

**MINUTES OF THE 39th MEETING OF THE MONITORING COMMITTEE
HELD @ 11.30 A.M ON 08-12-2010 IN THE MAIN CONFERENCE HALL OF
CMDA**

-:-

MEMBERS PRESENT:

1. Tmt. Susan Mathew, I.A.S.
Addl. Chief Secretary / Vice-Chairperson, CMDA
2. Tmt.V.Shobana,I.A.S.
District Collector, Chennai
3. Thiru. Durganand Balsavar
Architect and Urban Planner
4. Dr. A.Srivathsan
Architect and Urban Planner

Representatives

5. Thiru K. Vaithilingam
Engineering Director
CMWSSB, Chennai
6. Thiru. V.S.Raja Raman
Chief Engineer
TNEB, Chennai.
7. Thiru.P.Murugesan
Chief Engineer
Corporation of Chennai.
8. Thiru S. Muthu Irulappan
City Engineer
Corporation of Chennai
9. Thiru. S. Vijaya Sekar
Deputy Director
Tamil Nadu Fire and Rescue Services
Chennai

Special Invitee

10. Thiru. Dayanand Kataria, I.A.S.
Member-Secretary, CMDA.
11. Thiru B.S. Ravindran
Chief Planner (Reg), C.M.D.A.

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AGENDA ITEM NO: 39.01 CMDA – Reg.Unit - Leave of absence of the 39th Monitoring Committee meeting.

Minutes Leave of absence was granted to the following members for the 39th Monitoring Committee Meeting:

1. Thiru. Louis Menezes, I.A.S.(Retd.)
2. Thiru.M.G.Devasahayam, I.A.S. (Retd.)
3. Prof. Suresh Kuppuswamy
School of Architecture and Planning
Anna University.
4. Thiru. T.Karthikeyan, I.A.S.
Commissioner
Corporation of Chennai.
5. Thiru R. Nataraj, I.P.S.
Director of Fire & Rescue Services,
Chennai
6. Thiru. Chandra Prakash Singh, I.A.S.
Chairman
Tamil Nadu Electricity Board
Chennai
7. Thiru Rajesh Lakhoni, I.A.S.
Managing Director
CMWSSB, Chennai

AGENDA ITEM NO: 39.02 Confirmation of the minutes of the 38th meeting of the Monitoring Committee – Placed for confirmation.

Minutes Confirmed

AGENDA ITEM NO: 39.03 Action taken on the minutes of the 38th meeting - Placed before the Monitoring Committee for information.

Minutes Recorded.

**AGENDA ITEM
NO:39.04**

CMDA – Reg. Unit – Reg. Dvn-I – Regularisation of unauthorized construction of an individual residential flat No. B1(92/3) at First Floor in GF+3F Residential Building at Door No.92, Central School Road, Gill Nagar, Chennai-94, in T.S.No.44, Block No.13 of Puliur Village – Evidence furnished – Examined – Subject placed before the Monitoring Committee for decision.

Minutes

The Monitoring Committee on going through the file resolved to accept that the individual residential flat constructed at first floor in GF+3F residential building at Door No.92, Central School Road , Gill Nagar, Chennai-94, in T.S.No.44, Block No.13 of Puliur Village had been completed prior to 28-02-99. The Property Tax payment receipt for the period 1/93-94, CMWSSB Water & Sewerage Tax payment Receipt No.602308 dt.13.1.98 and CMWSSB Water charges (Flat) payment receipt No.611122 dt.13.1.98 for the period 1/97-98 to 2/97-98 were accepted as credible evidence. The inspection report of CMDA dt.5.11.99 was accepted as supportive evidence.

**AGENDA ITEM
NO:39.05**

CMDA – Reg. Unit – Reg. Dvn-I – Regularisation of unauthorized construction of an individual residential Flat No. B2(92/4) at First Floor in GF+3F Residential Building at Door No.92, Central School Road, Gill Nagar, Chennai-94, in T.S.No.44, Block No.13 of Puliur Village – Evidence furnished – Examined – Subject placed before the Monitoring Committee for decision.

Minutes

The Monitoring Committee on going through the file resolved to accept that the individual residential flat constructed at first floor in GF+3F residential building at Door No.92, Central School Road , Gill Nagar, Chennai-94, in T.S.No.44, Block No.13 of Puliur Village had been completed prior to 28-02-99. The Property Tax payment receipt for the period 1/93-94 to 2/94-95 in new bill No.1040/3 dt.7.9.93, Property Tax collection receipt issued by Chennai Corporation in receipt No.44985 dt.20.7.93 for the period of 1/93-94, Water charge card issued CMWSSB in MMC No. 104008 N under category F/R for the period 1/93-94 to 1/94-95 and EB card in consumer No.230-40-338 for the period 29.10.92 to 23.7.99 were accepted as credible evidence. The inspection report of CMDA dt. 13.11.99 was accepted as supportive evidence.

AGENDA ITEM NO:39.06 CMDA – Reg. Unit – Reg. Dn.I – Regularisation of unauthorized construction of an individual residential flat No.B-5 at first floor in GF+3F Building at Door No.23, Palayakaran Cross Street, Kodambakkam, Chennai-24, in S.No.8/1 & 8/2, Block No.13, T.S.No.10 of Kodambakkam village – Evidence furnished – Examined – Subject placed before the Monitoring Committee for decision.

Minutes The Monitoring Committee on going through the file resolved to accept that the individual residential flat constructed at first floor in GF+3F Building at Door No.23, Palayakaran Cross Street, Kodambakkam, Chennai-24, in S.No.8/1 & 8/2, Block No.13, T. S. No. 10 of Kodambakkam village had been completed prior to 28-02-99. Sale Deed favouring Thiru V.Kannan, for an extent 1/28th undivided share out of extent 6272 sq.ft. land with B5-flat area of 450 sq.ft. at first floor in Doc.No.301/89 dt.1.2.89, House building advance availed of by Thiru V. Kannan for an extent of 450 sq.ft. flat obtained from Indian Overseas Bank Central Office, Madras-2 vide file No. 29/9 dt.9.1.89 (Ready Built House Loan) and Chennai Corporation property name transfer letter 2357/90 dt.23.4.90 favouring Thiru V.Kannan were accepted as credible evidence. The inspection Report of CMDA dt.10.11.99 was accepted as supportive evidence.

AGENDA ITEM NO:39.07 CMDA – Reg. Unit – Reg. Dn.I – Regularisation of deviated construction of an individual residential flat No.C2 at Second floor Building Door No.72/3, Jawarlal Nehru 100'Road, Vadapalani, Chennai in T.S.No.57 Block No.5, of Kodambakkam village – Evidence furnished – Examined – Subject placed before the Monitoring Committee for decision.

Minutes The Monitoring Committee on going through the file resolved to accept that the individual residential flat constructed at Second floor in G +3F Building at Door No.72/3, Jawarlal Nehru 100'Road, Vadapalani, Chennai, in T.S.No.57 Block No.5, of Kodambakkam village had been completed prior to 28-02-99 subject to obtaining clarification from the applicant regarding Door Number, since in the Reg.Application it was mentioned as Door No.72/3 and in the Chennai Corporation Property Tax temporary Notice No.250102, dt.1.3.99 it was mentioned as Door No.72B/13 Chennai Corporation Property Tax temporary Notice No.250102 dt.1.3.99 for the period 2/98-99 and Chennai Corporation property Tax assessment order No.306255 for an extent of 470 sq.ft was accepted as credible evidence. The inspection Report of CMDA dt.25.10.99 was accepted as supportive evidence.

AGENDA ITEM NO:39.08 CMDA – Reg. Unit – Reg. Dn.I – Regularisation of unauthorized / deviated construction of Commercial cum Industrial building BF+GF+2 Floors at Door No.36, Vaidyarama Iyer Street, T.Nagar, Chennai-17 in T.S.No.6644, Block No.142 of T.Nagar village – Evidence furnished – Examined – Subject placed before the Monitoring Committee for decision.

Minutes The Monitoring Committee on going through the file resolved to accept that the Commercial cum Industrial building BF+GF+2 Floors at Door No.36, Vaidyarama Iyer Street, T.Nagar, Chennai-17 in T.S.No.6644, Block No.142 of T.Nagar village had been completed prior to 28-02-99 subject to removal of additional temporary structures put up after 28.2.99. The Demolition Notice of CMDA No.EC2/3102/98 dt.5.6.98 was accepted as credible evidence. Chennai Corporation Property Tax assessment Temporary Notice No.004025, dt.17.6.99 for the period 1/99-2000 and the inspection Report of CMDA dt.15.6.2001 were accepted as supportive evidence.

AGENDA ITEM NO: 39.09 CMDA - Monitoring Committee - Reg. II Division – Special Building – Regularisation of GF + FF + SF part building consisting of Play School and 2 dwelling units at Door No.2, Waddels Road in R.S.No.3116/1, Block No.51 of Purasawalkam Division - Further particulars received and examined - Placed before the Monitoring Committee for decision.

Minutes The Monitoring Committee on going through the file resolved to defer the subject in respect of the building comprising GF+FF+SF part of Play School/Creche and 2 dwelling units at Door No.2. Waddels Road in R.S.No.3116/1, Block No.51 of Purasawalkam Division for obtaining Legal Opinion on (1) the neighbour's Court case against this building and (2) the applicant's present expression of willingness to pay the Reg.Fee at 1999 Reg.Scheme rates against clause (iii) of the High Court order dated 25.07.2007 in Writ petition No.14119/2007

AGENDA ITEM No. 39.10 CMDA-Reg.Unit – Reg.III Division –Individual flat at first floor of GF+3F in Plot No.12 to 15, Parameswari Nagar 4th Street in T.S.No.2/5, Block No.22 of Urur village, Adyar, Chennai-20 - Applied under Reg-1999 Scheme (Reg.No.1502) - Evidence on completion of building before 28.2.99 – Examined – Placed before the MC for decision.

Minutes **The Monitoring Committee on going through the file resolved to accept that the Individual flat at first floor of GF+3F in Plot No.12 to 15, Parameswari Nagar 4th Street in T.S.No.2/5, Block No.22 of Urur village, Adyar, Chennai-20 had been completed prior to 28.2.99.** The property tax assessment notice for the period 2/98-99 issued by Chennai Corporation bearing GRS No.H151/00261, dated 1.3.1999 was accepted as the credible evidence. The committee also decided to address the applicant separately to clarify the difference in door no. in properly tax statement.

AGENDA ITEM No. 39.11 CMDA – Reg.Unit – Reg.III Dn – GF+2F+3F (pt) – Residential building with 10 dwelling units at Plot No.3, Door No.7, First Main Road, Rajalakshmi Nagar, S.No.455/1A1A2 & 455/2A1A2 of Velachery village, Chennai-42 – Evidence on completion of building before 28.02.1999 – Examined – Placed before the Monitoring Committee for decision.

Minutes **The Monitoring Committee on going through the file resolved to accept that the GF+2F+3F (pt) Residential building with 10 dwelling units at Plot No.3, Door No.7, First Main Road, Rajalakshmi Nagar, S.No.455/1A1A2 & 455/2A1A2 of Velachery village, Chennai-42 had been completed prior to 28.2.99.** The demolition notice of CMDA bearing No.ES2/22979/96, dated 9.10.96 was accepted as credible evidence. The member representing Chennai Corporation was requested to take note of the huge difference between the tax assessment area and the area shown in the regularisation plan for regularisation in order to amend the property tax assessment accordingly.

AGENDA ITEM No. 39.12	CMDA-Reg.Unit – Reg.III Division –Individual flat at first floor of GF+3F in Plot No.12 to 15, Parameswari Nagar 4 th Street in T.S.No.2/5, Block No.22 of Urur village, Adyar, Chennai-20 - Applied under Reg-1999 Scheme (Reg.No.1500) - Evidence on completion of building before 28.2.99 – Examined – Placed before the MC for decision.
Minutes	The Monitoring Committee on going through the file resolved to accept that the Individual flat at first floor of GF+3F in Plot No.12 to 15, Parameswari Nagar 4th Street in T.S.No.2/5, Block No.22 of Urur village, Adyar, Chennai-20 had been completed prior to 28.2.99. The property tax assessment notice for the period 2/98-99 issued by Chennai Corporation bearing GRS No.Z151/04531, dated 1.3.1999 was accepted as the credible evidence.
AGENDA ITEM No. 39.13	CMDA-Reg.Unit – Reg.III Division –Individual flat at first floor of GF+3F in Plot No.12 to 15, Parameswari Nagar 4 th Street in T.S.No.2/5, Block No.22 of Urur village, Adyar, Chennai-20 - Applied under Reg-1999 Scheme (Reg.No.1508) - Evidence on completion of building before 28.2.99 – Examined – Placed before the MC for decision.
Minutes	The Monitoring Committee on going through the file resolved to accept that the Individual flat at first floor of GF+3F in Plot No.12 to 15, Parameswari Nagar 4th Street in T.S.No.2/5, Block No.22 of Urur village, Adyar, Chennai-20 had been completed prior to 28.2.99. The property tax assessment notice for the period 2/98-99 issued by Chennai Corporation bearing GRS No.Z151/04639, dated 1.3.1999 was accepted as the credible evidence.
AGENDA ITEM No. 39.14	CMDA – Reg.Unit – Reg.III Division – Regularisation of unauthorized and deviated construction of hospital building of St. Isabel's Hospital at Door No.18, (New No.49), Oliver Road in R.S No.1657, 1658/1,2 of Mylapore Village, Chennai – Request of the applicant to consider levy of Reg. fee under Institutional category – Placed before the Monitoring Committee for decision.
Minutes	The Monitoring Committee discussed the matter in detail. It was informed to the Committee that the St.Isabel's hospital is similar to the CSI Kalyani Hospital in the same locality namely Mylapore. On an earlier occasion Kalyani Hospital was dealt with by the Government on appeal, as an institutional development and orders were issued relaxing the violated rules. Currently, an application from Kalyani Hospital for additional construction is also dealt with as for institutional development. In respect of St. Isabel's Hospital, a Planning Permission Application submitted earlier in 1998 was processed in the institutional channel applying institutional parameters.

Considering the definition of commerce and commercial use in the T&CP Act 1971 and also that the applicant is a charitable trust, the Committee resolved to accept the request of the applicant to consider and examine the development under the institutional use category and levy the regularisation fee accordingly.

**AGENDA ITEM
NO: 39.15**

CMDA – Reg. Unit – Reg.I&I Divn. – Regularisation of Diabetes Research Centre of GF+3F at S.No.498/1,498/7 in West Madha Church Road, Royapuram, Chennai-13 – Application in Reg.1999 and Reg.2000 schemes – Undertakings / Evidence furnished – Examined -- Subject placed before M.C. for its decision.

Minutes

The Monitoring Committee on going through the file observed that the Ground + 3 Floors Diabetic Research Centre Hospital building at 6/1, Main Road (West Madha Church Road), Royapuram, Chennai-13 and in the land bearing S.No.498/1 and 498/7 of Tondiarpet Village cannot be treated as separate and distinct building, as per the site conditions, since it is connected with the adjacent site and to the (M.V. Hospital) on the adjacent site ; further, the adjacent site also, as on ground gains access through the passage of Diabetic Research Centre site. Hence, it is not regularisable.

**AGENDA ITEM
NO: 39.16**

CMDA – Regularisation Unit – I&I Divn – Regularisation of unauthorised sub-divn and unauthorised construction of Institutional building (School) GF+3F,GF+2F and GF A.C. sheet roofed building blocks and other incidental structures at S.Nos.102/2,3, 103/1, 104/1,2, 105/1A, 1B, 2A1B, 106/1B,2A and 106/2B1pt. of Athipattu Village for Green Valley Educational Trust by Dr. Jacob Dharmaraj –Regularisation application in the year 1999(Reg.No.2967) and 2000 (Reg.No.6117) - Hon'ble High Court Order – Evidence furnished – Examined – Subject placed before the M.C. for its decision.

Minutes

The Monitoring Committee on going through the file resolved to accept the institutional building (School) Ground Floor+3Floors, Ground Floor+2Floors and Ground Floor AC sheet roofed building blocks and other incidental structures at S.Nos.102/2,3, 103/1, 104/1,2,105/1A,1B,2A,1B, 106/1B,2A and 106/2B1 pt. of Athipattu Village for Green Valley Educational Trust had been completed before 28.02.1999. The CMDA's inspection reports, dt.30.10.1999 and 08.11.1999 wherein it was recorded that the Higher Secondary School was functioning with 1,049 students and 50 nos. of staff was considered as evidence.

**AGENDA ITEM
NO: 39.17**

CMDA – Reg. Unit – Reg.I&I Dn. – Regularisation of the exiting factory building of M/s. Viari Exports in S.Nos.57/17pt, 59/1pt, 59/2pt, 59/4pt of Noombal village (Vellappanchavadi), Ambattur Taluk – Thiruvallur Dt., Thiruverkadu Municipality – Reg. PP processed – Reg. fee paid under 2002 scheme – Reg. approved plans not released – Hon’ble High Court order dt.23.8.2006 – Evidence furnished – Examined – Subject placed before M.C. for its decision.

Minutes

The Monitoring Committee on going through the file resolved to accept that the Ground Floor Main Factory building, Store room and Ground Floor building of Store room, Generator Room and Security Room in S.No.57/17pt, 59/1pt, 59/2pt, and 59/4 pt. of Noombal Village(Velappanchavadi), Ambattur Taluk, Tiruvallur Dist. was completed before 28.02.1999. The CMDA site inspection report, dt.23.06.1999 in file No.C2/10186/1999 was considered as evidence subject to the condition that the applicant has to remove the construction made subsequently after the earlier inspection report in the 1st floor below the over head tank and the zinc sheet roofed structure at 1st floor part and zinc sheet roofed Ground Floor structure by erecting iron poles on southern side connecting to the store room.

**AGENDA ITEM
NO: 39.18**

CMDA – Reg.Unit – Regularisation of unauthorised / deviated construction of industrial buildings in “Royal Enfield Motors” in S.No.6/1B1A,10/1,2pt, 11/1,2,3 and S.No.9,T.S.No.32,33/2 & 34 of Tiruvotriyur Village, Chennai – Evidence furnished – Examined -- Subject placed before M.C. for its decision

Minutes

The Monitoring Committee on going through the file resolved to accept the industrial buildings in Royal Enfield Motors in S.No.6/1B1A,10/1,2pt, 11/1,2,3 and S.No.9,T.S.No.32,33/2 & 34 of Tiruvotriyur Village had been completed prior to 28.02.1999. The property tax assessment No.10541/1998-99-II of Tiruvotriyur Municipality, Certificate of Stability as per Indian Factories Act, dt. 28.01.1999, the approved plan for the extension of Heat Treatment Plant, Research & Development Wing building issued by Tiruvotriyur Municipality,dt.07.03.1981 and TNPCB consent order No.3223,dt.11.02.1991, Letter from the Deputy Inspector of Factories, Madras-35 No.CG/526/Regular/87, dt.02.03.1987 were accepted as credible evidence. The TNEB letter No.DN.825/AE1/C12/HT/1049/D/66-2, dt.08.07.1982, Electricity Consumption payment advice, dt.29.05.1998 and 30.08.’99 for the months of 5/98 and 8/99 were considered as supportive evidence and the Monitoring Committee

decided to regularise the buildings in the site under reference subject to:-

- 1) Obtaining latest Tamil Nadu Pollution Control Board(TNPCB) clearance for the factory; and
- 2) The removal of the following structures constructed after earlier CMDA's inspection report.

- 1) 3rd floor pt. AC sheet roof in Administration building;
- 2) 3rd Floor AC sheet roof in Esprit building;
- 3) AC Sheet lean to roof at Vehicle Assembly Shed on southern side; and
- 4) AC sheet shed at Product Test Lab on western side.

The application of CRZ.II guidelines to this case has to be examined separately.

**AGENDA ITEM
NO: 39.19**

CMDA – Enforcement Cell – Note on nature of enforcement action being pursued by the Local Bodies on the unauthorised / deviated buildings identified after 27.07.2007 – Placed before the Monitoring Committee for discussion.

Minutes

On examining the report, the Monitoring Committee expressed its concern on the poor performance by the Local Bodies in taking effective enforcement action against unauthorised / deviated constructions. The Monitoring Committee decided that (1) an updated status report on action taken against the buildings for which demolition notices and Locking and Sealing Notices were issued and (2) the plan of action against unauthorised / deviated constructions be obtained from all the local bodies including Chennai Corporation and may be placed before the next Monitoring Committee meeting.

**AGENDA ITEM
NO: 39.20**

CMDA – Enforcement Cell (Central Division) – Kodambakkam Survey Report – the updated information in the revised format with additional information received from Chennai Corporation – Placed before the Monitoring Committee for information.

Minutes

Deferred

GENERAL

With regard to individual flats scrutiny, the details of Undivided Share of land and built-up area as applied as per CMDA Inspection Report / as per Property Tax assessment details may be furnished in the Data Sheet along with approved floor area details. Locus-standi of the applicant to apply for regularisation of the individual flat in a building may be examined and brought out.

In the 38th Monitoring Committee meeting and as well as in the present meeting, T.Nagar Redevelopment Plan issue proposed by Corporation of Chennai was discussed. The Corporation of Chennai is requested to furnish a report to the Monitoring Committee on the proposed T.Nagar Redevelopment Plan.

Non-official Members expressed their concern and requested apart from individual Regularisation application cases, to place all other important issues before the Monitoring Committee.

CMDA reported that in about 1057 cases the High Court has issued orders for providing service connections without insisting on Completion Certificate. As per the Monitoring Committee's decision, so far 15 Writ Appeals have been filed in the High Court. Monitoring Committee decided to file Writ Appeals against such High Court orders and take follow up action on the Writ Appeals already filed.

Sd/-xxxxx

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

/TRUE COPY/FORWARDED/BY ORDER/

PERSONNEL MANAGER (REG UNIT)