**ABSTRACT**

Urban Development – Creation of Tamil Nadu Town and Country Planning State Infrastructure and Amenities Fund – Orders issued.

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**HOUSING AND URBAN DEVELOPMENT (UD 4-1) DEPARTMENT**

G.O. Ms. No.215 Dated:25.11.2009

Read:

1. G.O. Ms. No.191, Housing and Urban Development Department, dated 01.06.2007.
2. G.O. Ms. No.198, Housing and Urban Development Department, dated 08.06.2007.
3. G.O. Ms. No.215, Housing and Urban Development Department, dated 02.07.2007.
4. G.O. Ms. No.405, Housing and Urban Development Department, dated 20.12.2007.
5. G.O. Ms. No.4, Housing and Urban Development Department, dated 04.01.2008.
6. G.O. Ms. No.22, Housing and Urban Development Department, dated 25.01.2008.
7. G.O. Ms. No.30, Housing and Urban Development Department, dated 07.02.2008.
8. G.O. Ms. No.34, Housing and Urbane Development Department, dated 08.02.2008.
9. From Commissioner of Town and Country Planning Letter Roc. No.11638/2007/UP2 dated 06.03.2008 and 01.09.2008.

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ORDER:-

In the Government Order first read above, the Government have issued orders on the collection of Infrastructure and Amenities charges at the rates indicated below in respect of different categories of buildings.

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| 1. Commercial and IT Buildings. | Rs.500/- per sq.m. |
| 2. Multistoried Building | Rs.1000/- per sq.m. |
| 3. Institutions | Rs.200/-per sq.m. |
| 4. Industrial Use | Rs.300/- sq.m. |

The charges collected shall be credited to the Infrastructure and Amenities Fund to be operated and maintained by the Director of Town and Country Planning, Chennai.

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2. In the G.O. second read above Government have issued orders for opening of new Personal Deposit Account for collection and credit of the Infrastructure and Basic Amenities Charges under the following head of account.

"K Deposits and Advances (b) Deposits not bearing interest 8443.00 Civil Deposits – 106 Personal Deposits – AA Personal Deposits"

3. Further in the G.O. third and fifth read above, Government issued orders for modification of mode of payment on levying charges and directed that applicant can exercise his option of payment of entire amount at the issue of planning permission or in installments. In case of exercising of option of installments it can be paid in maximum of three installments. 50% of Infrastructure and Basic Amenities charges shall be collected in the first installment at the time of final decision on the application for grant of planning permission and the second installment of 25% shall be collected within the end of 6 months period from the date of issue of planning permission and the third and final installment shall be collected within one year from the date of payment of second installment or before the issue of completion certificate whichever is earlier.

4. In the Government Order sixth read above, Government issued orders notifying the Tamil Nadu Town and Country Planning (Levy of Infrastructure and Amenities Charges) rules 2008.

5. In the Government Order seventh read above, Government have issued Notification for the Tamil Nadu Town and Country Planning State Infrastructure and Amenities Fund Rules 2008, in exercise of the powers conferred by sub-section (1) of section 122 read with section 63-C of the Tamil Nadu Town and Country Planning Act 1971 (Tamil Nadu Act 35 of 1972).

6. Further in the G.O. eighth read above, directed that the applicants seeking planning permission must pay an initial payment at the rate of Rs.100 - per sq.m. as Infrastructure and amenities charges alongwith an indemnity bond towards the payment of balance of the charges before the issue of completion certificate as per the time schedule to be prescribed and also directed that the indemnity bond in vogue in the Chennai Metropolitan Development Authority be adopted.

7. In G.O. Ms. No.84 Housing and Urban Development Department, dated 08.04.2008 orders were issued for the cancellation of the order issued in G.O. Ms. No.34 Housing and Urban Development department dated 08.02.2008.

8. The fund shall be administered by the State Infrastructure and Amenities Promotion Committee constituted under Rule 3. The Committee shall consist of the following officials.

1. Secretary to Government, Housing and

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| | Urban Development Department. | - Chairman |
| 2. | Secretary to Government, Finance Department. | - Member |
| 3. | Secretary to Government, Planning and Development and Special Initiatives Department. | - Member |
| 4. | Secretary to Government, Rural development and Panchayat Raj Department. | - Member |
| 5. | Secretary to Government, Municipal Administration and Water Supply Department. | - Member |
| 6. | Vice-Chairman of Chennai Metropolitan Development Authority. | -Member |
| 7. | Director of Town and Country Planning. | - Member Secretary |

9. The fund shall be utilized in the following Manner:

(i) As per rule six, monies from the fund may be advanced by the Government as grants, on such terms and conditions as the Government may determine to the planning authorities or the local authorities or the Government agencies or the parastatal organizations or such other organizations as the case may be, for implementing the Infrastructure and Amenities projects, which may include:

a) Preparation of infrastructure investment plans.
b) execution of the infrastructure investment plans in full or part,
c) any purpose incidental to the preparation or execution of infrastructure investment plans.

(ii) The fund shall be utilized for translating the proposals of the respective development plans prepared in accordance with the provisions of the Act, into specific action programmes.

(iii) Projects to be funded from the fund, shall comprise essential infrastructure schemes. The Committee shall decide the scheme to be implemented.

(iv) The Committee may sanction funds to the implementing agencies or planning authorities or the local authorities or the Government agencies through the Planning authorities or the Local authorities, as the case may be upto five crore rupees per scheme on capital expenditure and upto twenty lakh rupees on other items. The committee shall approach the Government for sanction

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of proposals beyond this limit. For sanction of funds [illegible] exceeding the said limits, the committee shall obtain the previous approval of the Government.

10. The procedure outlined below shall be adopted to account for the transactions relating to this fund.

(i) The amounts collected towards the State Infrastructure and Amenities Fund shall be credited to "0217 Urban Development -60 Urban Development Scheme – 800 Other Receipts. AH. Receipts under Infrastructure and Basic Amenities Charges. (DPC 0217-60-800-AH0003)"

(ii) The receipts in respect of Infrastructure and Basic Amenities charges will be transferred to the Public Account under which the fund has to be accounted (Which will have to be corrected with reference to actual receipts from time to time) as contribution to the fund debiting the head "2217-Urban Development-05 Other Urban Development Schemes -797 Transfer to Reserve Funds/Deposits Accounts. JA. Amount transferred to State Infrastructure and Amenities Fund-30 Inter Accounts Transfer (DPC 2217-05-797-JA-3001)" and crediting to the head of account relating to the funds under public account being the following:

J. Reserve Funds (b) Reserve Funds not bearing Interest-8229-00 / Development and Welfare Funds-200 Other Development Welfare Fund @ -AZ. State Infrastructure and Amenities Fund. (DPC 8229-00-200-AZ-000F)(Receipts)"

(iii) The expenditure on sanction of fund to projects approved by Government shall be debited to "2217 Urban Development-05 Other Urban Development Schemes – 800 Other Expenditure - @ - JP. Implementation of Infrastructure and Basic Amenities in Urban and Rural areas-09 Grants in aid -03 Grants for specific schemes [DPC 2217-05-800-JP-0934]"

The expenditure so incurred shall be adjusted by deducting under following head of account: "2217. Urban Development -05-Other Urban Development Schemes 902-Deduct – amount met from State Infrastructure and Amenities Fund. JB. Amount met from State Infrastructure & Amenities Fund 30-inter – Account Transfers (DPC 2217-05-902-JB 30 04)" by contra debiting from

"J. Reserve Funds (b) Reserve Funds not bearing interest -8229-00 Development and Welfare Funds 200 – Other Development and Welfare Fund - AZ- State Infrastructure and amenities Funds – (DPC 8229-00-200-AZ-0005) (out go)"

11. The Commissioner of Town and Country Planning is the estimating, reconciling and controlling authority for the above new heads of account.

12. The Pay and Accounts Officers / Treasury Officers are requested to open the above new heads of account in accounts.

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13. The Commissioner of Town and Country Planning is requested to furnish the particulars of the amount to be credited in the "State Infrastructure and Amenities Fund" and the Statement of Expenditure to be met from the fund viz. "State Infrastructure and Amenities Fund" at the closure of each financial year to the Accountant General (A&E), Chennai-18.

14. The adjustments required, that is to say, the one for the creation of the fund, and the other for indicating in the books the fact that the expenditure has been met from the fund will be made by the office of the Accountant General, Chennai based on the Government Orders issued.

15. This order issues with the concurrence of the Finance Department vide its U.O. No.19731/Finance (Housing)/09, dated 25.06.2009.

(By Order of the Governor)

Surjit K Chaudhary,
Principal Secretary to Government.

To
The Commissioner of Town and Country Planning, Chennai-2.
The Member Secretary, Chennai Metropolitan Development Authority, Chennai-8.
The Law Department, Chennai-9.
The Finance (Bu-II) (Bu-I) (Hg) Department, Chennai-9.
The Chief internal Auditor and Chief Auditor of Statutory Board, Chennai-2.
The Commissioner of Municipal Administration, Chennai-5.
The Rural Development and Personal Reforms Department, Chennai-9.
The Municipal Administration and Water Supply Department, Chennai-9.
The Secretary to Chief Minister, Chenni-9.

Copy to:-
The Private Secretary to Principal Secretary to Government,
Housing and Urban Development Department, Chennai – 9.
The Senior Personal Assistant to Minister (Information), Chennai – 9.
All Sections in Housing and Urban Development Department, Chennai-9.
SF/SC.

Forwarded / By Order

Section Officer.

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