

ENDORSEMENT.

Copy communicated to Town Planning Officer, Assistant Town Planning Officer, Building Inspectors and Building Clerks for information.

V 211-118  
FOR COMMISSIONER.

ESR/30.6.p.

To

The Town Planning Officer, Assistant Town Planning Officer, Building Inspectors and Building Clerks G2, G3, G4, G6 & G7.

Copy to G1 for stock file.

Copy of G.O.Ms.No.726 dated 17th April 1969, Rural Development and Local Administration Department.

RULES - Madras Town Planning Rules 1933 - Amendment to rule 35 - Confirmed.

Read:

1. G.O.Ms.No.1321, R.D. & L.A. dated 17.7.1967.
2. From Thiru Ponnappa Nadar, M.A., B.L., M.L.A. Nagercoil, dated 7.10.1967.
3. From the Commissioner, Madurai Municipality letter No. K3-31967/67 dated 6.10.1967.
4. From the Director of Town Planning letter No.41573/D1/67 dated 23.1.1968.

ORDER:

In G.O.Ms.No.1321, R.D. & L.A., dated 17.7.1967, the Government ordered the publication of a draft amendment to sub-rule (2) of rule 35 of the Madras Town Planning Rules 1933. Objections were received from Thiru R.Ponnappa Nadar, M.A., B.L., M.L.A., Nagercoil and the Madura Municipal Council (through the Commissioner) in the letters cited. The Government have carefully considered the objections and do not accept them.

2. The Government consider it desirable to specify that the reply from the executive authority to the applicant under section 17 of the Madras Town Planning Act, 1920, informing the applicant that the matter has been referred to Government for orders, would be treated as an order communicated to the applicant and would be within the scope of the proviso to section 17 of the Town Planning Act. Government hereby confirm the draft amendment with this modification.

3. The appended notification will be published in the Fort St. George Gazette.

(By Order of the Governor)

E.C.P.PRABHAKAR,  
Secretary to Government.

(Appendix to G.O.Ms.No.726, R.D. & L.A., dated 17.4.1969)

APPENDIX  
Notification.

In Exercise of the powers conferred by sub-sections (1) and (2) of Section 44 of the Madras Town Planning Act, 1920 (Madras Act VII of 1920), the Governor of Tamil Nadu

hereby makes the following amendment to the Madras Town Planning Rules, 1933, published with the late Local Self Government Notification No.345, dated the 16th March, 1933 at pages 111 to 122 of Part I-A of the Fort St. George Gazette dated the 28th March 1933, as subsequently amended.

AMENDMENT.

After sub-rule (2) of rule 35 of the said rules, the following sub-rule shall be added, namely:-

"(3) (a) In granting permission under section 17, the Municipal Council shall ensure that the construction of the building or work etc. satisfies the requirements of the draft town Planning scheme and the layout plan prepared under sub-rule (1). The Municipal Council may allow minor and reasonable deviations with the prior approval of the Director.

(b) In case where the Municipal council resolves to grant permission to the construction of a building or any work under section 17, contrary to the requirements of the draft town Planning scheme and layout prepared under sub-rule (1), the executive authority of the Municipality shall refer the matter to the State Government for decision, before communicating the permission to the applicant. In such cases, the executive authority shall inform the applicant that the matter has been referred to the State Government for orders and this shall be deemed to be an order communicated to the applicant within the meaning of the proviso to section 17 of the Act."

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