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copy of circular No.1230/71/DP5, dated 20.1.72 of the Director of Town Planning, Kuralagam, Madras - 5.

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Sub: Building - Madurai Municipality - construction at R.S.No. 963/1-A, plot I.D.D. Road - relaxation of scheme clauses 14(3) IV(a) of West Ponnagaram Part II Town Planning Scheme - clarifications - issued.

Ref: Rc.No. 3849/70/MB2, dated 21.1.71 of the Deputy Director of Town Planning, Madurai.

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In orders to remove any chance for misinterpretation, the following clarification is issued cancelling the instructions given in letter No.L.Dis.5666/56 of 18.9.1956.

2. It has come to the notice of Director of Town Planning that in certain cases of construction falling under a Town Planning Scheme some of the scheme regulations relating to open spaces were not insisted based on this office letter L.Dis.5866/56 of 18.9.56. The interpretation attributed to the clarification given in the letter is not correct. The correct position in regulating construction and development is as follows.

3. Where an area is not covered by a detailed Town Planning Scheme under the Tamilnadu Town Planning Act, the provisions of Building Rules or layout conditions, if any, applicable to that area only will apply and buildings will have to be regulated as per these provisions. But in cases of areas covered by Town Planning Scheme, the provisions of the scheme and in addition provisions of building rules which are not in conflict with scheme regulations will apply. Buildings in such areas should be regulated taking into consideration mainly the scheme regulations and where the scheme omits to specify control of any particular aspect and building rules provide for regulation of this aspect, the provision made in building rules shall also apply to the construction or development in question. Thus the building rules will supplement scheme rules and in no case can scheme rules can be dispensed with except as provided in the scheme itself.

The receipt of this reference should be acknowledged.

Sd/- x x x x x x

for Director of Town Planning.

/True copy/

K.F.34/3556/72, dt.10.3.72.

Copy to F.1 to E.5
Copy to building inspectors I to IV and
Town Planning Draughtsmen I & II.
Copy to Town Planning Officer and Manager.
Copy to Commissioner's table.

Sd/- R.Srinivasan,
Commissioner.

/True copy/

vk.25/3.

[Signature]
28/3/72
Town Planning Officer