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VAC School
G.O.181 19669
31.10.2016

ABSTRACT

Urban Development – Premium Floor Space Index – Extending the privilege of Premium Floor Space Index to all planning areas falling under the Directorate of Town and Country Planning - Special Guidelines – Variation under sub-section (4) of section 32 of Tamil Nadu Town and Country Planning Act, 1971 (Tamil Nadu Act 35 of 1972) – Direction to Local Planning Authorities - Orders – Issued.

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Housing and Urban Development (UD4-3) Department

G.O.(Ms).No.181 **Dated:31.10.2016**

துன்முகி வருடம், ஐப்பசி திங்கள் 15,
திருவள்ளுவர் ஆண்டு 2047

Read:

1) G.O. Ms. No.1730, Rural Development and Local Administration Department, dated 24.07.1974.
2) G.O. Ms. No.138, Housing and Urban Development (IV) Department, dated 07.02.1990.
3) G.O. Ms. No.54, Housing and Urban Development (IV) Department, dated 11.01.1991.
4) G.O. Ms. No.399, Housing and Urban Development (IV) Department, dated 29.06.1992.
5) G.O. Ms. No.735, Housing and Urban Development (IV) Department, dated 24.08.1993.
6) G.O. Ms. No.505, Housing and Urban Development (IV) Department, dated 20.07.1994.
7) G.O. Ms. No.661, Housing and Urban Development (IV) Department, dated 12.10.1994.
8) G.O. Ms. No.122, Housing and Urban Development (IV) Department, dated 06.02.1995.
9) G.O.Ms.No.219, Housing and Urban Development (IV) Department, dated 19.05.2000.
10) G.O.Ms.No.139, Housing and Urban Development (IV) Department, dated 10.05.2002.
11) G.O. Ms. No.287, Housing and Urban Development (IV) Department, dated 08.07.2004.
12) G.O. Ms. No.105, Housing and Urban Development (IV) Department, dated 23.03.2005.
13) G.O. Ms. No.167, Housing and Urban Development (IV) Department, dated 13.07.2006.
14) G.O. Ms. No.280, Housing and Urban Development (IV) Department, dated 27.10.2006.
15) G.O.(Ms)No.94, Housing and Urban Development (UD4(1)) Department, dated 12.06.2009

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16) G.O.Ms.No.143, Housing and Urban Development (IV) Department, dated 11.08.2009.
17) G.O.(Ms) No.163, Housing and Urban Development Department, dated 9.9.2009.
18) G.O. (Ms) No.130, Housing and Urban Development (UD4(1)) Department, dated 14.06.2010
19) G.O. (Ms) No.153, Housing and Urban Development (UD4(1)) Department, dated 20.06.2013

Read also:-

20) From the Director of Town and Country Planning, Chennai-2, letter Roc No.11581/2014/BA1, dated 13.10.2015.

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ORDER:

In the Government Order 17th read above, orders were issued, approving the areas in Chennai Metropolitan Area which may receive Premium Floor Space Index along with the guidelines as described below and in Regulation 36 of the Development Regulations for the second Master Plan for the Chennai Metropolitan Area, 2026.

Sl. No	Road Width	Premium Floor Space Index (% normally allowable FSI).
(i)	18 meters and above (60′ and above).	40%
(ii)	12 meters - below 18 meters (40′-below 60′).	30%
(iii)	9 meters – below 12 meters (30′ - below 40′).	20%

2. In the Government Order 18th read above, orders have been issued under section 32 of Tamil Nadu Town and Country Planning Act, 1971 (Tamil Nadu Act 35 of 1972) approving the Development Control Regulations for the Master Plans of the local planning areas of Erode, Vellore, Tiruvallur, Coimbatore, Madurai, Gummidipoondi, Kancheepuram, Salem, Chengalpattu, Tiruppur, Tiruchirappali, and Mamallapuram.

3. The Director of Town and Country Planning in his letter 20th read above has stated that the Premium Floor Space Index is extra Floor Space Index allowed as per the Government orders 17th read above wherein Floor Space Index upto a maximum of 1 is allowed over and above the normally allowable Floor Space Index depending on the roadwidth parameters with a view to permit the builders/developers/owners to construct extra Floor Space against payment of premium charges. He has

further stated that the Premium Floor Space Index helps builders/ developers/owners to use land area optimally in the city where land cost is very high and the Premium Floor Space Index is seen as a tool to encourage vertical growth in Metropolitan cities thereby preventing the haphazard horizontal spread of urbanization, and ease pressure on land. This also promotes affordable housing for the public. Hence, he has requested the Government to approve the Regulations for grant of Premium Floor Space Index and insert the same in Development Control Regulations of the master plans of the said Local Planning Areas stated in para 2 above.

4. The Government, after careful examination have decided to accept the proposal of the Director of Town and Country Planning in para 3 above and as desired in the Government order 15th read above, request the Director of Town and Country Planning to direct the Local Planning Authorities of Erode, Vellore, Tiruvallur, Coimbatore, Madurai, Gummidipoondi, Kancheepuram, Salem, Chengalpattu, Tirupur, Tiruchirappalli and Mamallapuram to vary their Development Control Regulations, approved in the Government orders 2nd to 14th, 16th and 19th read above, respectively, by inserting the following special guidelines for grant of premium Floor Space Index as Regulation 6-B after Regulation 6-A of the Development Control Regulations to the Master Plans of the above Local Planning Authorities by notification, under sub-section (4) of section 32 of the Tamil Nadu Town and Country Planning Act, 1971 (Tamil Nadu Act 35 of 1972) by following the procedure laid down in the rules made under the said Act.

Variation.

In the said Master Plan, in the Development Control Regulation, after regulation 6A, the following regulation shall be inserted, namely:-

"6B- Special Guidelines for grant of Premium Floor Space Index.

1) Premium Floor Space Index shall be allowed in the Planning areas falling under the control of Director of Town and Country Planning.
2) The permissible Premium Floor Space Index in the planning areas falling under the Directorate of Town and Country Planning is specified as follows:-

Sl. No	Road Width	Premium Floor Space Index (subject to the limits in regulation 6 of DCR) (% normally allowable FSI).
(i)	18 meters and above (60' and above)	40%
(ii)	12 meters - below 18 meters (40'-below 60')	30%
(iii)	9 meters – below 12 meters (30' - below 40')	20%

Note:-

(a) In the case of Special buildings and Group development where additional 25% Floor Space Index is permitted for stilt parking, the Premium Floor Space Index will be restricted to 0.2 i.e., the normally permissible Floor Space Index would be 1.8 and Premium Floor Space Index would be upto 0.2.

(b) In case of Multi-storeyed / Group developments, hospital buildings where an additional Floor Space Index of 0.25 is allowable over and above the normally permissible Floor Space Index, the extra Floor Space Index (additional Floor Space Index of 0.25 and Premium Floor Space Index) would be restricted to the limits specified in the regulation 6B. Premium Floor Space Index charges would be collected only for the Floor Space Index over and above the additional Floor Space Index of 0.25 which is allowable.

3) The additional benefit by way of Premium Floor Space Index accrued to the developer is related to the proportional land extent.
For example,-

(a) In case where normally permissible Floor Space Index is 1.50, for every 1 sq.m of additional floor area constructed availing premium Floor Space Index, proportionate land required will be 2/3 or 0.66 sq.m.

(b) In case where normally permissible Floor Space Index is 2.0 to 2.5 for every 1 sq.m of additional floor area constructed by availing premium Floor Space Index, the proportionate land required will be ½ or 0.50 sq.m to 1/5 or 0.4 sq.m respectively.

The amount to be paid by the applicant towards the Premium Floor Space Index (hereinafter referred to as premium Floor Space Index charge) shall be equivalent to the cost of the proportionate land stated above, as per the guideline value of the Registration Department on the date of application for Planning Permission.

4) Payment of Premium Floor Space Index fees would be 50% by way of cash and 50% by way of utilization of Development Rights Certificate (DRC)/Special Development Rights Certificate (SDRC) issued under Regulations for grant of Transferable Development Rules. In case the owner is unable to mobilize Development Rights Certificate (DRC)/Special Development Rights Certificate (SDRC) to the extent of 50% of Premium Floor Space Index fees, then he may apply to the Director of Town and Country Planning explaining the reasons

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and if the Director of Town and Country Planning is satisfied as to the reason for non-availability of Development Rights Certificate (DRC)/Special Development Rights Certificate (SDRC), he may permit payment of entire Premium Floor Space Index fees by cash.

5) The applicant shall remit the premium Floor Space Index charge in one lumpsum to the respective Member-Secretary of Local Planning Authorities before getting Planning Permission.

6) All the amount collected towards the award of Premium Floor Space Index shall be remitted into Government Account, to be allotted separately for this purpose.

7) The applicants shall at the time of filing their planning permission application, state their willingness to avail the Premium Floor Space Index and give an undertaking to remit the Premium Floor Space Index charges at the above said rates before getting the Planning Permission/Technical Clearance".

5. The Government further direct that the fee payable for premium Floor Space Index shall be collected and the amount so collected towards the Floor Space Index shall be remitted into the Government account to be allotted separately, as provided in the said regulations.

6. The said regulations so inserted shall also be followed in the Local Planning Areas of Thirunelveli and Thoothukudi.

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

(By Order of the Governor)

Dharmendra Pratap Yadav
Secretary to Government.

To
The Director of Town and Country Planning,
Chennai- 600 002.
The Member-Secretary,
Chennai Metropolitan Development Authority, Chennai – 600 008.

Copy to:

The Law Department, Chennai – 600 009.
The Municipal Administration and Water Supply Department,
Chennai- 600 009.
The Rural Development and Panchayat Raj Department,
Chennai – 600 009
The Senior Personal Assistant to Minister (Hg&UD) Chennai-600 009.
The Private Secretary to Secretary to Government,
Housing and Urban Development Department, Chennai – 600 009.

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Section Officer.

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(iii) any other urban infrastructure development such as water supply, sewerage, drainage, electricity, education, health, notified by the State Government Department or Government Agency or local body.

(3) These rights may be made available based on the provisions prescribed by the Government from time to time.

49. Premium FSI.—The Premium FSI over and above the normally permissible FSI relating the same to road width parameter may be allowed as follows:

Sl.No.	**Road Width**	**Premium FSI (% of normally allowable FSI)**
1.	18.0 m and above	50%
2.	12.0 m - below 18.0 m	40%
3.	9.0 m - below 12.0 m	30%

Rates applicable for computation of Premium FSI charges :

The Premium FSI charges shall be collected at the rate of 50% of Guideline value for the excess FSI area over and above normally permissible FSI area for Non High Rise Building and at the rate of 40% of Guideline value for the excess FSI area over and above normally permissible FSI area for High Rise Building. In case of multiple survey numbers for a site the maximum Guideline value shall be considered.

50. Repeal and Savings.— Anything done or any action taken including action against unauthorized or deviated constructions, shall be deemed to have been done or taken with reference to the corresponding provisions of these rulesand continue in force accordingly, unless and until superseded by anything done or any action taken with reference to theserules.

Provided that the action against unauthorized/deviated developments with reference Master Plans taken by the competent authority or person to whom the Authority had delegated powers, immediately before commencement of these regulations may be continued irrespective of whether the unauthorized/deviated development is in conformity with the Master Plan DR or not, as if this Development Regulations have not come into force, till the unapproved/deviated development is demolished or got regularised on its merits with reference to these Development Regulations.

PART VII

Building Rules

51. Structural Safety.— (1) In the cases of Non High Rise buildings with height upto 12m., industrial or institutional buildings upto G+1 floors in height and with floor area both existing and proposed not exceeding 300 sq.m. the provisions in this part of the rules relating to structural design, submission of working drawings or structural drawings, etc. shall not apply except that all such applications and plans for these developments shall be signed by the owner or Registered Developer, and the Registered Engineer or Architect who prepared the plan and further the Registered Engineer or Architect shall certify that the structural design of the small development has been done as per the latest Indian standard Specifications and the National Building Code.

(2) **Structural design.**— The structural design of foundations, elements of masonry, timber, plain concrete, reinforced concrete, pre-stressed concrete and structural steel shall conform to the provisions of part VI Structural Design Section – 1 Loads, Section – 2 Foundation, Section – 3 Wood, Section – 4 Masonry, Section – 5

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