

THE PUDUCHERRY TOWN AND COUNTRY  
PLANNING (AMENDMENT) BILL, 2024

(Bill No. 4 of 2024)

A

BILL

**further to amend the Puducherry Town and Country  
Planning Act, 1969 (Act No. 13 of 1970).**

BE it enacted by the Legislative Assembly of Puducherry in the Seventy-fifth year of the Republic of India as follows :—

1. (1) This Act may be called the Puducherry Town and Country Planning (Amendment) Act, 2024. Short title extent and commencement.

(2) It shall extend to the whole of the Union territory of Puducherry.

(3) It shall come into force on and from the date of its notification in the Official Gazette.

2. In section 46-A of Puducherry Town and Country Planning Act, 1969,— Amendment of Section 46-A.

(i) In clause (a) of sub-section (1), for the existing words “Regulation” and “regulate”, the words “Regularisation” and “regularise”, shall be substituted, respectively;

(ii) In clause (b) of sub-section (3), the words, numbers and figures, “and after 31-12-2021” shall be deleted.

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## STATEMENT OF OBJECTS AND REASONS

The Planning Authorities who are empowered to control the physical developments are finding it difficult to control disproportionately high number of unauthorized constructions in the Union territory of Puducherry. The unauthorized constructions which already have come up over the years, cannot possibly be demolished and any wholesome demolition would not only amount to wastage of National wealth but, may also create law and order problems.

2. Keeping in view the above, suitable amendment has already been made in the Principal Act (*i.e.*) Town and Country Planning Act, 1969 by inserting section 46-A *vide* “Puducherry Town and Country Planning (Amendment) Act, 2022 (Act No. 6 of 2022) to regularize and penalize the buildings constructed unauthorizedly or in deviation to and deviated to the sanctioned plans.

3. However, the cut-off ceiling date prescribed while proposing the date of regularization of unauthorized buildings, in clause (b) of sub-section (3) of section 46-A, *viz.*, “The buildings constructed and completed before April, 1987 and after 31-12-2021 are not eligible for regularization, under the Scheme” is not in an acceptable and verifiable manner. Therefore, in order to remove the difficulties in implementing the Building regularisation Scheme and so as to cover all buildings constructed unauthorizedly or in deviation of sanctioned plans till the date of notification of the Scheme, to benefit the general public at large, the cut-off ceiling date stipulated under section 46-A of the Puducherry Town and Country Planning Act, 1969 (Act No. 13 of 1970) is proposed to be deleted.

4. Similarly, in clause (a) of sub-section (1) of section 46-A of Act No. 13 of 1970, the existing words “Regulation” and “regulate”, the words “Regularization” and “regularize”, respectively, are proposed to be substituted as being done in other States, since there seems to be misapprehension between the word “regulation” and “regularization”.

5. The Bill seeks to achieve the above objects.

**N. RANGASAMY,**  
Chief Minister.

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**FINANCIAL MEMORANDUM**

The proposed Bill being an amendment to the existing Puducherry Town and Country Planning Act, 1969 (No. 13 of 1970) by removing the cut-off ceiling date to implement the regularization of constructed buildings unauthorizedly or the deviation of sanctioned plans, no financial implication from the exchequer of Government of Puducherry, is involved. But, there will be revenue generation due to levy of Regularization charges by way of penalizing for the buildings constructed unauthorizedly or in deviation to the sanctioned plans, as one time measure.

2. Thus, no additional expenditure is expected to be incurred from the exchequer of the Government of Puducherry.

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**MEMORANDUM REGARDING DELEGATED LEGISLATION**

The proposed amendment to the Puducherry Town and Country Planning Act, 1969 (No. 13 of 1970) is to remove the cut-off ceiling date to implement the regularization of buildings constructed unauthorizedly or in deviations to the sanctioned plans, by levy of regularization charges. To regularize the buildings, is a matter in respect of which notifications may be issued or rule may be made in accordance with the aforesaid provisions of the Bill, which is a matter of procedure and detail.

2. The delegation of Legislative power is, therefore, of a normal character.