ABSTRACT

Urban Development – Levy and collection of Development charges in non-plan areas - Orders – Issued.

HOUSING AND URBAN DEVELOPMENT [UD4(1)] DEPARTMENT

G.O.(Ms).No. 53 **Dated: 28.02.2024**
சோபகிருது வருடம், மாசி 16
திருவள்ளுவர் ஆண்டு 2055

Read:

Form the Director of Town and Country Planning letter Roc.No.29503/2023/TCP-13, dated 12.12.2023.

ORDER:

In the letter read above, the Director of Town and Country Planning has stated that according to Sub-section (1) of section 59 of Town and Country Planning Act 1971 (Tamil Nadu Act, 35 of 1972) every Planning Authority including a Local Authority where such Local Authority is the planning Authority shall levy charges called the development charges on the institution of use or change of use of land or building or development of any land of building for which permission is required and the said act in the whole area or any part of planning area within the maximum rates specified in Section 60 of the said Act (as amended). The provision of Sub-section (1) of Section 59 of the said Act specifies that the rate of development charges may be different for different parts of the Planning Area and for different uses and that the previous sanction of the Government has to be obtained for the rates of the levy.In exercise of the powers conferred by the clauses (a) and (b) of the Sub section 2 of the Section 60 of the said Act which specifies the minimum and maximum charges that are leviable by the appropriate Planning Authority on the institution of use and change of use of land and building or development of any land or building, in G.O.(Ms.) No. 2039, Rural and Local Administration dated 20.12.1977 and G.O.(Ms.) No. 396, Housing Development Department, dated 12.09.1996 the Government have fixed the minimum and maximum rates.

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2. The Director of Town and Country Planning has further stated that, in G.O.(Ms.) No.397, Housing and Urban Development Department, dated 12.09.1996, Government have authorised the Director of Town and Country Planning to exercise the powers vested with the Government under the second proviso of Sub-section (1) of section 59 of the said Act to accord sanction to the Planning authority for levy of development charges. The sub-section (2) of section 47-A of Town and Country Planning Act, 1971 states that, the local authority shall before according permission to carry out any development on any land in an area other than planning area under subsection (1) of section 47-A, shall obtain the prior concurrence of the Director and shall also collect such fees at such rate as may be prescribed.

3. The Director of Town and Country Planning has therefore requested the Government to extend the Levy and collection of Development charges prescribed for the areas under Local Planning Authority to the non-plan area for development of any land/buildings in an area so as to utilize the charges collected for providing additional infrastructure and basic amenities to the concerned local bodies.

4. The Government after careful examination have decided to accept the proposal of the Director of Town and Country Planning and permit to extend the Levy and collection of Development charges prescribed for the areas under Local Planning Authority to the non-plan area for development of any land/buildings in an area so as to utilize the charges collected for providing additional infrastructure and basic amenities to the concerned local bodies.

5. The Director of Town and Country Planning is directed to pursue action accordingly.

7. This order issue with the concurrence of Finance Department vide its efile Finance/Special Secretary/2024, dated : 30.01.2024.

(BY ORDER OF THE GOVERNOR)

C.SAMAYAMOORTHY
SECRETARY TO GOVERNMENT.

To
The Director of Town and Country Planning,
Chennai-600 107.

Copy to:
The Special Personal Assistant to Hon'ble
Minister (Hg&UD), Chennai- 600 009.

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The Private Secretary to Secretary to Government,
Housing and Urban Development Department,
Chennai - 600 009.
The Principal Secretary to Government,
Rural Development and Panchayat Raj Department,
Chennai-600 009.
Stock file/Spare Copy.

//FORWARDED BY ORDER//

28/02/24

SECTION OFFICER.

28/02/24

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