

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

OFFICE ORDER NO. 3/2013

DATED: 04.02.2013

Sub: CMDA – Area Plans Unit – Collection of Caution Deposit while issuing Planning Permission for the additional construction in the IT & ITES buildings for which Caution Deposit already collected at the time of earlier approval – Certain clarification / guide lines – Issued.

- Read: 1. Annexure XIII 7(a) of the Development Regulations of the 2nd Master Plan and similar provision in the 1st Master Plan as part of DCR.
2. The minutes of the CSO meeting held on 01.11.2012.
3. Govt.Lr.No.11823/UDI/2012-2, dt.17.12.2012 issued in the case of M/s. Ashok Matches & Timbers (P) Ltd.

Under the Provisions of Development Regulations of 2nd Master Plan as well as under the Development Control Rules of 1st Master Plan indicated in the reference 1st read above, Caution Deposit is collectable for issue of Planning Permission for the IT & ITES buildings in cases they avail any concession including additional FSI that are made available for IT & ITES buildings as per the provisions of the DCR and DR provisions under the 1st Master Plan respectively. As per these provisions the basis for computing the Caution Deposit shall be:

“Caution Deposit to be made by the applicant before issue of Planning Permission shall be 10% of the guide line value of the land or 20% of the guideline value of the land area equal to which the additional floor area availed whichever is higher”.

2. In recent times, CMDA receives a few cases of Planning Permission Application seeking Planning Permission for proposed addition – mostly in the terrace floor for accommodating incidental uses like canteen for the employees etc., over the MSB IT & ITES buildings approved by CMDA earlier with collection of Caution Deposit. In these cases an issue arises whether the caution Deposit is once again collectable or not, in view of the provisions of DR / DCR indicated above.

3. This issue was placed before the CSO in its meeting held on 01.11.2012 as collection of Caution Deposit when applied for second time for additional construction results in double time collection of Caution Deposit for the same building as 10% of guideline value of the land.

4. The Committee of Senior Officers in the meeting held on 1.11.2012 decided that "as per the provision of the DR, additional Caution Deposit is not collectable for the already approved cases and only applicable charges and fees for the additional floor area is collectable. The Committee also decided that the above clarification may be submitted to the Govt. as one case involving this issue is under examination of the Govt. level that was referred to by CMDA. On receipt of the order from the Government on this case, this clarification may be issued in the form of Office Order for future guidance".

5. In compliance with the decision of the CSO, the recommendations of the CSO was submitted to the Govt., for final order in the case of M/s. Ashok Matches (P) Ltd., that is dealt in file No.C3/16102/2009. After examining the issue, the Govt. accepted the recommendations of the CSO and communicated the decision of the Govt., in the letter 3rd read above to the effect that the Caution Deposit need not be collected for the Planning Permission Application of M/s. Ashok Matches (seeking approval for the additional construction) which has already been approved by the Govt.

6. Considering the recommendation of the CSO and approval of the same by the Govt. as indicated above, it is ordered that additional Caution Deposit is not collectable for the already approved cases with caution Deposit having been collected already at the time of earlier approval as 10% of the guideline value of land and for such cases only applicable charges and fees for the additional floor area is collectable.

7. This order takes immediate effect.

R. VENKATESAN,
MEMBER-SECRETARY.

To
All Deputy Planners, Area Plans Unit
All Assistant Planners, Area Plans Unit
All Planning Assistants Gr.I&II, Area Plans Unit

Copy to:
P.C. to V.C i/c
P.C. to M.S
All Chief Planners
All Senior Planners
The Senior Financial Analyst
The Senior Law Officer

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ADMINISTRATIVE OFFICER.


6/2/13