

Office of the Director of
Town and Country Planning,
Koyambedu, Chennai-600 107.

Roc.No.4367/2019-TCP2 Dated: 14.8.2021.

CIRCULAR

Sub: Grant of planning permission - Power delegation to district officers of this Directorate – Modified orders issued – Regarding.

Ref

1	Tamil Nadu Combined Development and Building Rules, 2019
2	DTCP Office circular of even No. dated: 7.3.2019 and 14.3.2019.
3	DTCP Office circular of even No. dated: 6.11.2019.
4	Representation from the President, CREDAI, Coimbatore dated 3-8-2021.
5	Representation from the National President, Federation of All India Real Estate Association letter No.033/2021, dated: 25.06.2021.
6	Minutes of the 30 th Empowered Committee meeting held on 27.11.2015 in subject no.19.

As per rule, 5 (2) of Tamil Nadu Combined Development and Building Rules. 2019, the competent authority for issue of planning permission in rest of the state is appropriate planning authority delegated by the Director or a local authority or any other officer to whom the power is vested with to carry out certain activities like receiving applications and to issue permission as prescribed in various provisions of these rules.

2. In the circulars in the references 2nd and 3rd cited, the Commissioner of Town and Country Planning and Director of Town and Country Planning have delegated powers to the field officers, for grant of planning permission for buildings, approval of layouts and subdivision of land.

3. In the 4th reference cited, the CREDAI, Coimbatore has represented the Director of Town and Country Planning to consider approval upto 1,00,000 square feet for private buildings and 20 acres of converted residential layout by the Local Planning Authority.

4. In the reference 5th cited, National President, FAIRA has requested for delegation of powers to field officers.

5. Considering the requests of CREDAI, FAIRA and other representations from the General Public, it is felt to delegate more powers to the field level officers for issue of planning permissions for buildings, approval of layouts, subdivision of land, for the benefit of the general public. These increased powers should be exercised in due conformity with all provisions of Master Plan, Detailed Development Plan, Tamil Nadu Combined Development and Building Rules, 2019 and other rules and regulations in force. However, considering the ecological sensitiveness and need for conservation of the notified hill stations wherein Tamil Nadu District Municipalities Hill Station Building Rules, 1993 are in force this power delegation order will not apply.

Therefore, modified power delegations to the district officers of Town and Country Planning are as follows:

- (a) Residential, commercial and institutional use non-high-rise category of buildings: One or more blocks when total FSI area of all the buildings put together does not exceed 2500 sq.m. However, in any case height of each building should not exceed 18.3m. In respect of building proposals of Tamil Nadu Slum Clearance Board and Tamil Nadu Housing Board except for the proposal of high rise building exceeding 18.3m height all other category of buildings without any restriction of FSI area, permission can be granted by the field officer at his/her level itself by following the rules and regulations.
- (b) **In case of Industrial buildings in plots of approved industrial layouts of SIPCOT/SIDCO:** Manufacturing factory shed/sheds having only ground floor upto 10,000 sq.m. of floor area along with additional buildings like office, canteen and any other structure which are for incidental use of the main factory shed/ sheds provided that if the total FSI area of the said additional incidental use buildings put together does not exceed 15% of the total FSI area of the main manufacturing factory shed/ sheds. Provided further that, in no case, height of each building does not exceed 18.3m. In case, if the proposal does not have any main factory shed limiting to only ground floor but involves buildings having more than one floor, then the district officer can grant permission only when the total FSI area of all buildings put together does not exceed 2500 sq.m. However, in any case height of each building should not exceed 18.3m.

- (c) **In case of industrial buildings in plots/ sites other than SIPCOT/SIDCO layouts:** One or more blocks of buildings when the total FSI area of all buildings put together does not exceed 2500 sq.m. and height of each building does not exceed 18.3m.
- (d) Building proposals exceeding the limits as specified in items (a), (b) & (c) above shall be forwarded to Commissioner/Director of Town and Country Planning for concurrence.
- (e) Annexure-XVIII – Zoning Regulations of the TNCDBR, 2019 provides various accessory uses which can be permitted under each land use zone. The district officers are delegated with powers to grant permission for the said accessory uses, if the site complies with corresponding land use zone of the Master Plan/DD Plan subject to the floor area restrictions as pointed out in the items (a), (b) and (c) above.
- (f) **Layouts/Sub-division of land** to an extent upto 5 acres in respect of urban areas (areas of corporations, municipalities and town panchayats) and upto 10 acres in respect of rural areas (areas of village panchayats). If the layout/sub-division proposal is more than the above limit, then it shall be forwarded to the CTCP/DTCP for approval. In any case, splitting of the site, owned by the same applicant or by an individual who is one of the members of the family of the same applicant, into portions within the above limits of extent for grant of approval in phased manner by the district officer himself is prohibited.
- (g) Rule Nos. 41(1) and 47(6) of the TNCDBR, 2019 provide that for the proposal of building or layout/sub-division, the applicant can exercise option to pay the amount in guideline value in lieu of allocation of 10% OSR for community recreational purposes, if the site extent is between 3000 sq.m and 10,000 sq.m. In such cases, power is delegated to the district officers to grant permission to pay the amount by the applicant.
- (h) Rule No. 47(6)(b) of the TNCDBR, 2019 provides for conversion of the use of non-residential use sites of an approved layout which can be considered and decided on its merits when it is proved by the developer that demand for the same does not exist. In this regard, decision of the Empowered Committee at its meeting held on 27.11.2015 vide resolution 6th cited is given as follows:

"The Committee discussed in detail and decided that the Director can issue orders for conversion of use from public purpose (saleable only) to other allowable uses like residential etc., if the following are fulfilled:

- a) The saleable plot / site earmarked for public purpose building has not been developed for the earmarked purpose and lying vacant for at least 5 years from the date of planning permission granted by the Planning Authority.*
- b) The same public purpose facility for which the plot is earmarked i.e., Kalyana Mandapam, Community hall, School, Dispensary etc., is available outside the approved layout within a vicinity of 2 to 3 Kms."*

It is informed that the district officers are delegated with powers to grant permission for such conversion of use proposal at their level itself strictly adhering to the norms prescribed in the above resolution of the Empowered Committee.

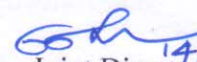
- (i) Any subsequent additional development over and above the already approved plan, even if within delegated powers, should necessarily be sent to head office for scrutiny/approval.
- (j) The above consolidated power delegation note has to be placed before each of the composite local planning authority/ new town development authority at its meeting to be conducted urgently for this purpose and a resolution should be passed immediately adopting the above power delegation. Action taken in this regard along with a copy of resolution should be sent to head office for record. This order comes into force with immediate effect. Receipt of this circular should be acknowledged by return of post.

Sd/- E.Saravanelraj,
Director of Town and Country Planning

To:
The district officers of Town and Country Planning.

Copy to:
Joint Directors, Deputy Directors and Assistant Directors of Head Office.

/Forwarded/ By order/


Joint Director 14/8/21