

Office of the Director of
Town and Country Planning,
807, Anna Salai, Chennai – 600 002.

Circular

Roc.No.4367/2019-BA2

Dated: 05.02.2020.

Sub: Planning permission application scrutiny in DTCP areas – Clarification on making calculation of OSR requirement – Issued – Regarding.

- Ref: (1) G.O.Ms.No.172, Housing and Urban Development department, dated: 13.10.2017.
(2) G.O.Ms.No.18, Municipal Administration & Water Supply department, dated: 4.2.2019.

With a view to clarify the Act/Rule provisions relating to calculation of open space reservation (OSR) requirement for grant of planning permission, following are informed:

Rule 41(1) & Rule 47(6) of Tamil Nadu Combined Development and Building Rules (TNCDBR), 2019 prescribe the reservation of land for community recreational purposes (OSR) for development of building and layout respectively. To put in a nutshell, following are the 3 categories in the said reservation.

- (a) First is the case of site extent upto 3,000 sq.m. for which there is no OSR requirement(**first deduction**).
- (b) Second is site extent above 3,000 sq.m. and upto 10,000 sq.m. for which 10% of the extent excluding roads(**second deduction**) need to be reserved as OSR and the space so reserved to be gifted or payment may be made in guideline value in lieu of the OSR.
- (c) Third category is site extent above 10,000 sq.m. for which 10% OSR for the extent excluding roads to be compulsorily gifted.

However, in case of unapproved plot/ sub-division, the OSR extent to be decided based on the site extent which was originally in existence prior to the cut-off date of 29.11.1972 in case of rural areas and 1.1.1980 in case of urban areas. Rules and earlier instructions regarding these cut-off dates are:

- (a) *Rule No.8(ii) of unapproved layout regularization scheme rules notified vide G.O.1st cited above provides that:*
 - “.... the unapproved layout or sub-division formed,
 - (ii) prior to 29.11.1972 in rural areas and prior to 1.1.1980 in urban areas outside Chennai Metropolitan Area, shall be deemed to have been approved....”.
- (b) *Further, in para 4(2) of the minutes of the officers’ meeting held on 2.3.2019 at head office, Chennai it has been stated that:*
“OSR requirement to be decided based on the actual period of sub-division made: Sub-division made prior to 1.1.1980 or 29.11.1972 in case of urban areas or rural areas respectively will be deemed to be approved sub-division”.

Therefore, as far as the unapproved plot/ sub-division is concerned, care should be exercised to determine the OSR requirement, especially for site extent applied for permission is upto 10,000sq.m. Method of calculation of OSR requirement is explained as below:

- (a) If the extent of site applied for permission exceeds 10,000 sq.m., then straightway 10% of the extent excluding roads(second deduction) should be reserved and gifted. This case is not eligible for first deduction.
- (b) In case of extent of site applied for permission is upto 10,000 sq.m., then it has to be ascertained whether the site extent was in existence as such i.e., having the same extent prior to the either of the above said cut-off date, as the case may be. If not, then the calculation for determining the OSR requirement should be as follows:
- (i) If the extent of the original site prior to the said cut-off date is upto 3,000 sq.m., then the benefit of first deduction of 3,000 sq.m. shall be applied and hence no necessity for allocation of OSR.
- (ii) If the extent of the original site prior to the said cut-off date is above 3,000 sq.m. and upto 10,000 sq.m., then the benefit of first deduction shall be portion of 3,000sq.m only and which shall be the extent of splitting 3,000 sq.m, in the same proportion as the site applied for permission was sub-divided from the original site. Then after this first deduction the resulting site excluding roads to be taken up for calculating the 10% OSR.

Model calculations are given in the attached tabular statement.

The above guidelines are already followed in planning permission application scrutiny. However, through this circular, it is reiterated and confirmed for consistency and transparency.

Sd/- Chandra Sekhar Sakhamuri
Director of Town and Country Planning

Encl.: Tabular statement of model calculations.

To

All the Member Secretaries of CLPAS, NTDA's and all the Regional Deputy Directors/ Assistant Directors.

Copy to:

All the Deputy Directors, Assistant Directors,
Planning Assistants and Supervisors of head office.

/Forwarded /by order/


5/2/202
Deputy Director