

**PUDUCHERRY PLANNING AUTHORITY
JAWAHAR NAGAR, BOOMIANPET,
PUDUCHERRY.**

Minutes of the Puducherry Planning Authority Meeting held at 12.00 A.M on 13.02.2019

in the Conference Hall of Puducherry Planning Authority, Puducherry.

The following were present:-

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| 1 | Thiru. T.Djeamourthy, Chairman, Puducherry Planning Authority, Puducherry. | Chairman |
| 2 | Thiru.Sathiyamoorthy, Chief Town Planner, Town & Country Planning Department, Puducherry. | Member |
| 3 | Thiru. R.Baskaran, Engineer Assistant, Circle -I (Representing The Superintending Engineer Circle -I, PWD, Puducherry). | Member |
| 4 | Thiru.S.Vallabadassou, Assistant Engineer, Irrigation Division, PWD, Puducherry (Representing Executive Engineer, Irrigation Division, PWD, Puducherry). | Member |
| 5 | Thiru.L.Xavier Kennedy, Junior Scientific Assistant, (Representing Member Secretary, Puducherry Pollution Control Committee, Puducherry) | Member |
| 6 | Thiru.Ragunathan, Deputy Director, Public Health Department, Puducherry. | Member |
| 7. | Thiru.D.Govindaraj, Deputy Director, (Representing Director, Agriculture Department, Puducherry) | Member |
| 8 | Thiru. R. Rithosh Chandra, Assistant Divisional Fire Officer Fire Service Department, Puducherry, (Representing Divisional Fire Officer, FSD, Puducherry). | Member |
| 9 | Thiru. V.Sridhar, Assistant Engineer, Electricity Department, Puducherry. (Representing SE-III, Electricity Department, Puducherry). | Member |
| 10 | Thiru.M.Murugaiyan, Inspector of Police, (Representing Superintendent of Police (Traffic)). | Member |
| 11 | Thiru.S.Kuppam, Assistant Engineer, (Representing Executive Engineer, NH Division,PWD,Puducherry) | Member |
| 12 | Thiru. R. Cannane, Junior Engineer, (Representing Executive Engineer, Public Health Division, PWD, Puducherry). | Member |
| 13 | Tmt. G. Ellammal, Assistant Engineer, (Representing The Commissioner, Oulgaret Municipality, Puducherry). | Member |
| 14 | Thiru. Karuthayan, Assistant Engineer (Representing The Commissioner, Nettapakkan Commune, Puducherry). | Member |
| 15 | Thiru. R. Thirunavukkarasu (Representing The Commissioner, Villianur Commune , Puducherry). | Member |
| 16 | Thiru. P. Nagaradjou, Assistant Engineer, (Representing The Commissioner, Manadipet Commune, Puducherry) | |
| 17 | Thiru. M.Suresh, Junior Engineer, (Representing The Commissioner, Ariyankuppam Commune, Puducherry) | Member |
| 18 | Thiru. M. Kandar Selvan,Member Secretary, Puducherry Planning Authority, Puducherry. | Member Secretary |

ITEM NO: 1; Confirmation of the Minutes of the previous meeting dated: 10.01.2019.

The Member Secretary, Puducherry Planning Authority apprised that the minutes of the Puducherry Planning Authority meeting held on 10.01.2019 were communicated to all members and the same was confirmed.

Item No.2; Issue of Schematic building plan approval for the construction of Residential School at Vambapet, Kirumampakkam Revenue Village, Bahour Commune Panchayat, Puducherry

The proposal of **The Executive Engineer, PADCO representing Adi Dravidar Welfare Department, Puducherry**, Puducherry for construction of Schematic approval for proposed construction of Residential School comprising of Two storied Academic block-Phase-I; (newly added), Four storied Boys Dormitory (G+3); Four storied Girls Dormitory (G+3); Four storied quarters Type - I (G+3) - 2 No; Four storied Quarters Type - II (G+3) - 2 No; Single storied Principal Quarters = 3 No & Single storied Dining Block = 1 No at R.S.No.168/2pt, Vambapet, Kirumampakkam Revenue Village, Bahour Commune, Puducherry was examined by the committee of Puducherry Planning Authority. The proposal was agreed in principle subject to condition that permit shall be issued by imposing condition to obtain clearances/NOC's from the Fire Service Department; Electricity Department; Directorate of School Education; Bahour Commune Panchayat; Puducherry Coastal Zone Management Authority & State Ground Water Unit shall be obtained before commencement construction work at site. Further, an access of 9.00m wide road to the site shall be ensured by Adi Dravidar Welfare Department.

Item No. 3; Seeking opinion /views of the Puducherry Planning Authority on the revised plan submitted by M/s.K.V.Tex firm, to the Town and Country Planning Board with respect to the appeal filed by the firm.

The proposal of **1.Thiru.M.Kannappan, 2.Thiru.M.Venkateshwaran, 3.Tmt.K.Lakshmi, 4.Tmt.V.Sornadeivanai, Partners of M/s.K.V Tex. Firm**, seeking approval for the construction of six storeyed commercial building (shop) with basement floor – executed at No.S.R.172/2A/1A/1A/6,7,8,9,10,11 & 43, Plot No.4,5,6,21,22,23&24, Natesan Nagar, Villianur main road, Reddiarpalayam Revenue Village, Oulgaret Municipality was examined by the Puducherry Planning Authority committee. Wherein, the Member Secretary has apprised that the Puducherry Town and Country Planning Board has examined the appeal by the applicant against the refusal of this Authority & sealing of the firm in its special meeting held on 18.06.2018 and after hearing the appellant the Town and Country Planning Board has directed the appellant to attend /comply the following;

1. The appellant shall obtain Structural stability certificate from IIT(M), Chennai along with structural design details and furnish the same to the Puducherry Planning Authority.
2. Fire escape staircase shall be provided to the building and NOC from Fire service Department has to be obtained.
3. Basement floor shall be utilized only for parking.
4. For deficit parking, a suitable site within 152.40mts from the main entrance of the building shall be provided. It is the responsibility of the appellant to ensure parking of vehicles of the customers only in the parking areas provided in the building and in the site belonging to the appellant within 152.40m from the main entrance of the building. It is also the responsibility of the appellant to ensure that no on-street parking is done by the customers within the vicinity of the building.

5. Number of toilets facilities for the customers and the staff shall be increased. Necessary dinning provisions to the staffs shall be ensured. The appellant shall ensure that their staff shall not utilize the Natesan Nagar Park for dining purpose.
6. Necessary clearance from the Ground water Authority for the existing bore well in the premises shall be obtained.
7. Necessary clearance from the Department of Science, Technology and Environment/Puducherry Pollution control committee shall be obtained for the installation of the generator.
8. Solid waste shall be disposed of properly.

The board decided that the building may be de-sealed by the Puducherry Planning Authority and the Commissioner, Oulgaret Municipality to carry out the above remarks pointed by the Puducherry Town and Country Planning Board. After carrying out the above remarks, the appellant shall report to the Puducherry Planning Authority and Puducherry Town and Country Planning Board. Thereafter, this case has to be placed in the Town and Country Planning Board meeting for taking a decision in this matter. The Board strictly advised the appellant not to run the trade during this period and to abstain from any commercial activities in the premise till a final decision is made by the board. Subsequently, a meeting was convened by the Hon'ble Lt. Governor on 23.06.2018 in her Chamber, with the following officials i.e. 1. The Secretary to Government (Town Planning), 2. The Secretary to Government (Law), 3. The Chief Town Planner, Town and Country Planning Department, 4. The Member Secretary, Puducherry Planning Authority and it was observed that there were substantial violation of the several stipulated conditions in the Building Plan approval dated 8.09.2017 issued to the firm by the Puducherry Planning Authority. The minutes of the Town and Country Planning Board was also read. The Lt. Governor was of the view that since violations are blatant and not only blatant but substantial and even without the basic essential such as parking place for traffic management, water & power supply connections. Hence rectification keeping in view of these violations was not a solution. Therefore, Lt. Governor has viewed that due approval of the Government be obtained for the above stand under section 80 of the Town and Country Planning Act, 1969.

Subsequently, the appellant submitted the following particulars to this department on 20.7.2018.

1. Structural stability certificate from IIT(M), Chennai along with Structural Design Details.
2. One set of revised building plan showing parking details in basement floor (only for two wheeler parking)
3. Rental agreement for 11 months for parking area in four places measuring (1) 2000 sq.ft., (2) 4000sq.ft., (3) 4000 sq.ft., (4) 5000 sq.ft which are within 152 m from the main entrance of the building.

And stated that they will increase the total number of toilets in all the floors and necessary infrastructure for staff dining and assured that necessary clearance from the Ground Water Authority and Department of Science, Technology and Environment / Puducherry Pollution Control Committee will be obtained. The appellant has requested to issue permission for de sealing the premises so as to carry out the rectification process including all remaining civil works etc. and assured that the appellant will also comply to any other pre condition also insist upon from time to




time. In the meantime, one Thiru.S.Karthi has also filed Writ Petition in W.P. No.18556/2018 before the Hon'ble High Court, Madras on 31.7.2018 for a direction to the respondents not to sanction / approve the revised plan submitted in respect of the building of M/s.K.V.Tex. firm and the same is yet to be disposed off.

The proposal was again placed in the TCP Board meeting held on 31.8.2018. The Board carefully examined the above issues and the request of the appellants. The Board decided to confirm the earlier decision taken in the Special meeting held on 18-06-2018, and to direct the appellant to comply the remarks made during the above said meeting and also to produce registered lease deed for parking area. However, the Board decided to obtain the opinion of the Law Department in the light of the directions issued by Hon'ble Lieutenant Governor vide Minutes of the meeting dated 23.06.2018 and the subsequent developments in the matter and the decision of the Board before communicating to the appellant. In the meantime, the applicant submitted a copy of registered sale deed for the additional land purchased by the firm vide registered document No.22034/2018, measuring an extent of 223.26.sqm abutting the existing site on the eastern side. Further, the Law Department was of the view that before communicating the decision of the Board to the appellant, the approval of the Government, should be obtained in this matter as the Board shall carry-out such directions as may be issued by the Government for the efficient administration of the Act in accordance with section 80(1). Subsequently, the applicant submitted the revised plan incorporating the additional land purchased by them.

In view of the above facts, a file was mooted to the Government by the Town and Country Planning Board for its approval, wherein, the *Hon'ble Lt. Governor's Secretariat has directed to obtain the views of the Puducherry Planning Authority on the revised plan submitted by M/S.K.V. Tex along with the particulars and land documents of the firm to Puducherry for seeking their considered views strictly in terms of the applicable building bye Laws. The Puducherry Planning Authority shall also obtain the opinion of various stake holders departments, especially fire services, Electricity, Ground water Authority and Traffic Police before firming up and forwarding their views to Government through Town and Country Planning Department.*

After detailed deliberation, Puducherry Planning Authority committee decided to constitute a Sub Committee to inspect the site on 20.02.2019 along with the following members; 1. The Chief Town Planner, Town and Country Planning Department, 2. The Superintending Engineer -III, Electricity Department, 3. Divisional fire officer, Fire service Department, 4. The Commissioner, Oulgaret Municipality, 5.The Member Secretary, Pondicherry Pollution Control Committee, 6.The Hydrogeologist, State Ground Water Unit & 7. Superintendent of Police (Traffic), Puducherry and to place the report before the ensuing Puducherry Planning Authority committee meeting for rendering opinion/views to the Government.



Item No. 4; Matter relating to issue of No Objection Certification requested by Registration Department for the documents not accompanied by the Regularization order.

The issue relating to issuance of No Objection certificates for the request by the *registration department may be considered by the Puducherry Planning Authority, if document presented by the individual to the registration department is not accompanied by the regularization order issued by the Planning Authority. In this regard, the Puducherry Planning Authority may issue clearance for the site alone however, wherever required the Planning Authority may advise the applicant to regularise the plot under the scheme or regularization or for the existing settlement the planning authority may issue No objection certificate for the site alone without considering the building parameters.*

The Chairman thanked the members for attending the meeting.



**Member Secretary
Puducherry Planning Authority**



**Chairman
Puducherry Planning Authority**