

Sec 1)Kind of Buildings to be exempted.  
 113C 2)Areas to be covered under exemption. 3) Guidelines for Exemption. DOES IT ALLOW FOR EMPANELLEMENT OF 'EXPERTS' IN SCRUTINY COMMITTEE & CORE COMMITTEE?

Sec 113C Exemption in respect of development of certain buildings: Notwithstanding anything contained in this Act or any other law for the time being in force, the Government may, taking into consideration the ecology and environment of the area and having regard to public interest and in order to improve the infrastructure, reduce public inconvenience and ensure public safety in the area, by order, exempt any building or class of buildings developed on or before the 1st day of July 2007, from all or any of the provisions of this Act or any rule or regulation made thereunder, subject to the guidelines made in this behalf, by collecting such amount, not exceeding three times of the guideline value of the land, as may be prescribed. Different rates may be prescribed for different planning parameters and for different parts of the planning area.

As per GO 234 (From Justice Mohan's Recommendations)

From JRC Recommendations

CMDA DCR 1992

Ref	Guidelines for exemption.-	Remarks	Ref	Guidelines for exemption.-	Remarks	Ref	Rules
Sec 4	The following shall be the guidelines for exemption of any building or class of buildings developed on or before the 1st day of July 2007 and deviated from all or any of the provisions of the Act or any rule or regulation made there under:-		Sec 5	5. The following shall be the guidelines for exemption of any building or class of building developed on or before the 1 <sup>st</sup> day of July 2007 and deviated from all or any provisions of the Act or any Rule or Regulation made there under.			
(i)	The building should have been completed on or before the 1st July 2007 and in conformity with the following:-		i)	The building should have been completed on or before the 1 <sup>st</sup> July 2007.			
			ii)	These guidelines are applicable for entire State of Tamil Nadu excepting the hill areas, falling within the purview of HACA.			
			iii)	The grant of exemptions shall be with reference to the DR for CMA and DCR in cases of areas falling within the purview of DTCP prevailing as on the date of notification of these guidelines. The requirements for compliance of certain planning parameters of DCR applicable for DTCP areas viz., road width, setbacks, FSI, vehicular parking, site approval, reservation of OSR have been considered for exemption under these regulations to the extent indicated herein. Therefore, similar requirements under the provisions of other Statutes/Rules like Tamil Nadu District Municipalities Building Rules, 1972, Tamil Nadu Panchayats Building Rules, 1997 and Multi-storeyed and Public Building Rules, 1973 etc., will stand exempted to the extent as provided under these guidelines.			
			iv)	The definitions of the DR / DCR, as the case may be, shall			
			v)	The developments considered for exemption shall be in conformity with the following acts / regulations prevailing as on the date of notification of these guidelines:			
(i) a	The Civil Aviation Regulations of the Ministry of Tourism and Civil Aviation under the Aircraft Act, 1934 (Central Act XXII of		(v) a	The Civil Aviation Regulations of the Ministry of Tourism and Civil Aviation, under the Aircraft Act, 1934 (Central Act XXII of 1934).			
(i) b	The Ministry of Defence Regulations for developments in the vicinity of the Air Force stations within 100 metres around areas notified under the works of Defence Act, 1903 (7 of 1903);		(v) b	The Ministry of Defense Regulations for developments in the vicinity of the Air Force stations within 100 metres around areas notified under the Defence Act, 1903			

			(v) c	The Tamil Nadu Nuclear Installations (Regulation of Buildings and Use of Land) Act, 1978			
(i) c	The Regulations of the Chennai Regional Advisory Committee constituted by the Ministry of Communication						
(i) d	The Coastal Zone Regulations of the Ministry of Environment and Forest under the Environment (Protection) Act, 1986 (Central Act 29 of 1986); notified in Gazette of India Extraordinary Part-II, Section 3, sub-section (ii) dated 6.1.2011.		(v) d	The Coastal Zone Regulations of the Ministry of Environment and Forest under the Environment (Protection) Act, 1986 (Central Act 29 of 1986)			
(i) d	The Ancient Monuments and Archaeological Sites and Remains Act, 1958 (Central Act 24 of 1958)		(v) f	The Ancient Monuments and Archaeological Sites and Remains Act, 1958 (Central Act 24 of 1958)			
			(v) e	The Tamil Nadu Ancient Monuments and Archeological Site and Remains Act 1966			
(i) e	The Tamil Nadu District Municipalities (Hill Stations) Building Rules, 1993						
(i) f	The Tamil Nadu Hilly Areas Special Building Rules, 1981						
(i) g	Height Restrictions to buildings in Heritage Towns as per G.O.(Ms).No.22, MA&WS (MAI) Department, dated 30.1.1997						
(iii)	No developments in the Aquifer Recharge Area restricted for development shall be considered for exemption		(v) g	DR for CMA for the developments in the Aquifer Recharge Area <b>excepting the minimum plot extent.</b>	Less stringent than GO 234, goes against the Master Plan (MP) II		
(iv)	No development in the Red Hills Catchments Area restricted for development shall be considered for exemption		(v) k	DR for CMA for the developments in the Red Hills Catchment Area, <b>excepting the Ordinary Buildings (OBs), Special Buildings (SBs) and Group Developments (GDs) subject to safeguards as prescribed by CMWSSB.</b>	Less stringent than GO 234, goes against the Master Plan (MP) II		
			(v) h	Developments in a site within 500m radius from the boundary of the Reserve Forest in DTCP areas must be subject to the NOC issued by the Forest department			
(ii)	No building with any encroachment including aerial encroachment on to a public road or street or on a poramboke land or on local authority lands, open space and recreational areas, water bodies and land affected by the erstwhile Tamil Nadu Urban Land (Ceiling and Regulation) Act, 1978( Tamil Nadu Act 24 of 1978) shall be considered for exemption		(v) i	Developments in a site within 15m from the water body <b>subject to the conditions imposed by the PWD/ Executive Authority.</b>	Less stringent than GO 234, goes against the Master Plan (MP) II		
			(vi) a	No building with any encroachment including aerial encroachment on to a public road or street or on a poramboke land or on local authority's lands, or any Govt. owned lands, open spaces reserved as parks and play grounds in Master Plan / Detailed Development Plan / Approved layouts and notified under the Tamil Nadu Parks shall be considered for exemption, Play-Fields and Open Spaces (Preservation and Regulation) Act, 1959, Government owned water bodies, land acquired under Land Acquisition Act 1894 / Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act 2013 and lands affected by the erstwhile Tamil Nadu Urban Land (Ceiling and Regulation) Act, 1978 and Tamil Nadu Land Reforms Act 1961 shall be considered for exemption			
(v)	<b>Parking as per the standards prescribed in the respective rules prevailing as on the 1st July</b>		(viii)	<b>Parking</b> requirement and their location shall be as per Annexure-IIA and IIB for CMA & DTCP areas respectively.	Less stringent than GO 234	Annexure XIII	<b>Parking Standards</b>

<p>2007 in the respective areas, shall be made available within the premises under reference or in the vicinity not exceeding a distance of 250 metres from the site under reference exclusively ear- marking such parking spaces for the building under consideration; should such a parking space be provided in the vicinity, the said parking lots shall be either owned or in enjoyment under lease for a continuous period of not less than 30 years; or in the vicinity not exceeding a distance of 250 metres from the site under reference exclusively ear- marking such parking spaces for the building under consideration;</p>						<p>Residential - 1 car for every 100 sq m of floor area, 1 two wheeler for every 50 sq m of floor area  Commercial - 1 car for every 100 sq m of floor area, if area below 80 sq m car parking is not required.  Industrial - 1 lorry space for every 500 sq m of floor area, if area below 100 sq m parking not required  Institutional - 1 car space for every 200 sq m of floor area till 1000 sq m, for every additional 100 sq m over 1 car space</p>
		Annexure IIA	<b>CBA - Ordinary Buildings - Access to Public Road- Road Width &lt;6M</b>	No parking regulations for ordinary buildings.		
			Residential - Nil			
			Commercial -Nil			
			Industrial - Nil			
			Institutional - Nil			
			<b>CBA - Ordinary Buildings - Access to Public Road- Road Width &gt;6M</b>			
			Residential - Nil			
			Commercial -Nil			
			Industrial - Nil			
			Institutional - Nil			
			<b>CMA - Ordinary Buildings -- Access to Public Road</b>			
			Residential - Nil			
			Commercial -Nil			
			Industrial - Nil			
			Institutional - Nil			
			<b>CBA - Special Buildings - Min Road Width - 7M</b>			
			Residential - 50% on site			
			**Commercial -50% on site + 50% within 500M			
			Industrial -?			
			Institutional -?			
			<b>CMA - Special Buildings - Min Road Width - 7M</b>			
			Residential - 75% on site			
			**Commercial - 50% on site + 50% within 500M			
			Industrial -?			
			Institutional -?			
			<b>CBA &amp; CMA - Group Developments - Ordinary Buildings - Min Road width - 7M</b>			
			Residential - 75% on site			
			**Commercial - 50% on site + 50% within 500M			
			Industrial -?			
			Institutional -?			
			<b>CBA &amp; CMA - Group Developments - Other Buildings - Min Road width - 7M</b>			
			Residential - 75% on site			
			**Commercial - 75% on site + 25% within 500M			
			Industrial - 75% on site + 25% within 500M			
			Institutional - 75% on site + 25% within 500M			
			<b>Multi Storeyed Buildings -Min Road width - 9M, 12M, 15M, 18M</b>			
			Residential - 75% on site			
			**Commercial - 50% on site + 50% within 500M			

				Industrial - 50% on site + 50% within 500M			
				Institutional - 50% on site + 50% within 500M			
				** If the applicant is not able to provide the required onsite parking, he has to provide the same within a distance of 500 m subject to a penal fee.	Less stringent than GO 234		
			ix)	ix) In case where the parking is provided within a distance of 500m from the site, the applicant has to submit the ownership / lease document in his favour. In cases of lease, it shall be for a minimum period of 33 years.			
			x)	x) All the Basement floors have to be used only for parking subject to approval already obtained for other purposes.			
			xi)	xi) Wherever the approval for Stilt floor has been obtained for parking purposes and has been converted for other purposes, the same has to be restored for parking. <b>However if the applicant is able to provide onsite (without affecting the set back spaces) or offsite parking / mechanical parking as an alternative, he can retain the stilt floor for the converted purposes.</b>	Details of mechanical parking are unavailable to evaluate this clause and diverts the issue of inadequate side open space.		
			xii)	xii) If the applicant is not able to provide the required onsite parking, he has to provide the same within a distance of 500 m subject to a penal fee.			
			xiii)	xiii) Wherever feasible the applicant can comply with the parking requirements by way of mechanical parking.			
			vii)	vii) <b>Planning parameters</b> considered for exemptions shall be as per Annexure-IIA and IIB for CMA & DTCP areas respectively.			
(vi)	Extent of violation in respect of <b>minimum required road width shall not exceed 20%</b> ;		Annexure III	1) Ord Bldgs - Nothing for Residential & Commercial & 1/2 GLV on shortage of land for Ind & Instl. 2)Sp. Bldgs - Residential - 1 GLV on shortage of land, Commercial 1.25 GLV on shortage of land and Ind & Instl - 1.15 GLV on shortage of land 3) MSB - 1.25 GLV on shortage of land, Commercial 2 GLV on shortage of land and Ind & Instl - 1.30 GLV on shortage of land.	Less stringent than GO 234. Penalty only.	Sec 19	<b>Minimum road width</b>
							Streets intended to serve not more than 10 plots and or subject to a maximum length of 120M = 7.2M
							Streets intended to serve not more than 20 plots and or subject to a maximum length of 240M = 9M
							Road length >240M and <400M = 12M
							Road length >400M and <1000M = 18M
							Road length >1000M = 24M
(vii)	Violation in respect of required <b>minimum setback spaces shall not exceed 50%</b> ;		Annexure IIA	<b>CBA - Ordinary Buildings - Access to Public Road- Road Width &lt;6M</b>	Less stringent than GO 234, min or no specs mentioned for setback.		<b>Minimum setback spaces - Ordinary buildings</b>
				Residential -FSB -1M without comp. wall, RSB -Nil, SSB-Nil			For george town and other areas where continuous buildings are permissible
				Commercial -FSB -1M without comp. wall, RSB -Nil, SSB-Nil		Sec 7, Table	Residential - FSB - 1.5M, RSB - Nil, SSB - Nil
				Industrial -FSB -?, RSB -?, SSB-?		Sec 9, Table	Commercial - FSB - 1.5M, RSB - Nil, SSB - Nil
				Institutional -FSB -?, RSB -?, SSB-?		Sec 10, Table	Light Industrial - FSB - for road width <= 15M = 4.5M, for road width > 15M = 6M, RSB - 3M, SSB - Nil
				<b>CBA - Ordinary Buildings - Access to Public Road- Road Width &gt;6M</b>	Less stringent than GO 234, min or no specs mentioned for setback.	Sec 11, Table	General Industrial - FSB - 6M, SSB - Nil
				Residential -FSB -Nil, RSB -Nil, SSB-1M on one side		Sec 12, Table	Hazardous Industrial - FSB - NA, RSB - 6M, SSB - 6M
				Commercial -FSB -Nil, RSB -Nil, SSB-1M on one side		Sec 13, Table	Institutional - FSB - 3M, RSB - Nil, SSB - Nil
				Industrial -FSB -?, RSB -?, SSB-?			

				Institutional -FSB -?, RSB -?, SSB-?			For the rest of the metropolitan area
				<b>CMA - Ordinary Buildings -- Access to Public Road</b>	Less stringent than GO 234, No parking regulations.	Sec 7, Table	Residential - FSB - road width <10M = 1.5M, road width 10M > and < 15M = 3M, road width 15M > and < 30M = 4.5M, road width > 30M = 6M; RSB - depth of plot <= 15M =1.5M, depth of plot > 15M and < 30M = 3M, depth of plot > 30M = 4.5M; SSB - 1.5M on each side except for areas set apart by EWS where it shall not be less than 1M on any one side. If a person wants to provide 3 m on one side only he should produce a NOC from his adjoining plot owner for the same.
				Residential - FSB -1M , RSB -Nil, SSB-1M on one side		Sec 9, Table	Commercial - FSB - road width <15M = 3M, road width 15M > and < 30M = 4.5M, road width > 30M = 6M; RSB -depth of plot <= 15M =1.5M, depth of plot > 15M and < 30M = 3M, depth of plot > 30M = 4.5M; SSB - 1.5 M on each side except for areas set apart by EWS where it shall not be less than 1M on any one side. If a person wants to provide 3M on one side only he should produce a NOC from his adjoining plot owner for the same.
				Commercial -FSB -1M , RSB -Nil, SSB-1M on one side		Sec 10, Table	Light Industrial - FSB - for road width <= 15M = 4.5M, for road width > 15M = 6M , RSB - 3M, SSB - 3M on one side
				Industrial - FSB -1M , RSB -Nil, SSB-1M on one side		Sec 11, Table	General Industrial - FSB - 6M, SSB - Nil
				Institutional - FSB -1M , RSB -Nil, SSB-1M on one side		Sec 12, Table	Hazardous Industrial - FSB - NA, RSB - 6M, SSB - 6M
						Sec 13, Table	Institutional - FSB - for road width < 10M = 3M, for road width >15M and <30M = 4.5M, for road width >30M = 6M; RSB - 2M min or .25 height of the building, SSB - 2M min or .25 height of the building
				<b>CBA - Special Buildings - Min Road Width - 7M</b>			
				Residential - FSB -Nil , RSB -Nil, SSB- Nil			
				Commercial -FSB -1.5M , RSB -Nil, SSB-Nil			
				Industrial -FSB -?, RSB -?, SSB-?			
				Institutional -FSB -?, RSB -?, SSB-?			
				<b>CMA - Special Buildings - Min Road Width - 7M</b>		Sec 19 (b)	<b>Special Buildings</b>
				Residential - FSB -1.5M , RSB -1.5M, SSB- 1.5M			FSB - road width <= 15M = 3.5M, road width 15M > and < 30M = 4.5M, road width > 30M = 6M; RSB - road width <= 15M = 3.5M, road width 15M > and < 30M = 4M, road width > 30M = 4.5M; SSB - Height of the building (HoB) <= 6.5M = 3.5M, HoB >6.5M and <= 9.5M = 4M, HoB >9.5M and <= 12.5M = 4.5M, HoB > 12.5M and <= 15.5M = 5m.
				*Commercial - FSB -1.5M , RSB -1.5M, SSB- 1.5M			
				Industrial -FSB -?, RSB -?, SSB-?	Less stringent than GO 234,		
				Institutional -FSB -?, RSB -?, SSB-?	No link to plot size,		
				<b>CBA &amp; CMA - Group Developments - Ordinary Buildings - Min Road width - 7M</b>			
				Residential - FSB -1.5M , RSB -1.5M, SSB- 1.5M, Dist between Blocks - 1.5M			
				*Commercial - FSB -1.5M , RSB -1.5M, SSB- 1.5M, Dist between Blocks - 1.5M			
				<b>CBA &amp; CMA - Group Developments - Other Buildings - Min Road width - 7M</b>			
				Residential - FSB -1.5M , RSB -1.5M, SSB- 1.5M, Dist between Blocks - 3M			
				*Commercial - FSB -1.5M , RSB -1.5M, SSB- 1.5M, Dist between Blocks - 3M			

				Industrial - FSB -1.5M , RSB -1.5M, SSB- 1.5M	Dist between blocks are not stated with a feasible driveway		
				Institutional - FSB -1.5M , RSB -1.5M, SSB- 1.5M	Dist between blocks are not stated with a feasible driveway		
					Less stringent than GO 234, No link to plot size, driveway etc.		
				<b>Multi Storeyed Buildings -Min Road width - 9M, 12M, 15M, 18M</b>			
				Residential - FSB -50% of normal, RSB -50% of normal, SSB - 50% of normal.			
				*Commercial - FSB -50% of normal, RSB -50% of normal, SSB - 50% of normal.			
				Industrial - FSB -50% of normal, RSB -50% of normal, SSB - 50% of normal.			
				Institutional -FSB -50% of normal, RSB -50% of normal, SSB - 50% of normal.			
					Less stringent than GO 234, No link to plot size, driveway etc.		
				* In cases where it is not possible to leave the required side setbacks and rear setback spaces, the built up area shall have a minimum open to sky portion of size of 2m x 2m in all floors. In addition to this, a minimum of 2.5% of the total built up area of each floor shall be reserved as atrium/open space intended for lighting, ventilation and smoke escape, at the appropriate location as decided by the empanelled Structural Engineer and to the satisfaction of DFRS. A refuge area of 15 sq.m to be left at appropriate places for every three floors, as decided by the empanelled Structural Engineer and to the satisfaction of DFRS.	This is very specious. It applies to commercial buildings in all categories including MSBs. Less stringent than GO 234.		
(viii)	<b>Floor space index shall not exceed 50% of the allowable limit;</b>		Annexure IIA	<b>CBA - Ordinary Buildings - Access to Public Road- Road Width &lt;6M &amp; &gt;6m</b>	FSI values is less stringent than GO 234		<b>Floor Space Index</b>
				Residential -2			For george town and other areas where continuous buildings are permissible (2)
				Commercial -2		Sec 7, Table	Residential - 1.75
				Industrial -1.8		Sec 9, Table	Commercial - 2
				Institutional -2		Sec 10, Table	Light Industrial - 1
						Sec 11, Table	General Industrial -1.25
				<b>CMA - Ordinary Buildings -- Access to Public Road</b>	FSI values is less stringent than GO 234	Sec 12, Table	Hazardous Industrial - NA
				Residential -2		Sec 13, Table	Institutional - 1.5
				Commercial -2			
				Industrial -1.8			Madras City excluding area mentioned under (2) and Municipal and Township areas (3)
				Institutional -2		Sec 7, Table	Residential - 1.75
						Sec 9, Table	Commercial - 2
				<b>CBA - Special Buildings - Min Road Width - 7M</b>	Same as GO 234.	Sec 10, Table	Light Industrial - 1

				Residential -50% over normal		Sec 11, Table	General Industrial -1.25
				Commercial -50% over normal		Sec 12, Table	Hazardous Industrial - NA
				Industrial - Not specified		Sec 13, Table	Institutional - 1.5
				Institutional -Not specified			
							Metropolitan area excluding areas mentioned under column (2) and (3)
				<b>CMA - Special Buildings - Min Road Width - 7M</b>	Same as GO 234.	Sec 7, Table	Residential - 1.75
				Residential -50% over normal		Sec 9, Table	Commercial - 2
				Commercial -50% over normal		Sec 10, Table	Light Industrial - 1
				Industrial - Not specified		Sec 11, Table	General Industrial -1.25
				Institutional -Not specified		Sec 12, Table	Hazardous Industrial - NA
						Sec 13, Table	Institutional - 1
				<b>CBA &amp; CMA - Group Developments - Ordinary Buildings - Min Road width - 7M</b>	Same as GO 234.		
				Residential -50% over normal			
				Commercial -50% over normal			
				Industrial - 50% over normal			
				Institutional -50% over normal			
				<b>CBA &amp; CMA - Group Developments - Other Buildings - Min Road width - 7M</b>	Same as GO 234.		
				Residential -50% over normal			
				Commercial -50% over normal			
				Industrial - 50% over normal			
				Institutional -50% over normal			
				<b>Multi Storeyed Buildings -Min Road width - 9M</b>	1) FSI not linked to other parameters of the DCR.		
				Residential -2.7	2) Road width relaxed from 18M		
				Commercial -2.7	3) FSI 100% additional from		
				Industrial - 2.7			
				Institutional -2.7			
				<b>Multi Storeyed Buildings -Min Road width - 12M, 15M, 18M</b>	1) FSI not linked to other parameters of the DCR.		
				Residential -5	2) Road width relaxed from 18M		
				Commercial -5	3) FSI 100% additional from SBs.		
				Industrial - 5			
				Institutional -5			
	Floor / Height	Not specified	Annexure IIA	<b>Number of Floors</b>			<b>Floor / Height</b>
				<b>CBA - Ordinary Buildings - Access to Public Road- Road Width &lt;6M &amp; &gt;6m</b>		Sec 7, table	Residential - 1.5 times the width of the abutting road provided that the height may be exceeded to the extent of 1 m for every 30 cm by which the building is set back from the street or 15 m whichever is less except in areas set apart specifically for multi storeyed buildings.

				Residential -SF+ 2F / GF +1F		Sec 9, Table	Commercial - 1.5 times the width of the abutting road provided that the height may be exceeded to the extent of 1 m for every 30 cm by which the building is set back from the street or 15 m whichever is less except in areas set apart specifically for multi storeyed buildings.
				Commercial -SF+ 2F / GF +1F		Sec 10, Table	Light Industrial - 1.5 times the width of the abutting road provided that the height may be exceeded to the extent of 1 m for every 30 cm by which the building is set back from the street or 15 m whichever is less except in areas set apart specifically for multi storeyed buildings.
				Industrial -SF+ 2F / GF +1F		Sec 11, Table	General Industrial - 1.5 times the width of the abutting road provided that the height may be exceeded to the extent of 1 m for every 30 cm by which the building is set back from the street or 15 m whichever is less except in areas set apart specifically for multi storeyed buildings.
				Institutional -SF+ 2F / GF +1F	Not linked to parking.	Sec 12, Table	Hazardous Industrial - 1.5 times the width of the abutting road provided that the height may be exceeded to the extent of 1 m for every 30 cm by which the building is set back from the street or 15 m whichever is less except in areas set apart specifically for multi storeyed buildings.
				<b>CMA - Ordinary Buildings -- Access to Public Road</b>		Sec 13, Table	Institutional - 1.5 times the width of the abutting road provided that the height may be exceeded to the extent of 1 m for every 30 cm by which the building is set back from the street or 15 m whichever is less except in areas set apart specifically for multi storeyed buildings.
				Residential -SF+ 2F / GF +1F2			
				Commercial -SF+ 2F / GF +1F2			
				Industrial -SF+ 2F / GF +1F1.8			
				Institutional -SF+ 2F / GF +1F2	Not linked to parking.		
				<b>CBA - Special Buildings - Min Road Width - 7M</b>			
				Residential -17m with SF+ 4F / GF +3F			
				Commercial -17m with SF+ 4F / GF +3F			
				Industrial - Not specified			
				Institutional -Not specified	Why has the height been increased? To condone height & mezzanine		
				<b>CMA - Special Buildings - Min Road Width - 7M</b>			
				Residential -17m with SF+ 4F / GF +3F			
				Commercial -17m with SF+ 4F / GF +3F			
				Industrial - Not specified			
				Institutional -Not specified	Why has the height been increased? To condone height & mezzanine violation?		
				<b>CBA &amp; CMA - Group Developments - Ordinary Buildings - Min Road width - 7M</b>			
				Residential --17m with SF+ 4F / GF +3F			
				Commercial --17m with SF+ 4F / GF +3F			
				Industrial -17m with SF+ 4F / GF +3F			
				Institutional -17m with SF+ 4F / GF +3F	Why has the height been increased? To condone height & mezzanine violation?		
				<b>CBA &amp; CMA - Group Developments - Other Buildings - Min Road width - 7M</b>			
				Residential --17m with SF+ 4F / GF +3F			
				Commercial --17m with SF+ 4F / GF +3F			

				Industrial -17m with SF+ 4F / GF +3F		
				Institutional -17m with SF+ 4F / GF +3F	Why has the height been increased? To condone height & mezzanine violation?	
				<b>Multi Storeyed Buildings (MSB) -Min Road width - 9M</b>		
				Residential -SF+7F or GF+6F		
				Commercial -SF+7F or GF+6F		
				Industrial - SF+7F or GF+6F		
				Institutional -SF+7F or GF+6F	Road width reduced for MSBs. Why has the height been increased? To condone height & mezzanine	
				<b>Multi Storeyed Buildings -Min Road width - 12M</b>		
				Residential -SF+9F or GF+8F		
				Commercial -SF+9F or GF+8F		
				Industrial - SF+9F or GF+8F		
				Institutional -SF+9F or GF+8F	Road width reduced for MSBs. Why has the height been increased? To condone height & mezzanine	
				<b>Multi Storeyed Buildings -Min Road width -15M,</b>		
				Residential -SF+20F or GF+19F		
				Commercial -SF+20F or GF+19F		
				Industrial - SF+20F or GF+19F		
				Institutional -SF+20F or GF+19F	Road width reduced for MSBs. Why has the height been increased? To condone height & mezzanine	
				<b>Multi Storeyed Buildings -Min Road width -18M</b>		
				Residential -Number of Floors as for 30.5m Road		
				Commercial -Number of Floors as for 30.5m Road		
				Industrial - Number of Floors as for 30.5m Road		
				Institutional -Number of Floors as for 30.5m Road	Road width reduced for MSBs. Why has the height been increased? To condone height & mezzanine	
OSR	Not specified	Annex ure IIA		<b>Open Space Reservation</b>	Additional clause added: to overcome violation in this clause as well?	19 <b>Open Space Reservation</b>
				<b>CBA - Ordinary Buildings - Access to Public Road- Road Width &lt;6M &amp; &gt;6m</b>		<b>Ordinary Building</b>
				Residential -"OSR charges for 5% and 10% of the plot area to be collected as per the prevailing GLV in cases of construction in an unauthorized sub-division / layouts laid prior to 1-07-2007 for residential and commercial buildings respectively.		Residential - for the first 3000 sq m OSR Nil, for 3000 sq m to 10000 sq m OSR is 10% of the area excluding roads or in the alternative he shall pay the market value of equivalent land, For > 10000 sq m OSR is 10% excluding roads shall be reserved and this space shall be maintained as communal and recreational open space to the satisfaction of the authority for maintenance or transferred to the authority for maintenance. It is obligatory to reserve the 10% .
				Commercial -as above		Commercial -as above
				Industrial - "OSR charges for 10% of the plot area to be collected as per the prevailing GLV in cases of construction in an unauthorized sub-division / layouts laid prior to 1-07-2007 for residential and commercial buildings respectively.		Institutional -as above
				Institutional -As above.		

					<b>CMA - Ordinary Buildings -- Access to Public Road</b>		
					Residential -"OSR charges for 5% and 10% of the plot area to be collected as per the prevailing GLV in cases of construction in an unauthorized sub-division / layouts laid prior to 1-07-2007 for residential and commercial buildings respectively.		
					Commercial -as above		
					Industrial - "OSR charges for 10% of the plot area to be collected as per the prevailing GLV in cases of construction in an unauthorized sub-division / layouts laid prior to 1-07-2007 for residential and commercial buildings respectively.		
					Institutional -As above.		
					<b>CBA - Special Buildings - Min Road Width - 7M</b>		<b>Special Buildings</b>
					Residential - In cases where a site falls in an unauthorised sub-divisions / layouts laid prior to 1.7.2007, with the total extent more than 3000 sq.m. the applicant has the option to reserve the required open space in the site and handover to the Competent Authority or pay the OSR charges for 10% of open space to be reserved as per the prevailing guideline value.		Residential - for the first 3000 sq m OSR Nil, for 3000 sq m to 10000 sq m OSR is 10% of the area excluding roads or in the alternative he shall pay the market value of equivalent land, For > 10000 sq m OSR is 10% excluding roads shall be reserved and this space shall be maintained as communal and recreational open space to the satisfaction of the authority for maintenance or transferred to the authority for maintenance. It is obligatory to reserve the 10% and no charges can be accepted in lieu, in case of new developments or redevelopments.
					Commercial -as above		Commercial -as above
					Industrial - Not specified		Institutional -as above
					Institutional -Not specified		
					<b>CMA - Special Buildings - Min Road Width - 7M</b>		
					Residential - In cases where a site falls in an unauthorised sub-divisions / layouts laid prior to 1.7.2007, with the total extent more than 3000 sq.m. the applicant has the option to reserve the required open space in the site and handover to the Competent Authority or pay the OSR charges for 10% of open space to be reserved as per the prevailing guideline value.		
					Commercial -as above		
					Industrial - Not specified		
					Institutional -Not specified		
					<b>CBA &amp; CMA - Group Developments - Ordinary Buildings - Min Road width - 7M</b>		<b>Group Developments</b>
					Residential - In cases where a site falls in an unauthorised sub-divisions / layouts laid prior to 1.7.2007, with the total extent more than 3000 sq.m. the applicant has the option to reserve the required open space in the site and handover to the Competent Authority or pay the OSR charges for 10% of open space to be reserved as per the prevailing guideline value.		Residential - for the first 3000 sq m OSR Nil, for 3000 sq m to 10000 sq m OSR is 10% of the area excluding roads or in the alternative he shall pay the market value of equivalent land, For > 10000 sq m OSR is 10% excluding roads shall be reserved and this space shall be maintained as communal and recreational open space to the satisfaction of the authority for maintenance or transferred to the authority for maintenance. It is obligatory to reserve the 10% and no charges can be accepted in lieu, in case of new developments or redevelopments.
					Commercial - As above		Commercial -as above
					Industrial -As above		Institutional -as above
					Institutional -As above		
					<b>CBA &amp; CMA - Group Developments - Other Buildings - Min Road width - 7M</b>		

				Residential - In cases where a site falls in an unauthorised sub-divisions / layouts laid prior to 1.7.2007, with the total extent more than 3000 sq.m. the applicant has the option to reserve the required open space in the site and handover to the Competent Authority or pay the OSR charges for 10% of open space to be reserved as per the prevailing guideline value.			
				Commercial - As above			
				Industrial -As above			
				Institutional -As above			
				<b>Multi Storeyed Buildings -Min Road width - 9M, 12M, 15M, 18M</b>			
				Residential - In cases where a site falls in an unauthorised sub-divisions / layouts laid prior to 1.7.2007, with the total extent more than 3000 sq.m. the applicant has the option to reserve the required open space in the site and handover to the Competent Authority or pay the OSR charges for 10% of open space to be reserved as per the prevailing guideline value.			
				Commercial - As above			
				Industrial -As above			
				Institutional -As above			
			(vi)	The following shall <b>not be considered for exemption</b> :			
			(vi) b	The building in a site that is likely to be inundated during flooding and without proper drainage.	Already in Masterplan II DR , sec 7 (2) (b)		
			(vi) c	The building in a filled up tank or low lying or of made up of soil by depositing rubbish or offensive matters and the proposal is likely to be affected by dampness owing to the sub-soil water, subject to ameliorative measures as prescribed by PWD.	Already in Masterplan II DR , sec 7 (2) (c)		
			(vi) d	Buildings for which Structural Stability Certificate could not be obtained from the <b>empanelled Structural Engineer</b> .	What makes an empanelled engineer netter than a non empanelled one?		
(ix)	Any activity in the building shall <b>be in conformity with the land use zoning</b> .		(xiv)	In cases where the construction is made in the land use zoning which is <b>incompatible to the land use, the applicant cannot make any additional construction in future and has to give an Undertaking to that effect</b> .	Less stringent than GO 234, allows the applicant to construct out the land use zoning but not to make further additional changes.		
(x)	No hazardous activity or industry in a zone other than special and hazardous use zone shall be considered for exemption;		(vi) e	Hazardous activities / hazardous industries including storages of hazardous materials like inflammable materials, chemicals, gas, etc. in a zone other than special and hazardous industrial use zone.			
			(xv)	The penalty leviable over and above the fees or charges normally leviable is as per Annexure-III and it would be cumulative of penalties as worked out as per Table I to V.			
			(xvi)	For the purpose of calculation of penalty, the GLV prevalent as on the date of filing the application is applicable.			
			(xvii)	The applicant has to <b>pay 25% of the self assessed penalty fee along with the application</b> and the balance to be paid at the time of approval. If there is an under assessment in the self assessment, the applicant is liable to pay the interest at 18% per annum for the difference in amount.	This is the responsibility of the authorities and self assessment should not be called for.		

			(xviii)	The applicant has to pay the balance of penalty and other applicable charges within 30 days from the date of communication of demand. If the amount is not paid within the stipulated time, an interest of 18% per annum is chargeable up to 6 months, if the amount is not fully paid even after expiry of the aforesaid period, the application will be rejected forfeiting the amount already paid.			
			(xix)	In cases where the applicant withdraws his application filed under Regularisation Scheme under Sec.113-A and apply afresh under Sec.113-C, the Regularisation Fee already paid by him under Sec.113-A will be adjusted.	What is the status of SEC 113A and also applications that have been okayed in Sec 113A? Does this allow the violator to select scheme of choice?		
			(xx)	In cases where the eligible applications under Sec.113-B are remitted back to Competent Authority for processing under Sec.113-C, the Regularisation Fee already paid by the applicant under Sec.113-B will be adjusted.			
			(xxi)	The building shall comply with the minimum requirements of fire and life safety measures as given in Annexure-IV.			
			(xxii)	The building shall comply with the minimum structural stability requirements as given in Annexure-V.			
			(xxiii)	EIA Clearance has to be obtained by the applicant in cases where EIA is applicable as per Environment (Protection) Act 1986.			
			(xxiv)	The school buildings shall also comply with the norms stipulated by Justice Sampath Committee as laid down in G.O.(Ms) No.131 School Education (D) Department dated 10-08-2006			
			(xxv)	Life line buildings as defined in Annexure-VI shall conform to the BIS codes related to earthquake resistance with reference to the provisions like importance factor 1.5 as stipulated in IS Code 1893 etc. For other buildings, the applicant shall give an Undertaking that the building is in conformity with design documents including earthquake resistance based on zonal classification in addition to the structural stability certificate issued by the empanelled structural engineer.			
			(xxvi)	The Structural Stability Certificate issued by an empanelled Structural Engineer in cases of SBs, GDs and MSBs in consultation with the competent Geo-Technical Engineer is a pre-requisite for filing the application seeking exemption under Section 113-C of the Act.	What makes an empanelled engineer netter than a non empanelled one?		
			(xxvii)	In case of Ordinary building, certification by an empanelled Civil Engineer is sufficient for filing application seeking exemption under Section 113-C of the Act.	What makes an empanelled engineer netter than a non empanelled one?		
			(xxviii)	The NOC and Compliance Certificate from the Directorate of Fire & Rescue Services for Commercial SBs, all MSBs and all public buildings is mandatory while considering the applications filed for exemption under Section 113-C of the			
			(xxix)	The plans accompanying the applications for SBs, GDs and MSBs have to be signed by the Registered Architect, Registered Engineer, Registered Construction Engineer and Registered Structural Engineer as per requirement.			
			(xxx)	The plans accompanying the applications for ordinary buildings have to be signed by the Registered Engineer as per			

			(xxxi)	The Architect / Civil Engineer / Construction Engineer / Structural Engineer / Geo-Technical Engineer engaged by the applicant shall give an undertaking, as per the prescribed format making them liable and responsible for any lapses, along with the application.			
			(xxxii)	A photograph of the building and an affidavit sworn by the owner of the building in Rs.100/- stamp paper that no additional construction without prior approval will be made in future, shall be submitted along with the application.			
			(xxxiii)	The required number of Scrutiny Committees shall be constituted in each LPA/RPA/NTDA/CMDA/LB to whom the powers have been delegated and shall comprise of representative from Planning Authorities, DFRS and experts in the field of civil and structural engineering drawn from educational institutions and Government Agencies to scrutinize the applications of all buildings other than ordinary buildings. The Committee will scrutinise the applications submitted for exemption under Section 113-C, along with the structural stability certificate and other data related to site and building and will give its recommendations on corrective measures if any and communicate the same to the applicant for carrying out the corrections, with a copy to the Competent Authority. In cases where there are no corrective measures required, the Scrutiny Committee shall give their final recommendations to Competent Authority within the time frame as prescribed in Annexure-VII.	The process seeks to remove the responsibility from the owners regarding fire and structural safety. These actions will delay actions being taken on violations and impede the working of the authorities.		
			(xxxiv)	The applicant shall carry out the corrective measures within six months; in special cases the time period may be extended up to one year with the consent of the Competent Authority.			
			(xxxv)	The corrective measures carried out by the applicant have to be scrutinised by the Scrutiny Committee again and give its final recommendations to the Competent Authority.			
			(xxxvi)	The responsibilities of the Scrutiny Committee and Core Committee are given in Annexure-VIII.			
			(xxxvii)	The Competent Authority shall draw the panel of professionals such as architects/engineers, construction engineer, structural engineers, etc, and categorise them based on their qualification and experience as senior level, middle level and junior level so as to include them in appropriate panel to deal with MSB / Special building / Group development / Public building / Ordinary building. The required qualification for empanelling the professionals and their duties and responsibilities are annexed as Annexure-IX.	It violates the Architect's Act.		
			(xxxviii)	The personal liability of the empanelled professionals who are involved in certifying the correctness of design, structural soundness / stability of the structure on ground has to be fixed as given in Annexure-IX.			
			(xxxix)	A Core Committee in CMDA / DTCP comprising of representatives from CMDA / DTCP, DFRS, PWD and a nominated structural expert shall review the final recommendations of the Scrutiny Committee in respect of those category of buildings for which final orders to be passed by the CMDA / DTCP alone and give its report to the CMDA / DTCP within the time frame as prescribed in Annexure-VII.			
			(xl)	The Competent Authority on the recommendations of the Core Committee/Scrutiny Committee, as the case may be, will issue orders within sixty days from the date of receipt of recommendations. Such orders of the Competent Authority shall be final.			

			(xli)		Rs.1 per sq.ft for ordinary buildings applications and Rs.2 per sq.ft for applications other than ordinary buildings will be collected as scrutiny fee which has to be paid along with application. Out of this, the following fees / honorarium for the experts along with application. Out of this, the following fees / honorarium for the experts representing the Core Committee and Scrutiny Committee will be paid.			
			(xlii)		The Core Committee and Scrutiny Committee are required to scrutinise in a single sitting not less than 10 and 25 applications respectively.			
			(xliii)		The applications for exemptions under Section 113-C of the Act is not applicable for regularisation of vacant site / plot.			
			(xliv)		Filing an application for exemption under these regulations will not in any way prevent the officials from taking action under any of the provisions of the Act, prevent the officials from taking action under any of the provisions of the Act, unless otherwise ordered so by the Competent Authority.			
(xi)	Any development or regularisation shall conform to the rules 79 and 80 of the then prevailing Indian Electricity Rules, 1956 and the Tamil Nadu Tax on Consumption or Sale of Electricity Act, 2003 (Tamil Nadu Act 12 of 2003) and the Tamil Nadu Tax on Consumption or Sale of Electricity Rules, 2003 in respect of clearance from high tension and extra high voltage lines.		(v) j		Any development or regularization shall conform to the rules 79 and 80 of the then prevailing Indian Electricity Rules, 1956 and the Tamil Nadu Tax on Consumption or Sale of Electricity Act, 2003 (Tamil Nadu Act 12 of 2003) and the Tamil Nadu Tax on consumption or Sale of Electricity Rules, 2003 in respect of clearance from high tension and extra high voltage lines			
<b>Sec 5 Processing of the Application.</b>								
5 (1)	The competent authority shall, on receipt of an application made under the guideline 3, examine the same with reference to the provisions of the Act or other laws and rules and regulations made thereunder prevailing as on the 1st July 2007, as the case may be, in the respective areas, call for any additional details or particulars, if necessary:							
5(1)	Provided that if the additional details or particulars called for by the competent authority are not furnished within sixty days from the date of receipt of the communication by the applicant, the application shall be rejected and the advance made under guideline 3(2)(l) shall be refunded. The scrutiny fee paid under guideline 3(2)(j) shall stand forfeited.							
5(2)	The Competent Authority, thereafter shall examine the application for exemption as per the guideline 4 and forward the same to the Government for passing orders under section 113-C of the Act, along with his remarks.							

5(3)	After the Government have exempted any building or class of buildings by a special or general order under section 113-C of the Act, the competent authority shall assess the amount for exemption and issue to the applicant a demand notice for the payment of amount for exemption along with other fees and charges normally leviable after adjusting the advanced amount.						
5(4)	The Government may, at any time, require the Competent Authority, to forward the application submitted for exemption, with or without his remarks.						
Appendix Form A -							
(a)	Five copies of plans showing the construction as per site conditions including its usage, duly signed by both the applicant who has the right over the land to develop and the Architect / Engineer / Licensed Surveyor and other professionals as prescribed by the local authority concerned in their Act / Building rules;						
(b)	A copy of ownership document duly attested by a Notary Public;						
(c)	A copy of the approved plan, duly attested by an Architect /Engineer / Licensed Surveyor and other professionals as prescribed by the local authority concerned in their Act / Building rules, if there is an earlier approval for existing developments within the plot;						
(d)	A copy of patta with FMB sketch or permanent land register (PLR) extract duly attested by an officer not lower in the rank of the Deputy Tahsildar;						
(e)	A copy of property tax work sheet indicating the number of floors and built-up area of the building which was inexistence on or before 1st July, 2007 duly attested by the competent authority of the local authority;						
(f)	A certificate from the local authority about adequacy of measures taken for lighting and ventilations;						
(g)	A certificate issued by the Director of Fire safety and rescue services, about the adequacy of fire safety measures taken to the satisfaction of the Fire safety and rescue services department;						

(h)	A certificate from a qualified structural engineer about whether the structure is sound and safe;						
(i)	A clearance certificate from the Tamil Nadu Pollution Control Board in case of any industrial development including cottage industry;						
(j)	A demand draft or Banker's cheque towards scrutiny fee at the rate of Rs.4.50 per square metre for total floor area of buildings within the site drawn in favour of the Member Secretary, Chennai Metropolitan Development Authority, payable at Chennai, in case of Chennai Metropolitan Area or drawn in favour of the Commissioner of Town and Country Planning, Chennai, payable at Chennai, in case of areas other than Chennai Metropolitan Area;						
(k)	A Declaration of violated road width, setback spaces and floor area category-wise and self assessment of the amount for exemption payable with detailed working sheets duly signed by both the applicant and an Architect / Engineer / Licensed Surveyor and other professionals as prescribed by the local authority concerned in their Act / Building rules;						
(l)	A demand draft or Banker's cheque as payment in advance towards self-assessed amount for exemption drawn in favour of the Member Secretary, Chennai Metropolitan Development Authority, in case of Chennai Metropolitan Area or drawn in favour of the Commissioner of Town and Country Planning, Chennai, payable at Chennai, in case of areas other than Chennai Metropolitan Area.						
(m)	A notarised undertaking in a non-judicial stamp paper of value not less than Rs.20/- agreeing to remit the balance amount for exemption, if any, as assessed by the competent authority after adjusting the advance payment made, and also all other fees and charges normally leviable for planning and building permission, from time to time, by the competent authority;						
Sec 6	<b>Appeal</b>						

6	Any person aggrieved by an order passed by any officer or authority under the guideline 5 may prefer an appeal to the Government in Housing and Urban Development Department in the case of Chennai Metropolitan Area or the Commissioner of Town and Country Planning in the case of areas other than Chennai Metropolitan Area, within thirty days from the date of receipt of the order: Provided that the Government or the Commissioner of Town and Country Planning, as the case may be, may admit an appeal preferred after the expiration of the said limitation period, if they are satisfied that the appellant had sufficient cause for not preferring the appeal within the said limitation period: Provided that no appeal shall be entertained unless it is accompanied by satisfactory proof of the payment of the self-assessed amount for exemption advance.							
Sec 7	<b>Disclaimer</b>							
7	If any planning permission has been issued after collecting the amount for exemption, for the developments in any area in which land acquisition proceedings have already been initiated under the Land Acquisition Act, 1894 (Central Act I of 1894) by the Government, that does not confer any right on the applicant to obliterate acquisition proceedings and to compensation for the building so permitted contrary to the provisions contained in the said Land Acquisition Act, 1894 (Central Act I of 1894).							
Sec 8	<b>Transitory provisions</b>		xlv)		<b>Transitory provisions</b>			
8 (1)	The appeals qualifying under these guidelines, pending before the Commissioner of Town and Country Planning or the Government, as the case may be, shall be remitted to the competent authority and the competent authority shall deal with the cases in accordance with these guidelines. Provided that the disposal of such cases shall be effected on payment of self-assessed amount for exemption advance, along with the working sheet.		a)		The Appeals qualifying under these guidelines, pending before the Government shall be remitted to the Competent Authority and the Competent Authority shall deal with these cases in accordance with these guidelines.			

8 (2)	Any person whose application was rejected or refused, under the relevant rules prevailing as on the 1st July, 2007 in the respective areas, immediately before the date of coming into force of these guidelines, may make an application afresh satisfying the provisions of these guidelines.		b)	Any person whose application was rejected or refused under the TN T&CP Act / Rules, but qualifying under these guidelines may make an application afresh to the Competent Authority.			
			c)	The applicant whose regularisation application is under process/refused under Section 113-A may apply for exemption under Section 113-C to the Competent Authority by withdrawing the application and by preferring a fresh application, subject to compliance of these Guidelines.			
			d)	The Scheme of Regularisation of Unauthorised Buildings in the areas falling under Municipal Corporations of Coimbatore, Madurai, Salem, Tiruchirappalli and Tirunelveli under section 113-B announced by the Government in 2002 was stayed and subsequently quashed in 2008 by the Hon'ble Madras High Court in WP.No. 17879 of 2003. Many applications received earlier under the scheme are still pending for disposal in the respective Corporations. Applications which are eligible for exemption under Section 113-C shall be remitted back to the Competent Authority for processing in accordance with these guidelines.			
			xlvi)	An affidavit sworn by the applicant in Rs.100/- stamp paper that planning permission issued for exemption under Sec.113-C of the Act will not confer any right on the applicant to obliterate acquisition proceedings and to compensation for the building so permitted contrary to the provisions contained in the said Land Acquisition Act, 1894 (Central Act I of 1894).			
				<b>Based on the above Guidelines, appropriate Rules will be framed by the Government.</b>			