

**MINUTES OF THE 33rd MEETING OF THE MONITORING COMMITTEE
HELD @ 11.00 a.m. ON 23.10.2008 IN THE CONFERENCE HALL OF CMDA**

MEMBERS PRESENT:

1. Tmt. Susan Mathew, I.A.S.,
Addl. Chief Secretary / Vice-Chairperson, CMDA
2. Thiru. Rajesh Lakhoni, I.A.S.,
Commissioner, Chennai Corporation.
3. Tmt. Mythili K. Rajendran, I.A.S.,
District Collector, Chennai.
4. Dr. K.R. Shyamsundar, I.P.S.,
Director of Fire and Rescue Services.
5. Thiru. Louis Menezes, I.A.S., (Retd.)
6. Thiru. M.G. Devasahayam, I.A.S., (Retd.)
7. Prof. Suresh Kuppuswamy,
School of Architecture and Planning, Anna University.
8. Dr. A. Srivathsan,
Architect and Urban Planner
9. Thiru. Durganand Balsaver,
Architect and Urban Planner

Special Invitee:

Dr. K. Gopal, I.A.S.,
Commissioner of Town Panchayats.

Leave of absence:

10. Thiru. S. Machendranathan, I.A.S.,
Chairman, TNEB.
11. Thiru. Sunil Paliwal, I.A.S.,
Managing Director, CMWSSB.
12. Thiru. P.T. Krishnan,
(Architect)

AGENDA ITEM NO: 33.1 Confirmation of the minutes of the 32nd meeting of the Monitoring Committee.

Minutes Confirmed.

AGENDA ITEM NO: 33.2 Action taken on the Minutes of the 32nd meeting of the Monitoring Committee.

Minutes Recorded.

AGENDA ITEM NO.33.3 CMDA – Second Master Plan for CMA, 2026 – Approved by Govt. – Subject placed before the Monitoring Committee for information.

Minutes Recorded. The Additional Chief Secretary / Vice-Chairperson, CMDA informed that six Committees have been formed for effective monitoring and implementation of the Second Master Plan for Chennai Metropolitan Area – 2026.

Thiru M.G. Devasahayam, IAS (Retd.) appreciated the efforts of CMDA and the Government for having given adequate opportunities to the various stake holders during the consultative process for the preparation of the Second Master Plan for Chennai Metropolitan Area, but subsequent adhoc revision of the draft Master Plan land use without following the transparent procedure of public consultations is not desirable.

Dr. A. Srivathsan adverted to his e.mail and wanted to place on record his objection to the Govt's decision to reclassify the land use classification of certain lands in 12 villages from Agricultural to Primary Residential Use in the Second Master Plan. He was categorical that these changes were not at all discussed earlier during public consultations and not recommended in the draft Second Master Plan. Similarly, he pointed out that the rail link proposal between Vandalur Railway Station and the Outer Ring Road had been dropped without any justification.

Thiru Louis Menezes, IAS (Retd.) felt that these issues could be discussed in the respective Committee being set up to review the implementation of the Second Master Plan.

Tmt. Susan Mathew, IAS, Vice Chairperson, CMDA clarified that under Section 28 of the T&C.P. Act, 1971, after the submission of the draft Master Plan by the Metropolitan Development Authority, the Government may, after consulting the Director, approve the said plan with modifications. Exercising the above powers, the Govt. have approved the Second Master Plan with certain modifications in G.O.Ms.No.190, H&U.D dt.02.09.2008. There are several positive features in the approved plan.

**AGENDA ITEM
NO.33.4**

Tamil Nadu Ordinance No. 4 of 2008, dated 27.07.2008 – Copy placed before the Monitoring Committee for information.

Minutes

Recorded.

The non-official members pointed out that due to the inability of CMDA / Local Bodies to demolish unauthorised developments that have come up before 27.07.2007, in view of Ordinance No.4/2008, even the Court approved Regularisation Scheme 1999 has not been availed of by violators (only 1 out of 96 Multi-Storeyed Buildings, approved for regularisation had paid the fee) as they apparently find it more convenient to seek protection under the Ordinance rather than pay the hefty fees under the said scheme. Hence, the non-official members questioned the relevance of the Monitoring Committee itself, particularly when power / water connections were being easily obtained by violators without a Completion Certificate on the strength of Court orders in individual cases.

The Vice Chairperson, CMDA clarified that CMDA had recently demolished some of the unauthorised buildings that had come up after 27.07.2007, and was determined to take similar action against non-regularizable violations, once the Ordinance is revoked or lapses. Meanwhile, the Monitoring Committee may continue examining individual cases under the Regularisation Scheme, 1999.

as well as taking other measures as directed by the Hon'ble Madras High Court in its order dated 23.08.2006, including imposition of "Less Stringent Measures" and penalties on erring builders.

Thiru M.G. Devasahayam pointed out that while CMDA was taking strict action against unauthorised constructions in other areas, the buildings with gross violations in areas like T.Nagar continued to be protected by the Ordinance No.4/2008, putting the safety of the public at risk as the recent fire accident in one of the commercial complexes there showed. He and the other non-official members adverted to the provision in the preamble and explanatory statement in the Ordinance No.4/2008 to the effect that some of the proposed amendments to the Tamil Nadu Town & Country Planning Act,1971, particularly those relating to construction and use of premises may be with retrospective effect. In their view, such provisions raised suspicion about the intentions behind the Ordinance No.4 of 2008 as they appeared to be a back door, way of regularizing unauthorised developments, rendering the purpose of the Monitoring Committee irrelevant.

The non-official members therefore, wanted to seek clarification from the Govt. on whether it finds the Monitoring Committee of any relevance in the light of the Ordinance. They also endorsed the suggestion made by Dr. K.R. Shyam Sundar, DF & RS that early action be taken to vacate the Supreme Court's stay order dt.14.12.2007 in the SLP filed against the High Court Order quashing Ordinance 1 of 2007, since holding up demolition of unauthorised buildings was against public safety.

**AGENDA ITEM
NO.33.5**

CMDA – MSB – Regularisation of BF+GF+4Floors Commercial Building at (Old No.63) New No.71, Sterling Road in R.S.No.550/10, 15, 17, 22 & 25, Block No.35 of Nungambakkam Village, Chennai – 34 - Action taken on High Court Order dated 30.04.08 & 04.09.08 - Placed before the Monitoring Committee for information.

Minutes

Recorded. The Monitoring Committee accepted the legal opinion given by the Senior Law Officer, CMDA that, the Hon'ble Supreme

Court Order, dated 14.12.2007 does not affect the Regularisation Scheme, 1999 and hence, on the lines of Thiru Komariah case, it can proceed to examine all cases of regularisation under this scheme.

**AGENDA ITEM
NO.33.6**

CMDA – MSB – Regularisation of BF+GF+4Floors Commercial Cum Residential building at Door No.18/4, Muttukadu Road (New Mahabalipuram Main Road), Thiruvanniyur, Chennai-41 in S.No.205/4A, 5A & 10 of Thiruvanniyur Village – Time Bound Court Order – Placed before Monitoring Committee for decision.

Minutes

The Monitoring Committee on going through the file resolved to **reject** the application for the regularisation of **MSB Commercial Cum Residential comprising BF + GF + 4 Floors at Door No.18/4, Muttukadu Road (New Mahabalipuram Main Road), Thiruvanniyur, Chennai-41 in S.No.205/4A, 5A & 10 of Thiruvanniyur Village, Chennai**, as the building is also owned by several others owning undivided shares of land, but they have not given any registered power of attorney in favour of the applicant, who has, therefore, being unable to establish ownership of the whole building / land.

**AGENDA ITEM
NO.33.7**

CMDA – MSB – Regularisation of unauthorised / deviated Commercial Cum Residential building of 5 Blocks at Door No.9, Nageswara Rao Road and Door No.44/1 & 45, Pinjala Subramaniam Street, Chennai – 17 in T.S.No.6167, 6169 and 6170, Block No.136 of T.Nagar – Time Bound High Court Order dated 04.09.2008 – Evidence furnished – Placed before the Monitoring Committee for decision.

Minutes

The Monitoring Committee on going through the file resolved to accept that the **MSB Commercial Cum Residential building comprising 5 Blocks of which 3 Blocks of GF+FF & 2 Blocks of GF+3F deviated/unauthorised construction at Door No.9, Nageswara Rao Road and Door No.44/1 & 45, Pinjala Subramaniam Street, Chennai – 17 in T.S.No.6167, 6169 and 6170, Block No.136 of T.Nagar Village** had been completed before 28.02.1999. The Gazette notification No.43 dt.11.11.1987 for Block B was accepted as credible evidence. The CMDA's inspection report dated 31.08.1999 and TNEB's Letter No.EE/O&M/TN.AAO/RB/MBM/AS T.Nagar South/D.8700/08, dt.31.01.2008 were accepted as supportive evidence for regularisation under the 1999 Scheme subject to the following:

- a) Alternative fire safety measures are provided as per the norms of DF&RS.
- b) The buildings are inspected by CMDA Officials before raising Reg.fee demand.
- c) The Reg.fee under Regularisation 1999 scheme rate is collected and
- d) There shall be no additional construction over and above what is reported already.

**AGENDA ITEM
NO.33.8**

Special and Multi-storeyed Buildings – Court Cases - Response received from the applicants – Analysis of evidence – Again placed before the Monitoring Committee for decision.

Minutes

The Monitoring Committee resolved to regularize certain Commercial Special and Multi-Storeyed Buildings, subject to the conditions that:

- a) Alternative fire safety measures are provided as per the norms of DF&RS for MSB cases.
- b) The buildings are inspected by CMDA Officials before raising Reg.fee demand.
- c) The Reg.fee under Regularisation 1999 scheme rate is collected and
- d) There shall be no additional construction over and above what is reported already.

**AGENDA ITEM
NO.33.8.1
(Deferred Item
Nos.31.3.2 &
32.3.2)**

CMDA – Reg. Unit – Reg. MSB Dn. – Regularisation of Office-cum-Lodge building BF + GF + 4F + 5F (Part) Commercial building at Door No.11, Sarangapani Street in S.No.6921/2, Block No.108-B, T.Nagar, Chennai – 17 – Evidence examined and placed before the Monitoring Committee for decision.

Minutes 33.8.1

The Monitoring Committee on going through the file resolved to accept that the **MSB Commercial building comprising BF+GF+4F+5F (Part) deviated/unauthorised construction at Door No.11, Sarangapani Street in S.No.6921/2, Block No.108-B, T.Nagar, Chennai – 17** had been completed before 28.02.1999. The demolition notice issued by CMDA in Lr.No.EC2/19316/98, dated 07.01.99 was accepted as the key evidence. The TNEB's report dt. 13.08.2007 was considered as supportive evidence. The applicant has to remove the 5th floor part before regularisation of the BF+GF+4 Floors, which was constructed after the cut off date 28.02.1999.

**AGENDA ITEM
NO.33.8.2
(Deferred Item
Nos.31.3.3 &
32.3.3)**

CMDA – Reg. Unit – Reg. MSB Dn. – Regularisation of GF + 3F + 4th Floor Part Commercial-cum-Residential building at Door No.92, Pedariyar Koil Street in R.S.No.1903/2, Block No.17 of V.O.C.Nagar, Chennai – Placed before the Monitoring Committee for its decision.

Minutes 33.8.2

The Monitoring Committee on going through the file resolved to **reject** the application for the regularisation of **MSB Commercial building comprising GF+3F + 4th Floor Part deviated/unauthorised construction at Door No.92, Pedariyar Koil Street in R.S.No.1903/2, Block No.17 of V.O.C.Nagar, Chennai**, as the applicant has not established that the building was completed prior to 28.02.1999 and due to the aerial encroachment on to the public road.

**AGENDA ITEM
NO.33.8.3
(Deferred Item
Nos.31.3.4 &
32.3.4)**

CMDA – Reg. Unit – Regularisation of unauthorized / deviated construction of GF + 4 Floors- MSB Commercial building at Door No.22, Vallaba Agraharam Street, Triplicane, Chennai-5 –Subject placed before the Monitoring Committee for its decision.

Minutes 33.8.3

The Monitoring Committee on going through the file resolved to accept that the **MSB Commercial building comprising GF+4 Floors deviated/unauthorised construction at Door No.22, Vallaba Agraharam Street, Triplicane, Chennai-5 in T.S.No.183/2, Block No.5 of Triplicane Village** had been completed before 28.02.1999. The Government G.O (D) No.483, dated 26.10.1999 H&U.D Department was accepted as credible evidence. The demolition notice issued by CMDA in Lr.No.EC3/4487/99, dated 01.04.99, the CMDA's Planning Permission refusal Lr.No.B2/12771/93, dated 13.08.1993, the TNEB's Lr.No.G249/CE/COOML.EE3/AE/E2/F/MC/D.86/07, dated 13.08.07 and property tax receipts dated 01.03.99 were accepted as supportive evidence. The applicant has to remove the 5th floor part before regularisation of the GF+4 Floors, which was constructed after the cut off date 28.02.1999.

**AGENDA ITEM
NO.33.8.4
(Deferred Item
Nos.31.3.5 &
32.3.5)**

CMDA – Reg. Unit – Reg.III Dn. – Special buildings Commercial – Regularisation of GF + 3 Floors + 4th Floor (Part) (Lodging) building at Door No.284, Pycrofts Road in R.S.No.2659 of Triplicane Village, Chennai-5 – Available evidences examined and placed before the Monitoring Committee for decision.

Minutes 33.8.4

The Monitoring Committee on going through the file resolved to accept that the **Special Commercial building comprising GF+3 Floors deviated/unauthorised construction at Door No.284, Pycrofts Road in R.S.No.2659 of Triplicane Village, Chennai-5** had been completed before 28.02.1999. The CMDA's inspection report dated 09.11.99 was accepted as supportive evidence. The applicant has to remove the aerial encroachment, if any. The Chennai Corporation may take necessary action for removal of such encroachment if made on public space.

**AGENDA ITEM
NO.33.8.5
(Deferred Item
Nos.31.3.6 &
32.3.6)**

CMDA – Regularisation Unit – Reg.I Dn. – Regularisation of deviated / unauthorised construction of GF + 2Floor commercial cum residential building at Door No. 7, South Usman Road, T.Nagar, T.S. No.8994, Block No.130 of Mambalam – Guindy Taluk, T.Nagar, Chennai – 17 – Court case – Subject placed before the Monitoring Committee for decision.

Minutes 33.8.5

The Monitoring Committee on going through the file resolved to **reject** the application for the regularisation of **Special Commercial building comprising GF+2 Floors deviated/unauthorised construction at Door No. 7, South Usman Road, in T.S. No.8994, Block No.130 of Mambalam – Guindy Taluk, T.Nagar, Chennai – 17** as the applicant has not established that the building was completed prior to 28.02.1999. The site is to be inspected and all violations to be indicated in the rejection letter.

**AGENDA ITEM
NO.33.8.6
(Deferred Item
Nos.31.3.7 &
32.3.7)**

CMDA – Regularisation Unit – Reg.I Dn. – Regularisation of unauthorized / deviated construction of GF + 2F Residential building Door No.71, Subramaniya Swamy Koil Street, Saidapet, Chennai –15 in T.S. No. 63 Block No.5 of Saidapet Village, Chennai – Subject placed before the Monitoring Committee for decision.

Minutes 33.8.6

The Monitoring Committee on going through the file resolved to accept that the **Special Residential building comprising GF+2 Floors deviated/unauthorised construction at Door No.71, Subramaniya Swamy Koil Street, Saidapet, Chennai –15 in T.S. No. 63 Block No.5 of Saidapet Village, Chennai** had been completed before 28.02.1999. The Enforcement Cell inspection

report and sketch dt.17.11.98 and demolition notice No.EC2/9439/99, dated 26.08.1999 were accepted as credible evidence. The Planning Permission issued by Corporation of Chennai vide BA No.D9/3285/97, dt..16.06.1997 was accepted as supportive evidence. The applicant has to remove the aerial encroachment of balcony of size 1'9" X 8'9" at first floor level and above on to the public road.

**AGENDA ITEM
NO.33.8.7
(Deferred Item
Nos.31.3.8 &
32.3.8)**

CMDA – Reg. Unit – Reg.II Dn. – Special Building – Regularisation of GF + 2 Floors Commercial building at Door No.1108, Poonamallee High Road, Periamet, Chennai-3 – Writ Petition filed in High Court – Applicant's representation to the Chairman, Monitoring Committee – Examined and placed before the Monitoring Committee for decision.

Minutes 33.8.7

The Monitoring Committee on going through the file resolved to **reject** the application for the regularisation of **Special Commercial building comprising GF+2 Floors deviated/unauthorised construction at Door No.1108, Poonamallee High Road, Periamet, Chennai-3 in R.S.No.61/2 & 3, Block No.9 of Vepery Village**, since the building was completed after the cut-off date (i.e.) 28.02.1999.

**AGENDA ITEM
NO.33.8.8
(Deferred Item
Nos.31.3.9 &
32.3.9)**

CMDA – Reg. Unit – Regularisation Scheme – Regularisation of GF + 3 Floors Residential-cum-Commercial building at Plot No.671, East Main Road, Anna Nagar West, Chennai-101 in S.No.144/1Pt. of Villivakkam Village under Reg. 2002 Scheme – Appeal to Govt. – Placed before the Monitoring Committee for decision.

Minutes 33.8.8

The Monitoring Committee on going through the file resolved to **reject** the application for the regularisation of **Special Residential cum Commercial building comprising GF+3 Floors deviated/unauthorised construction at Plot No.671, East Main Road, Anna Nagar West, Chennai-101 in S.No.144/1Pt. of Villivakkam Village** as the applicant has not established that the building was completed prior to 28.02.1999. The decision of the Monitoring Committee has to be informed to the Government.

**AGENDA ITEM
NO.33.8.9
(Deferred Item No.
32.3.10)**

CMDA – Regularisation Unit – Reg. Dvn.-I Regularisation of Deviated/Unauthorised construction of BF+GF+2Fpart residential building at Door No.59, (Old No.20) Montieth Road, Egmore Village, Rejected by CMDA – Applicant representation received from the High Court in W.P.No.29610/2007 – Placed before the Monitoring Committee for decision.

Minutes 33.8.9

The Monitoring Committee on going through the file resolved to **reject** the application for the regularisation of **Special Residential building comprising BF+GF+2nd Floor Part deviated/unauthorised construction at Door No.59, (Old No.20) Montieth Road, Egmore Village in S.No.1625 Part Block No.51 of Egmore Village** as the applicant established that the building was completed after the cut-off date i.e., 28.02.1999, by furnishing the ownership documents, inspection report and advocate letter copy dated 18.01.2005

**AGENDA ITEM
NO.33.8.10
(Deferred Item No.
32.3.11)**

CMDA – Regularisation Unit – Reg. MSB Dn. - Regularisation of GF + 3F + 4F (Part) Commercial-cum-Residential building at old Door No.194, New NO.280, Thambu Chetty Street, Chennai in R.S.No.4809, Block NO.43 of V.O.C.Nagar - Placed before the Monitoring Committee for decision.

Minutes 33.8.10

The Monitoring Committee on going through the file resolved to **reject** the application for the regularisation of **MSB Commercial-cum-Residential building comprising GF + 3F + 4F (Part) deviated/unauthorised old Door No.194, New NO.280, Thambu Chetty Street, Chennai, in R.S.No.4809, Block NO.43 of V.O.C.Nagar** as the applicant has not established that the building was completed prior to 28.02.1999.

**AGENDA ITEM
NO.33.8.11
(Deferred Item No.
32.3.12)**

CMDA – Regularisation Unit - Regularisation of unauthorised / deviated construction of MSB Commercial building of Double BF + GF + 10 Floors at Door No.119 & 120, Sir Theagaraya Road, T.Nagar, Chennai – 17 in S.No.7017, 7018/1 & 2, Block No.112 of T.Nagar Village – Evidence furnished – Court case – Subject placed before the Monitoring Committee for decision.

Minutes 33.8.11

The Monitoring Committee on going through the file resolved to accept that the **MSB Commercial building comprising Double BF + GF + 9 Floors deviated/unauthorised construction at Door No.119 & 120, Sir Theagaraya Road, T.Nagar, Chennai – 17 in S.No.7017 & 7018/1 & 2, Block No.112 of T.Nagar Village** had been completed before 28.02.1999. The demolition notice issued by CMDA in Lr.No.EC2/9961/1995, dated 20.10.1999, and the Govt., in Lr. (M.S).No.225, dated 19.06.1998, the CMDA's Enforcement Cell inspection report and sketch dt.17.11.98 and demolition notice No.EC2/9439/99, dated 26.08.1999 were accepted as credible evidence. The applicant has to remove the 10th floor before regularisation of the Double BF + GF + 9 Floors, as it was constructed after the cut-off date (i.e) 28.02.1999.

**AGENDA ITEM
NO.33.8.12
(Deferred Item No.
32.3.13)**

CMDA – Regularisation 2002 Scheme – Residential Special building at Plot No.3128A2, Door No.6, A.G.Block II Street, Anna Nagar, Chennai – 40 in S.No.403 pt. of Naduvakkarai Village – Particulars examined and placed before the Monitoring Committee for decision.

Minutes 33.8.12

The Monitoring Committee on going through the file resolved to accept that the **Special Residential building comprising GF + 3 Floors deviated/unauthorised construction at Plot No.3128A2, Door No.6, A.G.Block II Street, Anna Nagar, Chennai – 40 in S.No.403 pt. of Naduvakkarai Village**, had been completed before 28.02.1999. The Chennai Corporation's Show Cause Notice P.O.No.57/98 dated 2.12.1998 issued under Section 256 (1) (2) of MCMC Act and another Notice in P.O.No.57/98, dated 30.12.1998 issued under Section 256(3) of MCMC Act were accepted as credible evidence. The Corporation's approval in PP No.D5/7091/97 & BA No.D5/6364/97 dated 30.12.1997 was accepted as supportive evidence.

**AGENDA ITEM
NO.33.9.**

Special Buildings (Commercial) – Response received from the applicants – Analysis of evidence – Again placed before the Monitoring Committee for decision.

The Monitoring Committee resolved to regularize certain Commercial Special Buildings, subject to the conditions that:

- a) The buildings are inspected by CMDA Officials before raising Reg. fee demand.
- b) The Reg. fee under Regularisation 1999 scheme rate is collected and
- c) There shall be no additional construction over and above what is reported already.

**AGENDA ITEM
NO.33.9.1
(Deferred Item
Nos. 30.4.4, 31.4.1
& 32.4.1)**

CMDA – Reg. Unit – Reg. Dvn-I – Regularisation of unauthorized / deviated construction of BF + GF+ 3 Floor Commercial Building at Door No.78 Anna Salai, Guindy, Chennai – 32 T.S.No.6/1, Block No. 5 of Adyar Village – Particulars not received – Placed before the Monitoring Committee for decision.

Minutes 33.9.1

The Monitoring Committee on going through the file resolved to **defer** the application for the regularisation of **Special Commercial building comprising BF + GF + 3F deviated/unauthorised at Door No.78 Anna Salai, Guindy, Chennai – 32 T.S.No.6/1, Block No. 5 of Adyar Village** as the applicant has not established that the building was completed prior to the cut-off date (i.e) 28.02.1999, and the CMDA inspection report can only be supportive evidence. The applicant may be given one more opportunity to produce credible evidence.

**AGENDA ITEM
NO.33.9.2
(Deferred Item
Nos. 30.4.5, 31.4.2
& 32.4.2)**

CMDA – Reg. Unit – Reg. Dvn-I – Regularisation of unauthorized / deviated construction of BF + GF+ 2 F Commercial Building at Door No.4.A B.S.R. Janus, Tank Bund Road, Nungambakkam, Chennai – 34 in S.No.563/98, Block No.33 of Nungambakkam Village – Particulars Examined – Placed before the Monitoring Committee for decision.

Minutes 33.9.2

The Monitoring Committee on going through the file resolved to **reject** the application for the regularisation of **Special Commercial Building comprising BF + GF+ 2 Floors at Door No.4.A B.S.R. Janus, Tank Bund Road, Nungambakkam, Chennai – 34 in S.No.563/98, Block No.33 of Nungambakkam Village** as the applicant has not established that the building was completed prior to the cut-off date i.e., 28.02.1999. .

**AGENDA ITEM
NO.33.9.3
(Deferred Item
Nos. 30.4.6, 31.4.3
& 32.4.3)**

CMDA – Reg. Unit – Reg. Dvn-I – Regularisation of unauthorized / deviated construction of BF + GF+ 2 F Commercial Building at Door No.73, Ranganathan Street T.Nagar, Chennai – 17 in R. S.No.5553/1 part, Block No.127 of T.Nagar Village – Particulars examined – Placed before the Monitoring Committee for decision.

Minutes 33.9.3

The Monitoring Committee on going through the file resolved to **reject** the application for the regularisation of **Special Commercial Building comprising BF + GF+ 2 Floors at Door No.73, Ranganathan Street T.Nagar, Chennai – 17 in R. S.No.5553/1 part, Block No.127 of T.Nagar Village** as the applicant has not established that the building was completed prior to the cut-off date i.e., 28.02.1999.

**AGENDA ITEM
NO.33.9.4
(Deferred Item
Nos. 30.4.7, 31.4.4
& 32.4.4)**

CMDA – Regularisation Unit – Reg. Dvn-I – Regularisation of unauthorized / deviated construction of GF+3rd Floor Commercial Building at Shed No.7, SIDCO Industrial Estate, Guindy, Chennai – 32 in T.S. No.8/4, Block No.6 of Adyar Village - Evidence to prove the building is completed on or before 28.02.1999 – Evidences not furnished - Available particulars examined – Subject placed before the Monitoring Committee for decision.

Minutes 33.9.4

The Monitoring Committee on going through the file resolved to **reject** the application for the regularisation of **Special Commercial Building comprising GF+ 3 Floors at Shed No.7, SIDCO Industrial Estate, Guindy, Chennai – 32 in T.S. No.8/4, Block No.6 of Adyar Village** as the applicant has not established that the building was completed prior to the cut-off date i.e., 28.02.1999.

**AGENDA ITEM
NO.33.9.5
(Deferred Item
Nos. 30.4.8, 31.4.5
& 32.4.5)**

CMDA – Reg. Unit – Reg. Dvn-I – Regularisation of unauthorized /deviated construction of GF+ 2 F Commercial Building at Plot No.PC.50,Razak Carden Street, MMDA Colony, Chennai – 106 in T. S.No.106/2 part Block No.21 of Arumbakkam Village – Available particulars examined – Subject placed before the Monitoring Committee for decision.

Minutes 33.9.5

The Monitoring Committee on going through the file felt that the CMDA's inspection report could only be a supportive evidence. It therefore, resolved to defer the subject and give another opportunity to the applicant for producing credible evidence to prove that the building was completed prior to the cut-off date (i.e.) 28.02.1999.

**AGENDA ITEM
NO.33.9.6
(Deferred Item
Nos. 30.4.9, 31.4.6
& 32.4.6)**

CMDA – Regularisation Unit – Regularisation of unauthorized / deviated construction of BF+GF+ 3 Floors of Commercial building at Door No.2, Anna Salai, Chennai – 2, in R.S.No.911, Block No.1 of Triplicane Village – Additional particulars received – Placed before the Monitoring Committee for decision.

Minutes 33.9.6

The Monitoring Committee on going through the file resolved to accept that the **Special Residential building comprising BF + GF + 3 Floors deviated/unauthorised construction at Door No.2, Anna Salai, Chennai – 2, in R.S.No.911, Block No.1 of Triplicane Village**, had been completed before 28.02.1999. The Demolition Notice issued by CMDA in letter No.ES1/13831/95 dated 13.7.1998 was accepted as credible evidence. The CMDA's inspection report dated 26.8.1999 was accepted as supportive evidence. The applicant has to remove the covered portion at the 4th floor being used as Canteen before regularisation of the BF + GF + 3 Floors, as it was constructed after the cut-off date.

**AGENDA ITEM
NO.33.9.7
(Deferred Item
Nos. 30.4.10,
31.4.7 & 32.4.7)**

CMDA - Reg. Unit – Reg.III Division - Special building Commercial – Regularisation of GF + 2 Floors + 3rd Floor (Part) Commercial building at Door No.12, Ramaswami Street, West Tambaram, Chennai-45 – Particulars examined and placed before the Monitoring Committee for decision.

Minutes 33.9.7

The Monitoring Committee on going through the file resolved to call for evidence from the applicant's legal heir to prove that the building was completed prior to the cut-off date (i.e) 28.2.1999. Subject deferred.

**AGENDA ITEM
NO.33.10**

CMDA – Erring Builders – Subject placed before the Monitoring Committee for discussion

Minutes 33.10

Deferred for the next meeting.

**AGENDA ITEM
NO.33.11**

CMDA – Enforcement Cell – Completion Certificate for obtaining service connections – Analysis of violations / deviations of Rejected / Returned Completion Certificate Applications - Report placed before the Monitoring Committee for information.

Minutes 33.11 The Committee suggested to quantify the extent of deviations / violations with reference to Development Control Rules and Monitoring Committee norms and place the subject in the next Monitoring Committee meeting if there is an issue.

AGENDA ITEM NO.33.12 CMDA – Enforcement Cell – Construction of Hostel Block within the campus of YWCA of Madras at R.S.No.660/1, Block No.15 of Vepery Village, Chennai - Applied for Completion Certificate – Not complied with the norms prescribed by Monitoring Committee – Relaxation requested – Placed before the Monitoring Committee for decision.

Minutes 33.12 The Committee suggested that the applicant should demarcate the land left for road widening and hand over the same to CMDA by executing a Gift Deed in its favour before Completion Certificate is given.

AGENDA ITEM NO.33.13 CMDA – Officials responsible for deviated constructions – Action taken on the officials of the CMDA, Corporation of Chennai and other Local Bodies – Subject placed before the Monitoring Committee.

Minutes 33.13 The Commissioner of Town Panchayats explained the action taken against the unauthorised constructions in the Town Panchayat areas of Kancheepuram and Thiruvallur District. He explained that paucity of manpower, machinery and resources is the reason why the Town Panchayats are unable to take stringent action against the violations in large constructions.

Some of the non-official members were of the opinion that establishing an independent enforcement mechanism for tackling the unauthorised or deviated constructions would discourage future unauthorised developments. Enforcement of the fire-safety norms may be done by amending DF & RS Act to provide for disconnecting power / water supply of non-complying buildings.

The Commissioner, Corporation of Chennai explained the action taken against the officials responsible for not checking unauthorised constructions.

The Commissioner, Municipal Administration and the Director of Rural Development were on leave of absence.

**AGENDA ITEM
NO.33.14**

CMDA – Enforcement Cell – Completion Certificate (CC) for obtaining service connections – Progress Report for Completion Certificate Applications - Placed before the Monitoring Committee for information.

Minutes 33.14

The status of issuance of Completion Certificates was recorded. The Monitoring Committee suggested to have a Sub-Committee to review the Completion Certificate norms with reference to Second Master Plan Development Regulations and place its report before the Monitoring Committee.

**AGENDA ITEM
NO.33.15**

CMDA – Enforcement Cell – Status of Enforcement action taken on the MSB Buildings constructed after 27.07.2007 by CMDA and Corporation of Chennai – For information

Minutes 33.15

The action taken so far against the unauthorised constructions was recorded. It was informed by the Vice Chairperson, CMDA that further action will be taken in accordance with law.

**AGENDA ITEM
NO.33.16**

CMDA – Enforcement Cell – Survey report of Kodambakkam area on Multi Storeyed Buildings – Deviated / Unauthorised buildings report – Submitted.

Minutes 33.16

The Commissioner, Corporation of Chennai, requested one month time for filing a detailed survey report.