

MINUTES OF THE 9th MEETING OF THE MONITORING COMMITTEE HELD ON 13/04/07 @ 3.00 P.M. IN THE CONFERENCE HALL OF CMDA

MEMBERS PRESENT:

1. Thiru. R. Santhanam, I.A.S.,
Vice-Chairman, CMDA.
2. Thiru. Rajesh Lakhoni, I.A.S.,
Commissioner, Chennai Corporation.
3. Thiru. Shiv Das Meena, I.A.S.,
Managing Director, CMWSSB.
4. Tmt. R. Jaya, I.A.S.,
District Collector, Chennai.
5. Thiru. Bholanath, I.P.S.,
Director of Fire and Rescue Services.
6. Thiru. M.G. Devasahayam, I.A.S., (Retd.)
7. Prof. Suresh Kuppaswamy,
School of Architecture and Planning, Anna University.
8. Dr. A. Srivatsan,
Architect and Urban Planner
9. Thiru. Durganand Balsaver,
Architect and Urban Planner

Leave of absence:

10. Thiru. P.T. Krishnan,
(Architect)
11. Thiru. Louis Menezes, I.A.S., (Retd.)
12. Thiru. Hansraj Verma, I.A.S.,
Chairman, TNEB

AGENDA ITEM NO: 9.1 Confirmation of the minutes of the 8th Monitoring Committee Meeting held on 23.03.2007

Minutes Confirmed

AGENDA ITEM NO:9.2 Action taken report on the minutes of the 8th M.C. Meeting.

Minutes Recorded.

Thiru. M.G. Devasahayam, Member of the Sub-Committee on “Less Stringent Measures” for residential buildings, apprised the M.C, about the deliberations of the Sub-Committee and informed that considering the complexity involved, the Sub-Committee would require a few more sittings to submit its recommendations on this subject to M.C.

The MC resolved to file a petition before the High Court requesting extension of time to finalise less stringent measures for residential buildings with reference to the time limit indicated in the status report filed early.

AGENDA ITEM NO:9.3 Discussion on Base Paper on Enforcement

Minutes The M.C. decided to take up discussion in the next meeting.

AGENDA ITEM NO:9.4 Draft Master Plan – II – Note circulated for information and subsequent discussion.

Minutes The M.C. resolved to take up this subject for discussion in its special sitting to be convened subsequently.

AGENDA ITEM NO:9.5 Discussion on Government Appeal cases in which Government have solicited the opinion of the M.C.

Minutes

The M.C. went through the summary of the 187 appeal cases referred by the Government. The Committee was of the view that the prime issue involved in these cases is of ascertaining whether the construction was completed prior to 28.02.1999 - the cut off date of Reg. 1999 Scheme. As all the schemes other than Reg. 1999 Scheme have been declared as ultra-vires, M.C. was of the considered opinion that the Government are bound to reject the appeals unless the appellants submit satisfactory evidence to prove that the construction under reference were completed prior to 28.02.1999.

The M.C. decided that all the cases of regularization of building other than 9 cases of Reg. 1999 scheme, be sent back to the Government with the suggestion that the Government may give a time bound opportunity to the appellants to submit acceptable evidences to prove that the construction, covered in their regularization application, was completed prior to 28.02.1999. In case the Government receives such evidences, the same may be referred to M.C. for its recommendations on the evidences furnished.

In the cases pertaining to Reg. 1999 Scheme, CMDA may address the appellants to furnish evidence regarding completion of construction before 28.2.1999.

In the case of regularization of individual plots in unauthorized lay-out, the M.C. recommendations are indicated in the Annexure.

AGENDA ITEM NO: 9.6 Discussion on Responses received on the notices issued by CMDA based on the decision of the M.C.

Minutes Deferred

AGENDA ITEM NO: 9.7 Discussion on individual data sheets for Special Buildings (Commercial – 44 cases)

Minutes The Committee is given to understand that in response to the rejection letters on individual cases of Regularisation 1999 Scheme based on the decision of the M.C. in the earlier meetings, there are a number of representations from the applicants furnishing fresh evidences. The M.C. is of the opinion that giving an opportunity before hand by CMDA to submit evidences to prove that the construction was completed before the cut off date of 28.2.1999 would meet the ends of justice. Accordingly, M.C. decided to authorize CMDA to send individual communication to the applicants under Reg. 1999 Scheme providing an opportunity to submit evidences, if any, giving 2 weeks time. In case of evidences furnished, the processed cases alone may be placed before the M.C. with data sheet for decision. The M.C. also resolved that in case no evidence is received even after giving opportunity, the CMDA is authorized to reject such cases.

The M.C. reiterated that the rejection letters may continue to be sent on the applications under the extended regularization schemes of 2000, 2001 and 2002 as decided in the earlier meetings. The same may be speeded up.

AGENDA ITEM NO:9.8 CMA – Ban on development in Aquifer Recharge area – Lifted – Special Rules for Regulation of Development – Amendment to DCR placed for M. C.’ s view – Reg.

Minutes The M.C. decided to take up this subject in the subsequent meeting along with the discussion on Draft Master Plan-II

AGENDA ITEM NO:9.9 CMDA – Enforcement Cell – Completion Certificate Norms – Remarks sent by Stakeholders – Placed before the M.C. – For decision.

Minutes The suggestions given on the CC Norms by Chennai Metropolitan Builders Association and FAIRPRO were discussed in detail. Further the decisions taken by Sub-Committee for issue of Completion Certificate on individual files so far were also taken into account. After discussions, Monitoring Committee approved the following modifications to the existing CC Norms.

DF&RS:

Trained Fire Team: The availability of trained and qualified fire officers can be insisted upon at the licensing stage. This provision need not be insisted upon at the stage of issuing Completion Certificate by DF&RS.

Sprinkler System: The provision and installation of complete arrangement of sprinkler system in the case of high-rise building need not be insisted upon at the stage of issuing Completion Certificate. This can be insisted upon at the licensing stage. It is sufficient to make provision for installation of sprinkler system, at the stage of issuing Completion Certificate.

Fire Lift: It may be specified that one fire lift be insisted upon per 1200 sq. m. floor area, in any floor and not the total floor area of the building. Thus, the fire lifts are to be insisted as per approved plan.

CORPORATION OF CHENNAI:

Solar Water Heating System:

Need not be insisted for giving CC. However an undertaking will be obtained that this will be provided.

Land left for Road widening:

The land left for Road widening has to be taken over by Corporation of Chennai before issuing Compliance Certificate.

POLICE DEPARTMENT (TRAFFIC)

Parking: Parking as per approved plan to be insisted. For residential buildings 5% relaxation may be given.

CMDA

F.S.I Tolerance Limit: FSI Tolerance limit will be 5% of FSI or 500 sq.ft. floor area whichever is less over and above the permissible FSI.

Box Type Generator: Acoustically treated Box type Generator may be permitted in Set Back spaces without affecting Parking and 3.5m. driveway for Special Buildings and 6.7m. Driveway/snorkel movement for Multi-storeyed buildings.

Vertical Elevation: Architectural features at the top most floor upto a height of 3 mtr. is permissible subject to the condition that such features are provided only in periphery of the building without any closed roof coverage.

Toilet in Stilt floor: Two toilets – one for men and one for women, for every block is permissible in Stilt floor as Non-FSI area without affecting Parking and Driveway requirements.

Toilet in Terrace Floor: Two Toilets - one for men and one for women for every block is permissible in the Terrace as Non-FSI area.

10% OSR land: Change in shape shall not be allowed for the 10% OSR land.

Panel Board/Electrical room Generator, Pump room and Water, Treatment Plant room in Stilt floor:

May be permitted in stilt Floor without affecting parking and driveway without insisting on upper floor to be open to sky

GENERAL:

GROUP DEVELOPMENT:

Completion Certificate for Service Connections can be given for individual blocks in a Group Development.

TNEB & CMWSSB:

TNEB and CMWSSB should accept applications for service connections well in advance without insisting on completion. This is recommended with a view to avoiding delay due to the time taken to process applications. But service connections shall be given only after obtaining CC for Special, Public and Multi-storeyed buildings.

AGENDA ITEM NO:9.10 CMDA – Co-ordinated action by various departments for demolition – Subject placed before the M.C. for decision – Reg.

Minutes

The M.C. decided to list out a few buildings which have serious violations or are totally unauthorized and to chalk out modalities for taking up demolition in consultation with other concerned departments. As it is a sensitive issue it needs to be handled carefully. All efforts should be made to first get the building vacated. This could be achieved in most of the cases by disconnecting water and sewerage and electricity supply.

AGENDA ITEM NO: 9.11CMDA – Enforcement Cell (Central) – Minutes of the 8th Monitoring Committee meeting held on 23.03.2007 – Survey held for MSB / Special Building status in T.Nagar area – Subject placed before the M.C. for its decision – Reg.

Minutes

The field level problems for the survey were discussed. The Monitoring Committee suggested that, Survey may be done at Usman Road and Ranganathan Streets in the first instance. In the Prescribed Format for Survey **“Corporation Division Notice Details”** may also be incorporated.

General

The Sub-Committee meeting on “DCR” is proposed to be held on 27.04.2007 at 3.00 p.m.

Since Dr. A. Srivatsan and Thiru Durganand Balsaver expressed a desire to be involved in the discussions on amendments to DCR, it was decided to enlarge the Sub-Committee and include these two members.