

CHENNAI METROPOLITAN DEVELOPMENT
AUTHORITY, CHENNAI-600 008
(ADMINISTRATION DIVISION)

Office Order No. 16/2016

Dated: 30.08.2016

Sub: Establishment - CMDA – Development Regulations – Issue of Planning Permission – Certification from Revenue Authorities to be obtained – Authority Resolution No.62/2016 dt.21.7.2016 – Revision to earlier Office Orders – Issued.

Read: 1) Hon'ble High Court order, Madurai Bench in W.P. (MD) No.1496/2014 and M.P.No.1/14, dt.06.08.2014 filed by Thiru R. Lakshmanan
2) Govt. Lr.No.16230/Bud. 1/2015-1 dt.14.08.2015 from the Joint Secretary to Govt., H&UD Dept.
3) Govt.(H&UD)Lr.No.16953/UD1/2015-3 dt.13.01.2016
4) U.O.NoteNo.C1/0797/2016 dt.21.01.2016 from DDP Division, CMDA
5) This office Letter No. G/797/2016 dated 20.1.2016 addressed to the Secretary, H&UD.
6) Office Order No.6/2016 dt.9.2.2016, O/o No.8/2016 dated 26.02.2016 and O/o No.11/2016 dt.5.4.2016
7) Authority Resolution No.62/2016 dated 21.7.2016

As per the directions of the Hon'ble High Court Madurai Bench in the reference 1st cited and orders of the Government in the reference 2nd cited, the Office Orders in the reference 6th cited were issued stating that all the fresh Planning Permission Applications will be admitted with the certificates from the concerned Tahsildar, viz.

- i) The site under reference is not a water body;
- ii) The site is not a poromboke land;
- iii) The Site under reference is not covered under Land Ceiling and
- iv) The site is not covered under Land Acquisition.

2. Several representations have been received that such certificate in case of Development taking place in the already approved layout area, and in areas where development had already been permitted, may not serve the purpose of getting certificates from the Tahsildar.

3. The matter was placed before the Authority in its meeting held on 21.07.2016. The Authority have deliberated the subject in detail taking into account the orders of the Madurai Bench of the Hon'ble High Court and the discussions held in the Government under the Chairmanship of the Chief Secretary on 11.7.2016 and resolved the following in its Resolution A.R.No.62/2016 dt.21.7.2016 as in the reference 7th cited.

- i) To withdraw the Office Order No.6/2016 dated 09.02.2016 and Office Orders No.8/2016 and 11/2016
- ii) With reference to the point whether the site under reference lies in a water body or Poromboke land, the CMDA will verify the same by accessing the Revenue Dept. database maintained at National Informatics Centre (NIC) (through Web Portal / Soft copy furnished by NIC).

- iii) With reference to the details as to which the site under reference is covered under land Ceiling, Land Reform and Land Acquisition, the applicant will furnish an undertaking indemnifying CMDA from any consequences due to wrong or false undertaking

4. In view of above, the following guidelines are issued for adoption with immediate effect.

- (i) The Office Orders issued in O/o No.6/2016 dated 09.02.2016 and O/o No.8/2016 dated 26.02.2016 and O/o No.11/2016 dt.5.4.2016 is withdrawn with immediate effect.
- (ii) The concerned scrutinizing official (Planning Assistant / Assistant Planner) should verify the status of the land from the PLR Register in respect of Chennai city and from village accounts viz 'A' register / Adangal as the case may be to ascertain whether the land is poramboke or water body. In this regard, whenever the plan is submitted, the scrutinizing official should check the status of the lands involved in the plan from revenue records made available to the Chennai Metropolitan Development Authority on line by NIC / Land Administration Dept.. In respect of PLRs which are not available on- line due to non-computerisation, the copy of the records from the Chennai Collector/concerned local bodies are to be collected. Reference should also be made to the village map to check whether any missing survey number in the combined sketch submitted by the developer by omitting survey numbers pertaining to the Government poramboke or water body where more than one survey number is involved.
- (iii) In respect of land acquisition, land reforms Act 1961 and land ceiling Act, 1978, a self declaration shall be obtained from the applicant / promoter / developer on Rs.20 stamp paper indemnifying CMDA in the form of affidavit to the effect that the applicant will be liable for all future consequences in case of the land failing under land ceiling, land reforms or land acquisition.

Sd/- DHARMENDRA PRATAP YADAV,
MEMBER-SECRETARY i/c

To

All Deputy Planners (APU / EC / Reg. Unit)
All Assistant Planners (APU / EC / Reg. Unit)
All Planning Assistants Gr.I & II (APU / EC / Reg. Unit)
The System Analyst
(with a request to upload in the CMDA's Website)
The Administrative Officer, Admin Division

Copy to:

PS to VC i/c
PC to MS i/c
PC to CEO
PC to M & CP
PC to All CPs/SPs
PC to Financial Advisor
PC to Senior Law Officer
The Deputy Director
Audit Cell, CMDA
Stock file

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6/19/16

ADMINISTRATIVE OFFICER.

6/05/16