

Endorsement.

Director of Town Planning's Circular No. 10846/66 dated 20-1-67 is communicated to Building Inspectors and Building Clerks.

*A. Manu Radin*  
FOR COMMISSIONER *3/3*

AP/21.3.a

To

The Town Planning Officer, Assistant Town Planning Officer, Building Inspectors and Building Clerks.

Copy of nos. 10846/66 dt. 20-1-67 of the Inspector of Municipalities, Madras-1.

Sub:- Town Planning - Dealing of building applications etc., under Sec. 17 of the Madras Town Planning Act - irregularities observed - General instruction to the Executive authorities of Municipal Councils and Executive Officer, Township Committees - issued.

Refs:- From the Director of Town Planning, Madras letter: No. 42021/65, D2 dated 22-3-66.

CIRCULAR.

A copy of the letter cited is forwarded to the Executive Authorities of all Municipal Councils and Township Committees. They are requested to adhere to the instructions and carry out the suggestions mentioned therein. The receipt of the circular should be acknowledged.

Sd. x x  
For Inspector.

Copy of the letter No. Rc.42021/65 D.2 dated 22-3-66 of the Director of Town Planning, Madras-1 to the Inspector of Municipalities, Madras-1.

Sub:- Town Planning Dealing of Building applications etc., under Section 17 of the Madras Town Planning Act - Irregularities observed - general instructions to all Executive authorities of Municipalities and Townships - regarding.

The Department furnishes detailed development schemes to various municipalities and Townships as provided for under the Madras Town Planning Act. All these schemes take statutory right only after they are sanctioned by Government; normally a minimum of 2 to 3 years lapse occur from the date of furnishing the draft scheme to the date of sanction by Government. During this interim period the developments in the scheme area are to be controlled by the responsible authority of the scheme who happens to be either Town Planning Officer of the Council who are empowered to deal with the application and layouts etc., within the area. The Madras Town Planning Act lays down that applications of such cases are to be dealt with by the responsible authority till the time of sanction of the scheme by Government. It has been observed that even though the draft scheme has been sanctioned and the clauses indicated therein are agreed to by the municipalities, they often deviate from the provisions of the draft scheme.

resolve to permit constructions in contravention of the provisions of the draft scheme and land use non-conforming to the draft scheme and at times even interfering with the other uses specified in the scheme such as road reservations, public open space and other specified uses. Such a procedure by the Responsible Authority at this stage is bound to have ~~not~~ detrimental effect on the future development of the area involving a heavy cost and creating quite a setback in the progress of the scheme as provided for in the draft scheme. It is also that the Executive Authorities are expected to guide the Committee and Council impressing them the purpose of the Draft Scheme, the necessity to adhere to the important provisions made in the scheme and to see that such infringement of the draft clauses to the effect of interfering with road alignment, major reservations and specified uses of lands are avoided. Of course, the power of dealing with the applications rest with the Committee or Council under the draft stage, but that does not empower them to entirely deviate from the main principles of the draft scheme. In fact, a special clause is also being introduced in the draft scheme, that wherever the Responsible Authority feels the need for deviating from the draft scheme, they should refer the matter to this Department and obtain the approval of the Director of Town Planning before they take a decision. But in most of the cases, which it is being observed that the Responsible Authorities straight away pass resolutions granting permission for cases which are in gross violation of the draft provisions. It may be considered reasonable in deserving cases to approve of certain relaxation relating to open spaces around buildings and even extent of site etc., which will not interfere with major proposals in the scheme such as reservation for road, and other public purposes. It is the duty of the Executive Authority to bring to the notice of the Department such cases infringing draft provisions before actually issue of permission to the case by the Executive Authorities. Some of the Municipal Commissioners seem to ignore this procedure and straightway go ahead issuing the permits based on the resolutions of the Responsible authorities i.e., Town Planning Committee or the council.

It is suggested that to have proper developments taking place in a planned manner in these municipal areas, the Respective Commissioners may be instructed to take proper interest and give proper guidance in a impressive manner to the respective Town Planning Committee and Councils with a view to avoid gross infringement of draft provisions of the various Town Planning Schemes in the draft stage when dealing with the applications under Sec. 17 of the Madras Town Planning Act. It may also be pointed out to the Commissioners that wherever the Responsible Authority i.e., the Committee or council passes any resolution in cases of infringement of draft provisions of the scheme and without prior approval of the Director of Town Planning, they should immediately bring it to the notice of the Director of Town Planning without straightway issuing the permission in accordance with the resolution by the Committee or Council.

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