Office Order No.1 /2015

Dated: 27.01.2015

Sub: CMDA – Area Plans Unit – Processing of Planning
Permission Applications - Status and width of the
qualifying road – Guidelines – Procedure to be
followed – Orders - Issued

Read: 1) G.O.Ms.No.190, H&UD Dept., dt.02.09.2008
2) Authority Resolution No.136/2014 dt.24.12.2014

Planning Permission Applications are being processed with reference to the Development Regulations (DR) which forms part of 2nd Master Plan approved by the Govt. in G.O.Ms.No.190, H&UD Dept., dt.02.09.2008. Among the various parameters, abutting road is one of the parameters to determine the permissibility of the development such as Ordinary Buildings, Special buildings, Group Developments, Multi-Storied buildings, Institutional Buildings and Industrial buildings in a particular site. The minimum width for the abutting road / qualifying road is prescribed in the Development Regulations for each type of developments. As per DR, the qualifying road width for permitting Special Building / group development shall be available at least for a stretch of 250 m. along the length of the road abutting the site and 500m. for Multi-storied building.

2. The DR gives certain illustration on how to check the compliance of road width and also how to treat the road having encroachments. As per DR, the encroachments of road without having Patta will not adversely affect the width of the road, and when there is variation between actual width & designed width upto 10%, the design width will prevail. In such situation, decision will be taken case by case.

3. The first step in the detailed scrutiny of Planning Permission Application is inspecting of the site to verify the road status, its width, profile of the site and the surrounding developments. The width of the road as per DR 2(35) means whole extent of space within the boundaries of the road / street measured at right angles to the course of direction of such road / street. The right of way i.e., distance between the properties located opposite to each other on either side of the road without considering the street furnitures such as drain, E.B transformer, Electrical junction box, Telephone Junction box, landscaping, foot path, bus shelter etc.

4. In the cases of sites located outside the city in the rest of Chennai Metropolitan Area, there is no clear cut boundary / demarcation available for measuring the road width / right of way and hence it becomes necessary to confirm the road width taking in to account of the design road width available in the road width register maintained by the Local Body concerned and block map / FMB maintained by the Revenue Dept., apart from the site inspection report. When there is a variation between the actual road width measured during inspection and the designed road width (i.e, road width as per the register of Local Body and Revenue block map) it becomes necessary to have a detailed scrutiny with Local Body and Revenue records before deciding the width of the road. CMDA has also been not able to verify the genuineness of the copies of the records regarding road width which is a matter of concern, as bogus copies of these records could be produced in the absence of proper certification. Hence, a Road Width Committee has been constituted in CMDA. The Road Width Committee is convened wherein the officials concerned departments attend the meeting and confirm the correctness, availability of the qualified road width with revenue / local authority records and recommend the permissibility of developments.

5. In certain cases, it was observed that the road width is available but the road has been laid on a private land or Govt. land with different revenue classifications including poromboke land like Maickal poromboke, Eri poromboke etc. In certain

cases, the road has been laid either by the Local Body or Highways Dept., and being used by public over a very long time. In such cases, though the required width is available at the site, the Local Body and the Revenue Authorities are not certifying the width since the sub-division has not been effected / updated periodically in the revenue records i.e., the sub-division in FMB covering the road portion is not carried out. In such cases, the question arises whether these portions can be recognized as road for permitting the proposed development.

6. As resolved by Authority in the reference 2nd cited above, the following guidelines are ordered for determining the status and width of the abutting road / qualifying road while processing Planning Permission Application.

- a) The width of the road means Right of way i.e. the distance between the properties located opposite to each other on either side of the road measured at right angles to the course of direction of such road without considering the street furnitures such as drain, EB transformer, Electrical junction box, telephone junction box, gardening, bus shelter and any other temporary encroachments.
- b) Wherever the road width certificate issued by the local body concerned / Highways Dept., / road maintaining agency, the same can be accepted after confirming the same in the Road Width Committee indicating the road width and status.
- c) Wherever the local body/Highways Department/road maintaining agency laid the road on private land, if local body concerned / Highways Dept. certify that the road is maintained by them mentioning its width, the same can be accepted.
- d) Wherever the local bodies/Highways Department/road maintaining agency laid the road in the Government poramboke land, the Revenue authority not below the rank of Revenue Divisional Officer shall certify that they do not have any objection in utilizing the land as public road. If the road is laid in a PWD land then the NOC has to be issued by the Executive Engineer, PWD and in case of Panchayat Union, the Additional Director, DRD has to issue NOC.
- e) The temporary structures put up by the Government Department for carrying out maintenance work shall not be considered as encroachment for the purpose of measuring the road width.

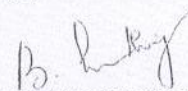
This order takes immediate effect.

Sd/xx A. KARTHIK
MEMBER - SECRETARY.

To
The Member & CP
All Chief Planners / Senior Planners
All Deputy Planners
All Assistant Planners in APU/EC
All PA-I/PA-II in APU/EC

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28/01/15