



# புதுச்சேரி மாநில அரசிதழ்

## La Gazette de L'État de Poudouchéry The Gazette of Puducherry

### PART - I

சிறப்பு வெளியீடு

EXTRAORDINAIRE

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அதிகாரம் பெற்ற  
வெளியீடு

Publiée par  
Autorité

Published by  
Authority

விலை : ₹ 3-00

Prix : ₹ 3-00

Price : ₹ 3-00

எண்	புதுச்சேரி	திங்கட்கிழமை	2018 லு	஫ப்ரவரி மீ	26 ௨
No.	24 Poudouchéry	Lundi	26	Février	2018 (7 Phalgunā 1939)
No.	Puducherry	Monday	26th	February	2018

GOVERNMENT OF PUDUCHERRY  
CHIEF SECRETARIAT (HOUSING)

(G.O. Ms. No. 02/2018-Hg., Puducherry, dated 23rd February 2018)

ORDER

Whereas, in exercise of the powers conferred by section 70 of the Puducherry Town and Country Planning Act, 1969, in respect of compounding of offences, the Government has issued G.O. Ms. No. 20/2017-Hg., dated 20-10-2017, framing the Scheme for Regularisation of Unapproved Layouts situated in the areas lying outside the Comprehensive Development Plan areas in Puducherry and Karaikal regions of this Union territory of Puducherry.

And whereas, High Court, Madras while disposing W.P. No. 40799 of 2016 and W.M.P. No. 271 of 2018, on 8-1-2018 has ordered as follows:

“The Writ Petition is, thus, disposed of as infructuous, but, with a direction that Deeds/Documents may be registered subject to strict compliance with the Real Estate (Regulation and Development) Act, 2016, read with

Puducherry Real Estate (Regulation and Development) (General) Rules, 2017 and Puducherry Real Estate (Regulation and Development) (Agreement for Sale) Rules, 2017 and the Scheme for Regularisation of Unapproved Layouts, as formulated in G.O. Ms. No. 20/2017-Hg., dated 20-10-2017”.

And whereas, it is expedient to amend the Scheme to correct the clerical errors and to specify the Road Development Charges upfront to avoid discretion in levying them.

Now, therefore, the Lieutenant-Governor, Puducherry, is pleased to order the following Amendments to the said Scheme:

#### AMENDMENTS

In the Scheme for Regularisation of Unapproved Layouts situated in the areas lying outside the Comprehensive Development Plan Areas in Puducherry and Karaikal regions,—

(1) In clause (3), in sub-clause (i), for the existing words “six months”, the words “one year” shall be substituted;

(2) In clause (3), in sub-clause (iii), the existing sentence, namely, “The list of layouts submitted by the Local Bodies should also specify the rates of Development Charges to be collected, to be assessed and notified area-wise within a period of one month from the date of issue of this notification”, shall be omitted.

(3) In clause (3), in sub-clause (c), for the existing words “and remit the road development charges to be notified by the Local Bodies”, the following shall be substituted, namely, “road development charges to the Local Bodies”.

(4) In clause 9, for the existing clause, the following shall be substituted, namely:—

“9. *Levy of Road Development Charges*— Road Development Charges shall be collected for the plot to be regularised at the rate of ₹ 180 per sq.m. of plot area and payment of the same should be made to the concerned Local Body”.

(5) In clause 11, for the existing words “all plots”, the words “unsold plots” shall be substituted;

(6) In clause 13, after sub-clause (viii), the following sub-clause, shall be added, namely:—

(ix) **There will be two stage of regularisation:** (1) Regularisation of unapproved layout and subdivision and (2) Regularisation of individual plot. Regularisation of unapproved layout and subdivision will be a pre-condition to regularisation of plot.

(x) In case, 100% plots have been sold on or before 30-1-2017, and unapproved layout and subdivision has adequate space earmarked for common area/amenities, such as road, drainage, etc., an individual plot owner will be eligible to apply to the Planning Authority for regularisation of his plot(s). Before regularising the Planning Authority shall ascertain

from District Registrar of Revenue Department that 100% plots have indeed been sold out on or before 30-1-2017. If, however, unapproved layout and subdivision does not have prescribed level of common area/amenities, the plot owner in the form of Association or the Promoter shall have to make a provision for the same before the layout and subdivision is considered for regularisation. In case of regularisation, all the spaces earmarked for common area/amenities such as road, drainage, reserved areas kept at the end of the roads blocking connectivity to the adjoining lands and open space reservation areas in such layout and subdivision shall stand vested with Local Body concerned.

(7) In clause 14, in first para, the existing words “assessed and notified by the Local Bodies” shall be omitted.

(8) In clause 22, for the word and the figures “dated 8-9-2007”, the word and figures “dated 18-9-2007”, shall be substituted.

(9) In the Form-I appended to the Scheme, in the Table below “The application for regularisation of plot and layout”, in column 12 for the existing words “OSR area required in sq.m. (10% of the total unsold plot area in case of layouts where 50% and more than 50% plots have been sold or 5% of the total unsold plot area in case of layouts where less than 50% plots have been sold)”, the following shall be substituted, “OSR area required in sq.m. (5% of the total unsold plot area in case of layouts where 50% and more than 50% plots have been sold or 10% of the total unsold plot area in case of layouts where less than 50% plots have been sold)”.

(10) In the Form-I appended to the Scheme, in the Table below, the title “Self-Assessment Working Sheet Calculation of Regularisation Charge, Development Charges/Land use conversion Charge, OSR land Charge and Scrutiny Fees”, in column(e), for the existing words “OSR land Charge  $\{(a) \times 10/100\} \times (c) \times (d)$  or  $\{(a) \times 5/100\} \times (c) \times (d)$  *i.e.*, 10% of the total unsold plot area in case of layouts where 50% and more than 50% plots have been sold or 5% of the total unsold plot area in case of layouts where less than 50% plots have been sold”, the following shall be substituted, “OSR land charges  $\{(a) \times 10/100\} \times (d)$  *i.e.*, if, less than 50% plots have been sold or  $\{(a) \times 5/100\} \times (d)$  *i.e.*, if, 50% or more plots have been sold”.

(11) In the Form-I appended to the Scheme, in the Table below, the title “Self-Assessment Working Sheet Calculation of Regularisation Charge, Development Charges/Land use conversion Charge, OSR land Charge and Scrutiny Fees”, in column (f), for the existing words “Development charges assessed by the concerned Local Body” the following shall be substituted, namely, “Road Development Charges  $\{180 \times a\}$  *i.e.*, @ ₹ 180 per sq.m. of plot area”.

(12) In the Form-I appended to the Scheme, in the Table below, the title “For plot owner (person who has purchased plots on or before 30-1-2017)”, in column(e), for the existing words “Development Charges assessed by the concerned Local Body”, the following shall be substituted, namely, “Road Development Charges  $\{180 \times a\}$  *i.e.*, @ ₹ 180 per sq.m. of plot area”.

(13) After Clause 20, the following new clause shall be inserted, namely,—

"20 A. The Deed/Document shall be registered subject to strict compliance with the Real Estate (Regulation and Development) Act, 2016, read with Puducherry Real Estates (Regulation and Development) (General) Rules, 2017 and Puducherry Real Estate (Regulation and Development) (Agreement for Sale) Rules, 2017 and the Scheme for Regularisation of Unapproved Layouts, as formulated in G.O. Ms. No. 20/2017-Hg., dated 20-10-2017 as directed by High Court, Madras, *vide* its verdict in W.P. No. 40799 of 2016 and W.M.P. No. 271 of 2018".

(By order of the Lieutenant-Governor)

S. TAMILARASI,

Under Secretary to Government (Housing).

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online publication at "<http://styandptg.puducherry.gov.in>"

*Published by* The Director, Government Press

*Printed at:* Government Central Press, Puducherry.

*Posted at:* Puducherry HPO on every Tuesday