



**OULGARET MUNICIPALITY
PUDUCHERRY-5**

No.1798/OM/Rev./Trade Licence/2018

Puducherry, dt.02.06.2018

ORDER

WHEREAS, Thiru M. Kannappan, Thiru M. Venkateshwaran, Tmt. K. Lakshmi and Tmt. V. Sornadeivanai are running a textile shop at Door No.25 & 27, Villianur Road, Nadesan Nagar, Puducherry-5 in the name and style of M/s. K.V. Tex Firm with effect from 20.05.2018 without obtaining Trade Licence under Section 355 of the Pondicherry Municipalities Act, 1973;

2. **AND WHEREAS**, Thiru M. Venkateshwaran has been authorized by the other three partners namely Thiru M. Kannappan, Tmt. K. Lakshmi and Tmt. V. Sornadeivanai, to do all acts and deeds required to obtain Trade Licence in the name of M/s. K.V. Tex firm;

3. **AND WHEREAS**, M/s. K.V. Tex Firm has submitted an application dated 19.02.2018 for Trade Licence even before the completion of building and therefore suitability of the building for the running of the Trade could not be assessed by this Municipality;

4. **AND WHEREAS**, without submission of Occupancy Certificate issued by Puducherry Planning Authority, Puducherry, the application for issue of trade licence could not be processed;

5. **AND WHEREAS**, Thiru M. Kannappan, Thiru M. Venkateshwaran, Tmt. K. Lakshmi and Tmt. V. Sornadeivanai, partners of M/s. K.V. Tex Firm, were directed to show cause vide this Municipality's notice dated 28.05.2018 as to why action under the Pondicherry Municipalities Act, 1973 should not be taken for violation of the provisions of the Pondicherry Municipalities Act, 1973 and the said showroom be closed forthwith;

6. **AND WHEREAS**, the Authorised Signatory of M/s. K.V. Tex Firm vide his letter dated 30.05.2018 has sought time to submit the Occupancy Certificate;

7. **AND WHEREAS**, the Nadesan Nagar Residents' Welfare Association, Puducherry, vide petition dated 02.06.2018 have alleged that M/s. K.V. Tex Firm is functioning in a pre-fabricated building and the said structure does not have structural stability, thereby posing a serious threat to the life of nearby residents;

8. **AND WHEREAS**, in order to assess the situation, a joint inspection of M/s. K.V. Tex Firm was conducted by a team of officials of Oulgaret Municipality, Puducherry Planning Authority, Dept. of Science, Technology and Environment, Puducherry on 02.06.2018 at about 9.40am in the presence of Tahsildar, Taluk Office, Oulgaret; Station House Officer, Reddiarpalayam Police Station, representatives of Nadesan nagar Welfare Association, Thiru Santhoshkumar, HR Manager of said firm and Thiru Ramu, Electrical in-charge of said firm;



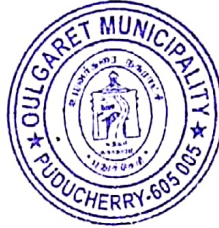
Kandasamy
02/6/18

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9. **AND WHEREAS**, the report of the joint inspection (copy enclosed) reveals that the basement floor of M/s. K.V. Tex Firm, Puducherry, which is meant for vehicle parking is utilized as commercial space and no appropriate parking arrangements were made in the basement, emergency exits in all floors are incomplete and without handrails, fire safety arrangements have not been completed, lift and escalators are working without any certification from Central Electricity Authority, lack of structural stability certificate for the said building and further the inspection team have recommended to seal the said firm in view of the safety of the public and employees of the said firm;

10. **AND WHEREAS**, Thiru M. Kannappan, Thiru M. Venkateshwaran, Tmt. K. Lakshmi and Tmt. V. Sornadeivanai, partners of M/s. K.V. Tex Firm, Puducherry, have violated the provisions of Section 355 of the Pondicherry Municipalities Act, 1973 and running the said textile showroom without obtaining licence from this Municipality;

11. **NOW, THEREFORE**, I, M. Kandasamy, Commisioner, Oulgaret Municipality, Puducherry, in exercise of powers conferred under Section 474(1)(b) of the Pondicherry Municipalities Act, 1973, hereby close and seal M/s. K.V. Tex Firm, Puducherry, for functioning without obtaining licence under Section 355 of the Pondicherry Municipalities Act, 1973.



M. Kandasamy
02/6/18
(M. KANDASAMY)
COMMISSIONER

Encl: As stated.

To

Thiru M. Kannappan, Thiru M. Venkateshwaran, Tmt. K. Lakshmi and Tmt. V. Sornadeivanai
Partners of M/s. K.V. Tex Firm,
Door No.25&27, Villianur Road,
Nadesan Nagar,
Puducherry-5.

Copy submitted to:

1. The Secretary to the Government (LA), Puducherry.
2. The District Collector, Puducherry.
3. The Director, Local Administration Department, Puducherry.
4. The Private Secretary to Hon'ble Minister for Local Administration, Puducherry.
5. The Sub-Divisional Magistrate (North), Puducherry

Copy to:

1. The Chief Engineer, Public Works Department, Puducherry.
2. The Superintending Engineer-I, Electricity Department, Puducherry.
3. The Member Secretary, Puducherry Planning Authority, Puducherry.
4. The Member Secretary, Puducherry Pollution Control Committee, Puducherry.
5. The Superintendent of Police (North), Puducherry.
6. The Superintendent of Police (Traffic) (NE), Puducherry.
7. The Tahsildar, Taluk Office, Oulgaret, Puducherry.
8. The Station House Officer, Reddiarpalayam Police Station, Puducherry.

OULGARET MUNICIPALITY

No.1798/OM/Rev./Trade License/2018

Dated 02/06/2018

REPORT ON JOINT INSPECTION CONDUCTED IN THE PREMISES OF
M/s K.V. TEX FIRM LOCATED AT DOOR NO. 25, & 27, VILLIANUR ROAD, NATESAN
NAGAR, PUDUCHERRY – 6005005

During 163rd Weekly rounds of the Lieutenant Governor of Puducherry on 02/06/2018 at about 07.30 am, the residents of Natesan Nagar submitted their grievance in respect of the difficulties faced by them due to the functioning of M/s KV Tex Firm at Villianur Road, Puducherry. The Hon'ble Lieutenant Governor asked the residents to submit appropriate representation to the authorities concerned namely, the Commissioner, Oulgaret Municipality and to the Member Secretary, Puducherry Planning Authority. Further, the Hon'ble LG directed the Commissioner, Oulgaret Municipality and the Member Secretary, Puducherry Planning Authority to take action on receipt of the representation as per law. Subsequent to that, a petition dated 02/06/2018 was submitted by the President and Secretary of Natesan Nagar Resident Welfare Association to the Commissioner, Oulgaret Municipality and to the Member Secretary, Puducherry Planning Authority regarding problems faced by them due to functioning of M/s KV Tex Firm at the said locality. They have submitted that the firm lacks parking facility within the premises resulting in obstruction of all cross streets in the vicinity. They have alleged that the building in which the said firm functions is a prefabricated construction and the said structure does not have structural stability certificate, thereby posing a threat to the safety of the nearby residents.

2. In this regard, in order to assess the situation, a joint inspection was conducted by the following officers.

- (i) Thiru. M. Kandasamy, Commissioner, Oulgaret Municipality
- (ii) Thiru. V. Vidjea Nehru, Member Secretary, Puducherry Planning Authority.
- (iii) Thiru. L. Xavier Kennedy, Junior Scientific Assistant, Department of Science and Technology and Environment.

The inspection was undertaken between 09.40 am to 10.30 am in the presence of the Thiru. A. Sureshraj, Tahsildar-cum-Executive Magistrate, Oulgaret Taluk, Thiru. P. Thangamani, Inspector of Police, Reddiarpalayam Police Station, Thiru. S. Gunasegaran, Executive Engineer, Oulgaret Municipality, Thiru. P. Rajendran, Revenue Officer, Oulgaret Municipality, Thiru. V. Ramanathan, Assistant Engineer, Oulgaret Municipality, Thiru. M. Nadesan, a representative of the said RWA, and the representatives of the firm, Thiru. Santhosh Kumar, HR Manager and Thiru. Ramu, Electrical In-charge.

3. The said building located at No.25 & 27 of Villianur Road, was found to have five floors and a basement. The building is being constructed with gross deviations from the approved building plan approved by Puducherry Planning Authority issued on 08/09/2017. Also, the fifth floor is unauthorizedly constructed without any approval and in total violation. The building is being constructed with reinforced prefabricated concrete structural elements. It was informed by Thiru. Santosh Kumar, HR Manager that around 700 staff was working in their firm and around 30,000 people visit the said shop daily.

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02/6/18

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4. During inspection of the building, the following were observed by inspecting team.

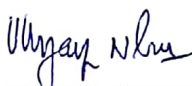
- (i) The basement meant for parking is utilized as a commercial space. No parking facility was made in the basement.
- (ii) At the Ground floor, drinking water facility was provided through two taps and no toilet is available in the ground floor.
- (iii) At the First floor, drinking water facility was provided through two taps and ladies toilet facility with eight seats is available.
- (iv) In the Second floor, drinking water facility was provided through two taps and gent's toilet facility with eight seats is available.
- (v) In third floor, toilet work is in progress and in the fourth floor the emergency exit work is yet to be completed. Toilet work is incomplete and not functioning.
- (v) Construction work is in progress in the fifth floor for which no approval has been accorded.

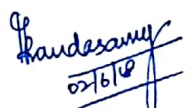
5. General Observation on the whole building:-

- (i) The coverage and FAR of the constructed building at site exceeds the permissible limits.
- (ii) Setbacks provided are substandard.
- (iii) Fire escape staircase has not been provided in the entire building.
- (iv) Structural stability certificate of the deviated / existing building of the building has not been produced.
- (v) Toilets are constructed without any ventilation or exhaust facilities which may lead to suffocation. The toilets are not enough to cater the needs of 30,000 floating population.
- (vi) OTS area in each floor is left unprotected posing a threat to the general public and to the staff.
- (vii) The emergency exit in all the floors is incomplete and without any handrails.
- (viii) The Fire safety arrangements have not been completed.
- (ix) No rest area has been provided to the 700 staff working there.
- (x) Lift and Escalators are working without the certification of the Central Electrical authority.

6. In view of the above said violations and considering the safety of the public who come to the shop, the staff, and the residents nearby, the Committee observed that the said building is not safe for conducting trade and hence, recommends the authorities concerned to seal the building and initiate further action as per law.


L. XAVIER KENNEDY
JR. SCIENTIFIC ASSISTANT, DSTE


V. VIDJEA NEHRU,
MEMBER SECRETARY,
PUDUCHERRY PLANNING
AUTHORITY


M. KANDASAMY,
COMMISSIONER
OULGARET MUNICIPALITY

To

All Concerned

Copy submitted to:

1. The Private Secretary to Hon'ble Lieutenant Governor Puducherry
2. The Private Secretary to Hon'ble Chief Minister, Puducherry
3. The Private Secretary to Hon'ble Minister for LAD & Town Planning.
4. The Secretary to Government, (LAD & Town Planning), Puducherry.
5. The Secretary to Government, (Environment), Puducherry
6. The Director, LAD, Puducherry.

