

ENDORSEMENT

Copy of G.O.Ms.No.1947 dated 23.10.1967 is communicated to the ~~INSPECTORS~~ Building Inspectors Division Nos. I to V and the Building Clerks, G2, G3, G4, G6 and G7.

Building Inspectors are directed to adhere strictly to instruction given therein.

Building Clerks are directed to prepare and furnish before 30.11.1967 separate lists constructions offending (1) Building rules (2) Layout conditions and (3) Scheme Rules.

They must treat this as specially urgent.

[Signature]
FOR COMMISSIONER.

ESR/26.11.p.*[initials]*
To

The Building Inspectors, Divisions I to V.
The Building Clerks G2, G3, G4, G6, and G7.
The Building Inspectors are required to assist the Clerks in preparing the list in time.
Copy to Assistant Town Planning Officer and G1 for file.

Copy of G.O.Ms.No.1947, dated 23rd October, 1967, Rural Development and Local Administration Department.

BUILDINGS - Municipal Councils - Appeals of Building Applications in Municipal Councils - Disposal - Instructions issued.

Read the following:

From the Director of Town Planning, Madras
letter NO.24628/66-D2 dt/- 29.11.66.

ORDER:

It has been brought to the notice of the Government that there are a large number of building applications pending in the municipalities; that many completed constructions are in violation of buildings rules or scheme clauses or both and that several constructions have been put up without proper approval of layout as required under the Madras District Municipalities Act 1920. The Government consider that such accumulation of building cases is due to the slackness on the part of the Executive Authorities and the Municipal Councils to enforce the Building Rules and Town Planning scheme clauses in their respective areas. It is also noticed that lack of promptness on the part of the Executive Authorities in dealing with Building Applications and delay in passing final orders within the statutory period as per the provisions of the Acts and allowing unauthorised constructions to remain over the site for considerable time, has resulted in such large pendency of cases.

2. It is observed that most of the building applications pending in the municipalities are in violation of the open space and building line regulations. Buildings are constructed in violation of Building Rules, not out of ignorance of the provisions of the rules, but deliberately, as non-compliance of existing open space regulations and putting up the building in as much space as possible would be advantageous to the owners. However, in consideration of the prevailing

increase in the cost of lands in urban areas, especially in the industrial towns, there may be a need for the revision of open space requirements and it has been suggested that this question should be examined separately in detail. The Director of Town Planning is therefore requested to examine separately the question of open space requirements for expensive residential localities in important urban areas.

3. Pending a thorough examination and revision of the open space regulations, it has been considered that all cases of infringements of Building Rules upto 31.12.1966 may be taken up for regularisation, if they would satisfy 50% of the open space requirements of the Building Rules.

4. Such building cases and appeals are pending in the Municipal Councils and in the office of the Director of Town Planning. The final appeals are pending with the Government also. The Government consider that the Building Rules need not be amended for the purpose of regularising the old cases pending upto 31.12.1966. Instead, Commissioners and the Director of Town Planning, as the case may be, may dispose of the pending cases of Building Applications as on 31.12.1966 as well as condone or exempt the buildings in violation of Building Rules if they satisfy 50% of the open space requirements of the Building Rules and the layout conditions. If the Buildings are in violation of the Town Planning scheme regulations, the Municipal Councils or the responsible authority as the case may be competent to relax the rules may dispose of the pending cases, if the buildings and the plans satisfy 50% open space requirements of scheme provisions.

5. In order to enforce the Building rules and the scheme clauses effectively and to prevent unauthorised constructions in future, the following instructions are issued in the matter.

- (1) The Building Rules should be enforced strictly without accumulating files of unauthorised constructions by the Commissioners.
- (2) The Commissioners should deal severely with the persons responsible for the delay.
- (3) The Director of Town Planning should prescribe periodicals to watch over the activities of building developments and control.
- (4) Publicity should be given regarding the strict enforcement of Building Rules and Town Planning Scheme clauses and
- (5) The Commissioners should book the violations during the construction stage itself and take further steps to prevent the unauthorised construction.

6. The receipt of the G.O. should be acknowledged.

(By Order of the Governor)

M.A.S. Balakrishnan,
Secretary to Government.

/true copy/.