ABSTRACT

Rules – Tamil Nadu Transfer of Development Rights Rules, 2019 under section 35-A of the Tamil Nadu Town and Country Planning Act, 1971 – Amendments - Notification – Issued.

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HOUSING AND URBAN DEVELOPMENT [UD4(3)] DEPARTMENT

G.O.(Ms).No.37 **Dated: 24.02.2020**
விகாரி, மாசி 12,
திருவள்ளுவர் ஆண்டு 2051

1. G.O.(Ms).No.197, Housing and Urban Development Department, dated 24.12.2019.
2. G.O.(Ms).No.198, Housing and Urban Development Department, dated 24.12.2019.

ORDER:

The appended Notification shall be published in the Tamil Nadu Government Gazette Extraordinary dated the 24th February, 2020. The Tamil Nadu Transfer of Development Rights Rules 2019 stands effect from 24.12.2019.

(BY ORDER OF THE GOVERNOR)

RAJESH LAKHONI,
PRINCIPAL SECRETARY TO GOVERNMENT.

To
The Works Manager,
Government Central Press, Chennai-600 079.
The Secretary to Governor, Raj Bhavan,
Chennai – 600 032.
All District Collectors.
The Chief Secretary to Government, Chennai-600 009.
The Additional Chief Secretary to Government,
Finance Department, Chennai- 600 009.
The Secretary to Government,
Law Department, Chennai – 600 009.
The Commissioner of Town and Country Planning, Chennai-600 002.

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The Member Secretary,
Chennai Metropolitan Development Authority,
Chennai – 600 008.

Copy to:

The Deputy Secretary to Deputy Chief Minister,
Chennai-600 009.
The Chief Minister's Office, Chennai- 600 009.
The Secretary to Chief Minister, Chennai – 600 009.
The Public (SC) Department, Chennai-600 009.
SC1, SC2 Sections in Housing and Urban Development Department,
Chennai – 600 009.

SF/SC.

//FORWARDED BY ORDER//

SECTION OFFICER.

24/12/20

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APPENDIX

NOTIFICATION

In exercise of the powers conferred by clause (bb) of sub-section (2) of section 122 read with clause (45-A) of section 2 and section 35-A of the Tamil Nadu Town and Country Planning Act, 1971 (Tamil Nadu Act 35 of 1972), the Governor of Tamil Nadu hereby makes the following Amendments to the Tamil Nadu Transfer of Development Rights Rules, 2019 namely :-

AMENDMENTS

In the said Rules,-

(1) in rule 8, for the expression "a fee of Rs_____", the expression "a fee of Rs.10,000 (Rupees Ten Thousand only)" shall be substituted.;

(2) in rule 9,

(a) for sub-rule (3), the following sub-rule shall be substituted, namely:-

"(3) Application for Utilization of transfer of development rights shall be submitted along with the Development Right Certificate".;

(b) in sub-rule (5), for clause (b), the following clause shall be substituted, namely:-

"(b) Transfer of Development Rights in terms of floor space credit = extent of the site surrendered x 2.25 x V at the time of utilization of Transfer of Development Rights,

where 'V' is the factor arrived by dividing the guideline value of land surrendered with the guideline value of land at which the Development Right Certificate is proposed to be received or utilized

$$V = \frac{\text{Guideline value of land surrendered(export site)}}{\text{Guideline value of receiving land(import site)}}$$".;

(c) for sub-rule (7), the following sub rule shall be substituted, namely:-

"(7) The guideline value at the time of issue of Development Right Certificate or the actual guideline value at the time of utilization, whichever is higher, shall be considered for utilization of transfer of development rights for 10 years from the date of issue of Development Right Certificate. After 10 years, the prevalent guideline value at the time of utilization of the certificate, shall be considered".;

(d) sub- rule (9) shall be omitted.;

(3) in rule 10, -

(a) in sub-rule(1), for clause (b), the following clause shall be substituted, namely:-

"(b) if a holder of Development Right Certificate intends to transfer it to any other person, he shall submit the

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Original Development Right Certificate to the planning authority with an application along with the registered agreement duly signed by the transferor and transferee".

(b) in sub-rule (2), to clause (c), the following proviso shall be added, namely:-

"Provided that if the Development Right Certificate is transferred to the Planning authority itself for utilization, no stamp duty need be paid".;

(c) in sub-rule (2), in clause (f) for the expression "The transferor", the expression "The transferee" shall be substituted.

RAJESH LAKHONI,
PRINCIPAL SECRETARY TO GOVERNMENT.

/True Copy//

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24/2/20

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