

**MINUTES OF THE 34th MEETING OF THE MONITORING COMMITTEE
HELD @ 11.30 A.M ON 18.03.2009 IN THE CONFERENCE HALL OF CMDA**

MEMBERS PRESENT:

1. Tmt. Susan Mathew, I.A.S.,
Addl. Chief Secretary / Vice-Chairperson, CMDA
2. Thiru. M.G. Devasahayam, I.A.S., (Retd.)
3. Prof. Suresh Kuppaswamy,
School of Architecture and Planning, Anna University.
4. Thiru. Durganand Balsaver,
Architect and Urban Planner
5. Dr. A. Srivathsan,
Architect and Urban Planner

Special Invitee:

Thiru P. Senthilkumar, I.A.S.,
Director of Municipal Administration.

Leave of absence:

6. Thiru. Louis Menezes, I.A.S., (Retd.)
7. Thiru. Rajesh Lakhoni, I.A.S.,
Commissioner, Chennai Corporation
8. Thiru. Sunil Paliwal, I.A.S.,
Managing Director, CMWSSB.
9. Thiru. Chandra Prakash Singh, I.A.S.,
Chairman, TNEB.
10. Tmt. Mythili K. Rajendran, I.A.S.,
District Collector, Chennai.
11. Dr. K.R. Shyamsundar, I.P.S.,
Director of Fire and Rescue Services
12. Thiru. P.T. Krishnan,
(Architect)

AGENDA ITEM NO: 34.1 Confirmation of the minutes of the 33rd meeting of the Monitoring Committee.

Minutes Confirmed.

AGENDA ITEM NO: 34.2 Action taken on the Minutes of the 33rd meeting of the Monitoring Committee.

Minutes Recorded.

Thiru M.G. Devasahayam IAS (Retd.) desired to know the details of the Review Petition reportedly filed by Govt. in the High Court in the matter pertaining to Regularisation. The Vice Chairperson CMDA, suggested that a copy of the said Review Petition may be obtained and examined.

As regards the Amendments to DF & RS Act suggesting the enforcement of the fire safety norms to provide for disconnecting power / water supply of non-complying buildings, it was informed that it is still pending with the Govt. for approval. It was also informed that the Transfer of Developmental Rights (TDR) and Premium F.S.I norms are pending approval of Govt.

AGENDA ITEM NO.34.3. CMDA – Reg. MSB Dn. – Regularisation of unauthorised / deviated construction of Block-C – BF+GF+5 Floors Commercial building at Door No.97 & 98, Habibullah Road in T.S.No.6787, Block No.106, T.Nagar, Chennai – 17 – Placed before Monitoring Committee for decision.

Minutes **The Monitoring Committee on going through the file resolved to accept that the MSB Commercial Building comprising BF+GF+5F (C-Block) unauthorised / deviated construction at Door No.97 & 98, Habibullah Road T.Nagar, Chennai – 17 in T.S.No.6787, Block No.106, had been completed before 28.02.1999. The Government in H&UD Dept., Letter dated 20.10.1997 in which it was recorded that the building was in existence with BF+GF+5 Floors, was accepted as credible evidence.**

**AGENDA ITEM
NO.34.3.2**

CMDA – Reg. MSB Dn. – Regularisation of Basement Floor + Ground Floor + Mezzanine Floor + 8th Floor Commercial building at Door No.108, Dr. Radhakrishnan Salai, Chennai in R.S.No.1075/8, Block No.22 of Mylapore Village – Opportunity given – Particulars examined – Placed before the Monitoring Committee for decision.

Minutes

The Monitoring Committee on going through the file resolved to accept that the MSB Commercial building comprising BF+GF+MF+8th Floor unauthorised / deviated construction at Door No.108, Dr. Radhakrishnan Salai, Chennai in R.S.No.1075/8, Block No.22 of Mylapore Village had been completed prior to 28.02.1999. The demolition notice issued by CMDA vide Lr.No.ES1/18285/97, dt.20.10.1997 was accepted as credible evidence. The inspection report of CMDA dated 10.03.2000 was accepted as supportive evidence.

**AGENDA ITEM
NO.34.3.3**

CMDA – Reg.I&I Dn. – Regularisation of Unauthorised / deviated construction of Ground Floor Industrial building in S.No.115/2 and 116/2 of Manapakkam Village, Sriperumbudur Taluk, Chengai M.G.R. District – Evidences examined – Placed before the Monitoring Committee for decision.

Minutes

The Monitoring Committee on going through the file resolved to accept that the unauthorised / deviated construction of Ground Floor Industrial building in S.No.115/2 and 116/2 of Manapakkam Village, Sriperumbudur Taluk, Chengai M.G.R. District had been completed prior to 28.02.1999. The TNEB payment card No.17313 dated 09.01.1996 was accepted as credible evidence. The inspection report of CMDA dated 29.06.1999 was accepted as supportive evidence.

**AGENDA ITEM
NO.34.4**

CMDA - Special Buildings – Response received from the applicants – Analysis of evidence – Again placed before the Monitoring Committee for decision.

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

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

**AGENDA ITEM
NO.34.4.1**

CMDA – Reg.III Dn. – Regularisation of Ground Floor + 3 Floors of Residential-cum-Commercial building with one dwelling unit at Door No.80, 5th Street, Sri Padmanaba Nagar, Adyar, Chennai-20 in R.S.No.57/1, T.S.No.13 of Urur Village – Opportunity given – Particulars received – Examined and placed before the Monitoring committee for decision.

Minutes

The Monitoring Committee on going through the file resolved to accept that Special building comprising Ground Floor + 3 Floors deviated / unauthorised construction of Residential cum Commercial building with one dwelling unit and Office at Door No.80, 5th Street, Sri Padmanaba Nagar, Adyar, Chennai-20 in R.S.No.57/1, T.S.No.13 of Urur Village had been completed before 28.02.1999. The CMDA's refusal Lr.No.B2/1067/1993, dated 23.03.1993 and the Government Order of rejection in G.O.(D). No.327 H&U.D Dept., (UDV) dated 22.08.1996 were accepted as credible evidence.

**AGENDA ITEM
NO.34.4.2**

CMDA – Reg.III Dn. – Ground Floor + First Floor + 2nd Floor Part of residential building with 8 dwelling unit at Door No.63, Solaiyappan Street, Mylapore, Chennai – 4 – R.S.No.2993/1 of Mylapore Village Applied under Reg.1999 Scheme (Reg.No.999) Particulars – Examined – Placed before the Monitoring Committee for decision.

Minutes

The Monitoring Committee on going through the file resolved to accept that the Special building comprising GF+FF+2nd Floor Part deviated / unauthorised construction of residential building with 8 dwelling units at Door No.63, Solaiyappan Street, in R.S.No.2993/1 of Mylapore Village, Chennai – 4 had been completed before 28.02.1999. The Property Tax Assessment Notice No.098290 dated 01.03.1999 by Chennai Corporation was accepted as credible evidence. The Inspection Report of CMDA dated 02.11.1999 was accepted as supportive evidence.

**AGENDA ITEM
NO.34.4.3**

CMDA – Reg.III Dn. – Ground Floor + 2 Floor of Residential building with 2 dwelling unit at Old Door No.33/1, New Door No.44, Besant Avenue in S.No.41 Part, Block No.4 of Adyar Village, Chennai – applied under Reg.1999 Scheme (Reg.No.1266/99) and Reg.2000 Scheme (Reg.No.6052/2000) – Opportunity given – Evidence placed before the Monitoring Committee for decision.

Minutes

The Monitoring Committee on going through the file resolved to accept that the Special building comprising GF+2F deviated / unauthorised construction of Residential building with 2 dwelling units at Old Door No.33/1, New Door No.44, Besant Avenue in S.No.41 Part, Block No.4 of Adyar Village, Chennai had been completed before 28.02.1999. The Property Tax Assessment Notice No.112289 dated 01.03.1999 by Chennai Corporation was accepted as credible evidence. The inspection report of CMDA dated 22.07.1999 was accepted as supportive evidence.

**AGENDA ITEM
NO.34.4.4**

CMDA – Reg.III Dn.– Ground Floor + 2 Floor of Residential building with 6 dwelling units at Plot No.H-135, (TNHB) 32nd Cross Street, Besant Nagar, Chennai – 90 – T.S.No.46 Part, Block No.16 of Urur Village – Opportunity given – Particulars received – Examined and placed before the Monitoring Committee for decision.

Minutes

The Monitoring Committee on going through the file resolved to accept that the Special building comprising GF+2F deviated / unauthorised construction of Residential building with 6 dwelling units at Plot No.H-135, (TNHB) 32nd Cross Street, Besant Nagar, in T.S.No.46 Part, Block No.16 of Urur Village Chennai – 90 had been completed before 28.02.1999. The refusal plan and refusal letter of CMDA vide Lr.No.B1/24562/1998 dated 31.12.1998 was accepted as credible evidence. The demolition notice of CMDA vide Lr.No.ES2/23796/1997, dated 29.10.1998 and the inspection report of CMDA dated 14.09.1999 were accepted as supportive evidence.

**AGENDA ITEM
NO.34.4.5**

CMDA – Reg.III Dn. – Ground Floor + 1st Floor + 2nd Floor Part of Cottage Industry cum Residential building with 3 dwelling units at Door No.35, Maharaja Surya Road, R.S.No.1554/23 of Mylapore Village, Alwarpet, Chennai – 18. applied under Reg.1999 Scheme (Reg.No.3398) – Particulars – Examined – Placed before the Monitoring Committee for decision.

Minutes

The Monitoring Committee on going through the file resolved to accept that the Special Building comprising GF+FF+2nd floor Part deviated / unauthorised construction of Cottage Industry cum Residential building with 3 dwelling units at Door No.35, Maharaja Surya Road, R.S.No.1554/23 of Mylapore Village,

Alwarpet, Chennai – 18 had been completed before 28.02.1999.

The Property Tax Assessment Bill No.1219 dated 29.11.1996 & Property Tax Assessment Notice No.0177735 dated 01.03.1999 by Chennai Corporation were accepted as credible evidence. The inspection report of CMDA dated 03.12.1999 was accepted as supportive evidence.

**AGENDA ITEM
NO.34.4.6**

CMDA – Reg.III dn. – Regularisation of Ground Floor + 2 Floors of Commercial building at Door No.12, Ramasamy Street, West Tambaram, Chennai – 45 in S.No.320/2 of Tambaram Village – Applied under Reg.1999 Scheme (Reg.No.1916/99) and Reg.2000 Scheme (Reg.No.7616/2000) Opportunity given – Particulars examined – Placed before the Monitoring Committee for decision.

Minutes

The Monitoring Committee on going through the file resolved to accept that the Special Building (Commercial) comprising GF+2F deviated / unauthorised construction at Door No.12, Ramasamy Street, West Tambaram, in S.No.320/2 of Tambaram Village Chennai – 45 in S.No.320/2 of Tambaram Village had been completed before 28.02.1999. The Property Tax Assessment Notice No.35331 dated 06.03.1999 of Tambaram Municipality was accepted as credible evidence. The inspection report of CMDA dated 05.11.1999 was accepted as supportive evidence. The applicant has to remove the third floor part comprising watchman room and toilet before regularisation as it was constructed after 28.02.1999.

**AGENDA ITEM
NO.34.5**

CMDA - Multi-Storied Buildings – Response received from the applicants –Analysis of evidence – Again placed before the Monitoring Committee for decision.

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

- 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.34.5.1**

CMDA – Reg. MSB Dn. – Regularisation of unauthorised / deviated construction of Ground Floor + 3 Floors + 4th floor (Part) Commercial cum Residential building at Door No.352, Anna Salai, Nandanam in T.S.No.12, Block No.10, Govt. Farm Village, Chennai – 600 035 – Evidence examined and placed before Monitoring Committee for decision.

Minutes

The Monitoring Committee on going through the file resolved to accept the MSB Commercial cum Residential building comprising GF+3F+4th Floor part at Door No.352, Anna Salai, Nandanam in T.S.No.12, Block No.10, Govt. Farm Village, Chennai – 600 035 had been completed before 28.02.1999. CMDA's Demolition Notice in Letter No.ES2/10696/1998 dated 15.07.1998 which establish that the existence of GF+3F+4th Floor part, was accepted as credible evidence.

**AGENDA ITEM
NO.34.5.2**

CMDA – Reg. MSB Dn. – Regularisation of unauthorised / deviated construction of Basement Floor + Ground Floor + 5 floors Commercial building at Door No.36/1 & 37, South Usman Road, T.Nagar, Chennai – 17 in S.No.5729, 7339/1, Block No.130, T.Nagar Village – Evidence furnished – Placed before Monitoring Committee for decision.

Minutes

The Monitoring Committee on going through the file resolved to accept deviated / unauthorised MSB Commercial building comprising BF+GF+5 Floors at Door No.36/1 & 37, South Usman Road, in T.S.No.5729, 7339/1, Block No.130 of T.Nagar Village, Chennai – 17, had been completed before 28.02.1999, provided there is no change in the total built up area. CMDA's refusal letter No.C3/23568/97-1, dated 28.01.1998 and Demolition Notice issued in letter No.EC2/21457/1998 dated 23.12.1998 and Lr. No.C3/23568/97, dated 24.10.97 were accepted as credible evidence.

**AGENDA ITEM
NO.34.5.3**

CMDA – Reg. MSB Dn. – Regularisation of unauthorised / deviated construction of Basement Floor + Ground Floor + 7 Floors + 8th Floor (Part) Commercial cum Residential building at Door No.3 Pt., & 4, Moores Road in T.S.No.77/11, 76/13 and 76/14 of Nungambakkam Village – Evidence furnished – Placed before Monitoring Committee for decision.

Minutes

The Monitoring Committee on going through the file resolved to defer the subject of regularisation of unauthorised / deviated for the construction of MSB Commercial cum residential building

comprising BF+GF+7F+8th Floor part at Door No.3 Pt., & 4, Moores Road in T.S.No.77/11, 76/13 and 76/14 of Nungambakkam Village. The Monitoring Committee wanted the discrepancy in the 1999 & 2003 inspection reports to be resolved, along with that of self assessment report. The Monitoring Committee also suggested to collect additional documentary evidence to prove that total floor area for which the regularisation application was made had been completed before 28.02.1999 and process further.

**AGENDA ITEM
NO.34.5.4**

CMDA – Reg. MSB Dn. - Regularisation of unauthorised / deviated construction of Ground Floor + 4 Floors Commercial cum residential building at Door No.52, Dr.B.N. Road, T.Nagar, Chennai – 17 in T.S.No.4892, Block No.112 of Mambalam Village – Placed before the Monitoring Committee for decision.

Minutes

The Monitoring Committee called for a re-inspection of the construction at Door No.52, Dr. B.N. Road, in T.S.No. 4892, Block No.112 of Mambalam Village, T.Nagar, Chennai – 17. The Government order against the appeal, issued in H&U.D Dept, G.O.(D) No.92, dated 27.03.1998 and Demolition Notice issued by CMDA in letter No.EC2/24791/1997, dated 31.12.1997 and CMDA's Demolition Notice vide Lr.No.ES3/14304/95 dated 05.09.1995 were accepted as credible evidence. The Monitoring Committee also wanted the question of regularisation of the building with reference to the 5th Floor part to be examined after verification by inspection.

**AGENDA ITEM
NO.34.5.5**

CMDA – Reg. MSB Dn. - Regularisation of unauthorised / deviated construction of Ground floor + 3Floors + 4th Floor (Part) Commercial cum residential building at Door No.479, Mint Street, Sowcarpet in S.No.343/2, Block No.4, V.O.C. Nagar, Chennai – 79 – Placed before the Monitoring Committee for decision.

Minutes

The Monitoring Committee on going through the file resolved to accept the MSB Commercial cum Residential building comprising GF+3F+4th Floor part at Door No.479, Mint Street in S.No.343/2, Block No.4, V.O.C Nagar, Sowcarpet, Chennai – 79 had been completed before 28.02.1999. The CMDA's refusal plan in File No.C3/14887/93, dated 28.12.1993 was accepted as credible evidence.

**AGENDA ITEM
NO.34.5.6**

CMDA – Reg.MSB Dn. – Regularisation of unauthorised / deviated construction of Basement Floor 1 + Basement Floor 2 + Ground Floor + 9 Floors Commercial building at Door No.768, 769, Anna Salai in R.S.No.26/2 Pt., 3 Pt., 27/2 and 31/3, Block No.4 & 5 of Nungambakkam Village, Chennai 600 002 – Appeal before Government and High Court in W.P.No.36269 & 36270 of 2007 dated 11.09.08 – Placed before the Monitoring Committee for decision.

Minutes

The Monitoring Committee on going through the file, agreed to the CMDA's views and to forward the remarks of CMDA to Government for orders against the appeal preferred by the appellant for regularisation of the Commercial building comprising BF1+BF2+GF+9 Floors at Door No.768, 769, Anna Salai in R.S.No.26/2 Part, & 3 Part, 27/2 Part and 31/3, Block No.4 & 5 of Nungambakkam Village, Chennai – 2. The Monitoring Committee also observed that the regularisation application is made only under the extended regularisation schemes of 2000 and 2001, that have been quashed and are not in accordance with the 1999 Reg.Scheme. Also, the applicant has failed to establish clear ownership, has violated CRZ norms and built after 28.02.1999. Hence, this application is not eligible for regularisation as per the Court order.

**AGENDA ITEM
NO.34.5.7**

CMDA – Reg.MSB Dn. – Regularisation of unauthorised / deviated construction of Basement Floor + Ground Floor + 4th Floor Pt., + 5th Floor Pt., Commercial cum Residential building at Plot No.1958-D, II Avenue, Anna Nagar in S.No.207/17 (Pt.) of Thirumangalam Village – Evidence furnished – Placed before Monitoring Committee for decision.

Minutes

The Monitoring Committee on going through the file resolved to accept that the construction of the MSB Commercial cum Residential building comprising BF+GF+4th floor part +5th floor part at Plot No.1958-D, II Avenue, Anna Nagar in S.No.207/17 part of Thirumangalam Village had been completed before 28.02.1999. The Government H&U.D Dept's Lr.No.45803/UD-I/95-3 dated 27.06.1996 was accepted as credible evidence.

**AGENDA ITEM
NO.34.6**

CMDA – Enforcement Cell - Completion Certificate norms pertaining to CMDA – Certain modifications of existing norms in respect of parameters – Placed before the Monitoring Committee for decision.

Minutes

The Monitoring Committee accepted the recommendation of the Sub-Committee.

**AGENDA ITEM
NO.34.7**

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

Minutes

Recorded.

**AGENDA ITEM
NO.34.8**

CMDA – Erring Builders – Subject placed before the Monitoring Committee for information - Regarding.

Minutes

1. The Monitoring Committee accepted the recommendation of the Sub-Committee and the same could be forwarded to the Government after placing before the Authority.
2. The Committee also suggested that as part of creating public awareness, public notice may be issued by CMDA cautioning the public to purchase properties only after checking up the approval details with CMDA and Local Bodies.

**AGENDA ITEM
NO.34.9**

CMDA – Enforcement Cell - Report on the analysis of Completion Certificate rejection cases – Extent of violation on returned / rejected Completion Certificate Cases – Placed before the Monitoring Committee – For discussion.

Minutes

Recorded.

Sd/xxx

ADDL.CHIEF SECRETARY / VICE CHAIRPERSON, CMDA
& CO-ORDINATOR, MONITORING COMMITTEE

// TRUE COPY / FORWARDED / BY ORDER //

PERSONNEL MANAGER™

Verified  RealEstate™