ABSTRACT

Rules – Regularisation of Unapproved Plots and Layouts Rules, 2017 – under section 113 read with section 122 of the Tamil Nadu Town and Country Planning Act, 1971 – Amendments to the rules – Notification – Issued.

= =

Housing and Urban Development [UD4(3)] Department

G.O.(Ms).No.172

Dated:13.10.2017
ஹேவிளம்பி வருடம், புரட்டாசி திங்கள் 27,
திருவள்ளுவர் ஆண்டு 2048

G.O.(Ms).No.78, Housing and Urban Development Department, dated 04.05.2017.

=====

ORDER:

The appended Notification will be published in the Tamil Nadu Government Gazette Extraordinary dated the 13th October, 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 – 600 022.
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 Additional Chief Secretary to Government,
Commercial Tax and Registration Department, Chennai-600 009.
The Secretary to Government,
Revenue and Disaster Management Department, Chennai-600 009.
The Principal Secretary to Government,
Agriculture Department, Chennai-600 009.
The Secretary to Government, Law Department, Chennai-600 009.
All District Collectors
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 O/o. Deputy Chief Minister, Chennai-600 009.
The Public (SC) Department, Chennai-600 009.
SF/SC.

//Forwarded By order//

Section Officer. 13/10/17

13/10/17.

ANNEXURE

NOTIFICATION

In exercise of the powers conferred by section 113 read with section 122 of the Tamil Nadu Town and Country Planning Act, 1971, the Governor of Tamil Nadu hereby makes the following amendments to the Tamil Nadu Regularisation of Unapproved Layouts and Plots Rules, 2017, namely:-

AMENDMENTS.

In the said Rules,-

(1) in rule 2, in clause (14), after the words "the unapproved plot or", the words "unapproved layout or" shall be inserted;

(2) in rule 5,-

(a) in sub-rule (1), for the words "six months", the words "one year" shall be substituted;

(b) sub-rule (2) shall be omitted;

(c) for sub-rule (4), the following sub-rule shall be substituted, namely:-

"(4) Upon receipt of the list of unapproved layouts, the Competent Authority specified in rule 2(2)(ii) shall suo-motu prepare and approve and give in-principle approval for the layout framework as existing on ground, subject to modifications in respect of connectivity to the adjoining lands by employing the services of licensed surveyors/Architect/ Engineer for those layouts which are covered in the list furnished by the Competent Authority specified in rule 2(2)(i), but not applied for regularization by any of the layout Promoter/Registered Co-operative Society/Association of plot owners/individual plot holder.";

(d) in sub-rule (9), in clause (d), the words "and Open Space Reservation charges" shall be omitted;

(3) in rule 7,-

(a) for clause (c), the following shall be substituted, namely:-

"(c) Any plot for regularisation shall abut a public street or gain access from a public street through a private street over which the applicant has the right to access.";

Verified PedEstate™

(b) in clause (e), after sub-clause (iv), the following clause shall be added, namely:-

"(v) The individual plot in a layout or a sub-division that were already sold shall be regularized with full exemption from the Open Space Reservation requirements of Development Regulations or Development Control Regulations.";

(c) clause (f) shall be omitted;

(d) for clause (g), the following clause shall be substituted, namely:-

"(g) In case of layouts:-

(i) If atleast one plot has been sold in an unapproved layout, the internal roads of the layout shall be regularized on "as is where is" basis.

(ii) The reservation of land for Open Space Reservation shall be provided by amalgamating or altering the unsold plots to an extent not less than 10% of the total area of unsold plots. However, it would not be essential to provide 10% of the unsold plot area in a layout in one contiguous stretch or in definite dimension. All the roads and Open Space Reservation area in the layout as shown in the layout framework shall be deemed to have been vested with the concerned local authority.

(iii) In layouts where a portion or whole of the layout is formed in agricultural lands in areas other than planning areas, the Competent Authority shall examine whether any common irrigation field channel has been obstructed or encroached or removed due to the formation of layout and also the level of inundation to decide on the in-principle approval of the layout framework.";

(e) clause (h) shall be omitted;

(4) for rule 8, the following rule shall be substituted, namely:-

"**8. Effect of regularisation.**- (1) Plots under earlier regularization schemes implemented by the Government shall be deemed to be regularized for residential usage irrespective of the land use zone in the development plans concerned. Further, the unapproved layout or sub-divisions formed,-

(i) prior to 05.08.1975 in Chennai Metropolitan Area; or

(ii) prior to 29.11.1972 in rural areas and prior to 01.01.1980 in urban areas outside the Chennai Metropolitan Area,

shall be deemed to have been approved. The roads and Open Space Reservation area, if any, in such layout shall be deemed to have been vested with the concerned local authority,";

Verified © RealEstate

(2) All the plots in unauthorised layout/sub-divisions made from-

a) 05.08.1975 to 20.10.2016 within the Chennai Metropolitan Area;

b) 29.11.1972 to 20.10.2016 in rural areas outside the Chennai Metropolitan Area; and

c) 01.01.1980 to 20.10.2016 in respect of urban areas outside the Chennai Metropolitan Area,

shall be eligible for regularization under this scheme.";

(5) in rule 9, for the words "The above regularization charges shall be remitted into Government account", the following shall be substituted, namely:-

"(2) The regularization charges levied and collected under this rule shall be remitted into the Government account and shall be earmarked for the purpose of developing infrastructure amenities in the local authorities.";

(6) for rule 10, the following rule shall be substituted, namely:-

"10. Levy of development charge.- Development charge shall be collected for the plot or layout or sub-division to be regularized at the rates given below:-

The development charge per square metre of the plot area shall be-

(a) Rs.500/- in City Municipal Corporation Area;

(b) Rs.250/-in Special and Selection Grade Municipal Area;

(c) Rs.150/-in Grade-I and Grade-II Municipal Area;

(d) Rs.75/-in Town Panchayat Area; and

(e) Rs.25/-in Village Panchayat Area.

The development charges so collected shall be remitted to the separate account of the respective local authorities and shall be utilized for providing basic infrastructure facilities like roads, drinking water, storm water drains etc., for the particular layout.";

(7) rule 11 shall be omitted;

(8) in rule 13, the words "Open Space Reservation area charges" shall be omitted;

(9) in rule 14,-

(a) sub-rules (1) and (2) shall be omitted;

(b) in sub-rule (6), the words, "and Open Space Reservation Charges" shall be omitted;

(c) in sub-rule (8),-

(i) in clause (a), the words "Open Space Reservation Charges and the cost of improvement works" shall be omitted;

Verified RedEstate™

(ii) in clause (c), after the words, “The roads”, the words “and Open Space Reservation" shall be inserted;

(d) for sub-rule (10), the following shall be substituted, namely:-

“(10) On receipt of the demand notice for payment of charges and fees, the applicant is liable to pay all the charges and fees to the Competent Authority as per the demand notice within thirty days from the date of communication of the said demand notice. If the payment is not made within the time stipulated above, it shall attract interest at the rate of six per cent per annum. If the payment is made as per the demand notice, the competent authority specified in rule 2(2)(i) shall issue regularization order along with a copy of plan showing the plot or plots regularized. The total amount paid by the applicant as per the demand shall be apportioned appropriately and transferred to the respective accounts by the Competent Authority. If the said amount is not remitted within 90 days from the date of receipt of the said demand notice, the application shall be summarily rejected.” ;

(10) in rule 16, for the words “within the local body jurisdiction”, the words “in the respective layout area” shall be substituted;

(11) after rule 21, the following rules shall be added, namely:-

“**22. 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.”;

23. The provisions of any other rules regarding approval of plot, layout or sub-division which are inconsistent with these rules shall not apply to the regularization of plot, layout and sub-division.”;

(12) for Forms I, II and III, the following Forms shall be substituted, namely:-

Verified by RedLegal™

“FORM I

Application for regularisation of plot and layout

[See rule 5 (1)]

From

To
The Competent authority,

Sir

I hereby apply for regularisation of plot / layout under the provisions of the Tamil Nadu Regularisation of Unapproved Plots and Layouts Rules 2017. The details of the plot / layout proposed for regularization are furnished in the following table:

Sl. No.	**Subject.**	**Details.**			
1)	Name of the applicant**.**				
2)	Name of the layout, if any**.**				
3)	Plot number(s)**.**				
4)	Name of the Village and Panchayat**.**				
5)	Panchayat Union**.**				
6)	Name of the Corporation / Municipality/Town Panchayat**.**				
7)	Ward No**.** and Block No**.**				
8)	Taluk**.**				
9)	District**.**				
10)	Survey Numbers of the plot or sub-division or layout applied for regularization**.**				
	Plot Number (s)	Wet land		Dry land	
		SF.No. / R.S.No./ TS No.	Extent in acre / Sq.m	SF.No. / R.S.No./ TS No.	Extent in acre / Sq.m
	(a)				
	(b)				
	Total extent:				

Verified RedEsate™

11)	Total number of plots in the layout**.**		
12)	Total number of plots sold in the layout**.**		
13)	Total number of plots in the layout with building**.**		
14)	OSR area required in sq.m (10% of the total layout area).		
15)	Extent of OSR land provided in the layout in sq.m**.**		
16)	Whether the OSR land in the layout was handed over to the local authority**.**	Yes / No, Extent……..sq.m.	
17)	Whether the roads in the layout handed over to the local authority**.**	Yes / No, Extent……..sq.m.	
18)	Date of registration of plot(s).	Plot No (s)	Date of Registration

(Strike out whichever is not applicable)

I also forward herewith the following particulars:-

1) Demand draft or Banker's cheque from any Nationalised / Scheduled Bank or payment through NEFT/RTGS, towards scrutiny fee at the rate of Rs.500/- (Rupees five hundred only) per plot and Regularisation and Development Charges drawn in favour of the Competent Authority, payable at the local branch of the Bank.
2) A self declaration in a non judicial stamp paper of value not less than twenty rupees, that the plot or layout is not attracted under the provisions of the Repealed Tamil Nadu Urban Land (Ceiling and Regulation) Act, 1978 (Tamil Nadu Act 24 of 1978) and the Tamil Nadu Land Reforms (Fixation of Ceiling on Land) Act, 1961 (Tamil Nadu Act 58 of 1961).
3) An undertaking in a non-judicial stamp paper of value not less than twenty rupees agreeing to undertake the rectification works as directed by the Competent Authority and remit the development charges and regularisation charges as applicable and as assessed by the Competent Authority.

(strike out whichever is not applicable)

I, …… the plot holder / Layout promoter / registered Co-perative Society / Association being the owner / legal representative of every part of the land to which the accompanying application relates request to accord regularization of plot / layout.

Date :

Signature of the applicant.

Verified RealEstate ™

Encl:

1) Self Assessment Working Sheet.
2) Declaration
3) Undertaking

Self Assessment Working Sheet Calculation of Regularisation Charge, Development Charge and Scrutiny Fees (Fill up the table applicable)

For Individual Plot: (Tick those applicable)		
(a)	Plot Area in sq.m	
(b)	Regularisation charge (a) ……..x Rs.100/ sq.m for City Municipal Corporation Area / Rs.60/sq.m. for Municipal Area / Rs.30/sq.m for Town Panchayat and Village Panchayat Areas**.**	
(c)	Development Charge (a) ……x Rs.500/sq.m for City Municipal Corporation Area / Rs.250/sq.m in Special and Selection Grade Municipal Area, Rs.150/sq.m. in Grade-I and Grade-II Municipal Area, Rs.75/sq.m. for Town Panchayat Area and Rs.25/sq.m**.** for Village Panchayat Areas.	
(d)	Scrutiny Fee of Rs.500/plot	
(e)	Total Charges (b) + (c)	
For Layout		
(a)	Total Plot Area in sq.m.	
(b)	Regularisation Charge**.** (a) ……xRs.100/sq.m. for City Municipal Corporation Area / Rs.60/sq.m. for Municipal Area / Rs.30/sq.m. for Town Panchayat and Village Panchayat Areas**.**	
(c)	Development Charge**.** (a) ……x Rs.500/sq.m for City Municipal Corporation Area / Rs.250/sq.m in Special and Selection Grade Municipal Area, Rs.150/sq.m. in Grade-I and Grade-II Municipal Area, Rs.75/sq.m. for Town Panchayat Area and Rs.25/sq.m**.** for Village Panchayat Areas.	
(d)	OSR area required in sq.m. (10% of the total area of unsold plots)**.**	

Verified RealEstate™

(e)	OSR area provided in sq.m.	
(f)	Scrutiny Fee**.** Number of plots x Rs.500	
(g)	Total Charge (b) + (c)	
Payment Detail.		
(1)	Demand Draft No and Date (Drawn on Nationalised / Scheduled Bank	
(2)	Bank / Branch	
(3)	Charges if remitted through NEFT/RTGS	
	Name of the Account Holder:	
	Account No:	
	Bank / Branch	
	Amount:	
	Date	
	IFSC Code:	

Verified RealEstate™

Form - II

Format of Declaration

(See rule 5 (9) (c)

I ……S/o.,D/o…… am the applicant for the plot(s) bearing no(s) …… in T.S.No/R.S.No/S.No ……Ward No……Block No……..of …….. Village ……Taluk ……District solemnly affirm that the plot / layout applied for regularization under these rules is not attracted under the provisions of the Repealed Tamil Nadu Urban Land (Ceiling and Regulation) Act, 1978 (Tamil Nadu Act 24 of 1978) and Tamil Nadu Land Reforms (Fixation of Ceiling on Land) Act, 1961 (Tamil Nadu Act 58 of 1961).

I understand that if the above said land is declared otherwise, the plot/ layout if regularized shall be cancelled.

Date Name and signature of the applicant

Verified RealEstate™

Form - III

Format of Undertaking in Rs.20/- non judicial stamp paper

(For regularization of unapproved layout)

(see rule 5(9)(d)

I.....S/o.,D/o..... am the applicant for the plot(s) bearing no(s) ..... in T.S.No/R.S.No/S.No.....Ward No.....Block No..... of ..... Village ..... Taluk..... District.

Hereby agree to undertake the rectification works as directed by the Competent Authority and remit the development charges, regularisation charges, and Scrutiny Fees as applicable and as assessed by the Competent Authority.

Date

Name and Signature of the applicant.".

DHARMENDRA PRATAP YADAV
SECRETARY TO GOVERNMENT.

//True Copy//

Section Officer.

Verified RealEstate ™